



CITY OF JONESBORO
Regular Meeting
170 SOUTH MAIN STREET
October 12, 2020 – 6:00 PM

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

Agenda

- I. CALL TO ORDER - MAYOR JOY B. DAY**
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**
- III. INVOCATION - DR. DONYA SARTOR, CITY COUNCILWOMAN**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS**
- VII. PUBLIC HEARING**
 1. Public Hearing regarding the adoption of the proposed FY' 21 Millage Rate of 8.0 Mills
- VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)**
- IX. MINUTES**
 1. Consideration of the Minutes of the September 14, 2020 Regular Meeting.
 2. Consideration of the Minutes of the September 28, 2020 Special Called Meeting.
 3. Consideration of the Minutes of the September 29, 2020 Public Hearing.
 4. Consideration of the Minutes of the October 5, 2020 Work Session.
- X. CONSENT AGENDA**
- XI. OLD BUSINESS**

1. Council to consider adoption of millage rate of 8.0 for FY 2021.
2. Council to consider Text Amendment Ord. 2020-018 for Chapter 34, Article V - Flood Damage Prevention, revisions and updates, per Metro North GA Water Planning District plan requirements and the Environmental Protection Division.
3. Council to consider Text Amendment Ord. 2020-019 for Chapter 34, Article VII – Post Development Stormwater Management for New Development and Redevelopment, revisions and updates, per Metro North GA Water Planning District plan requirements and the Environmental Protection Division.
4. Council to consider Conditional Use Permit Application 20-CU-012 for event rentals (inflatables), by Cyrel D. Foote, Jr. for property at 127 Jonesboro Road (Parcel No. 13240B E001), Jonesboro, Georgia 30236.

XII. NEW BUSINESS

1. Council to consider selection of General Contractor for the Jonesboro City Center project.
2. Council to consider approval of mid-year Budget Amendments.

XIII. REPORT OF MAYOR / CITY MANAGER

XIV. REPORT OF CITY COUNCILMEMBERS

XV. OTHER BUSINESS

1. Executive Session for the purpose of discussing the conveyance of real estate, personnel related matters and pending or possible litigation.
2. Consider any action(s) if necessary based on decision(s) made in the Executive Session

XVI. ADJOURNMENT

**CITY OF JONESBORO
REGULAR MEETING
170 SOUTH MAIN STREET
September 14, 2020 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, September 14, 2020. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR JOY B. DAY

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

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Absent	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
David Allen	Community Development Director	Present	
Joe Nettleton	Public Works Director	Present	
Cable Glenn-Brooks	Executive Assistant	Present	
Derry Walker	Chief Code Officer	Present	
Sandra Meyers	Finance Officer	Present	

III. INVOCATION - MOMENT OF SILENCE

IV. PLEDGE OF ALLEGIANCE

V. ADOPTION OF AGENDA

1. Motion to adopt the agenda as presented

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Donya Sartor, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

VI. PRESENTATIONS

1. Clayton County School District Presentation - Dr. Morcease Beasley

At this time Clayton County Superintendent Dr. Morcease Beasley, provided council with an update of the current school year.

Minutes Acceptance: Minutes of Sep 14, 2020 6:00 PM (MINUTES)

- 2. Presentation of 2019 Fiscal Year Audit - Fulton & Kozak

At this time Jeff Fulton provided Council with an update on the 2019 Fiscal Year Audit.

VII. PUBLIC HEARING

- 1. Public Hearing regarding Conditional Use Permit Application 20-CU-010 for a wellness center offering massage, Reiki, and facials, by the Downtown Development Authority, property owner, and Regina Richardson, applicant, for property at 166 South Main Street (Parcel No. 05241B B010), Jonesboro, Georgia 30236.

RESULT:	CLOSED
----------------	---------------

At this time Mayor Pro-Tem Sebo-Hand opened the Public Hearing. As none were present to speak, the Public Hearing was duly closed.

- 2. Public Hearing regarding Conditional Use Permit Application 20-CU-011 for a pet care, grooming, and pet sitting business, by Mike Lee, property owner, and Bobby Harmon, applicant, for property at 172 North Avenue (Parcel No. 13240A A002), Jonesboro, Georgia 30236.

RESULT:	CLOSED
----------------	---------------

At this time Mayor Pro-Tem Sebo-Hand opened the Public Hearing. As none were present to speak, the Public Hearing was duly closed.

- 3. Public Hearing regarding Conditional Use Permit Application 20-CU-012 for an outdoor event center and outdoor storage yard for party inflatables, by Cyrel D. Foote, Jr. for property at 127 Jonesboro Road (Parcel No. 13240B E001), Jonesboro, Georgia 30236.

RESULT:	CLOSED
----------------	---------------

At this time Mr. Cyrel Foote, owner and applicant, provided a presentation detailing the operation of the proposed inflatable business and it's operation.

Upon completion of Mr. Cyrel Foote's presentation, Mayor Pro-Tem Sebo-Hand opened the Public Hearing. As none were present to speak, the Public Hearing was duly closed.

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

Eric Bell, Clayton County resident addressed Council requesting permission for the March to the Polls on October 16, 2020.

IX. MINUTES

- 1. Consideration of the Minutes of the July 6, 2020 Work Session.

Councilwomen Tracey Messick requested the addition of her question related to the Historic Preservation Commission and Design Review Commission reviewing and approving the proposal for the condominiums on Main Street to be added to the July 6, 2020 minutes.

Minutes Acceptance: Minutes of Sep 14, 2020 6:00 PM (MINUTES)

RESULT:	TABLED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

2. Consideration of the Minutes of the July 13, 2020 Regular Meeting.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Donya Sartor, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

3. Consideration of the Minutes of the August 3, 2020 Work Session.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

X. CONSENT AGENDA - NONE

XI. OLD BUSINESS - NONE

XII. NEW BUSINESS

1. Council to consider Conditional Use Permit Application 20-CU-012 for event rentals (inflatables), by Cyrel D. Foote, Jr. for property at 127 Jonesboro Road (Parcel No. 13240B E001), Jonesboro, Georgia 30236.

RESULT:	TABLED [UNANIMOUS]	Next: 10/12/2020 6:00 PM
MOVER:	Ed Wise, Councilmember	
SECONDER:	Tracey Messick, Councilmember	
AYES:	Sebo-Hand, Lester, Powell, Sartor, Wise	
EXCUSED:	Messick	

It was the consensus of Council to table this issue. Mr. Allen will work with the applicant to devise a design plan that would meet the needs of the applicant and Council recommendations.

2. Council to consider Conditional Use Permit Application 20-CU-011 for a pet care, grooming, and pet sitting business, by Mike Lee, property owner, and Bobby Harmon, applicant, for property at 172 North Avenue (Parcel No. 13240A A002), Jonesboro, Georgia 30236.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Tracey Messick, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

If approved, the following minimum conditions should apply:

1. Paved (concrete) ADA parking shall be provided at the rear entrance of the building as an extension of the concrete driveway. Ada parking shall be clearly delineated with striping and signage.

Minutes Acceptance: Minutes of Sep 14, 2020 6:00 PM (MINUTES)

- 2. Rear privacy fence shall be completed prior to a business license being issued, per City standards.
 - 3. Any specimen trees on the property shall not be removed without first meeting the requirements of the Specimen Tree Protection Ordinance.
 - 4. Prior to a business license being issued, dog grooming must meet all Georgia Department of Agriculture requirements.
 - 5. No outdoor runs or cages are allowed. Any solid pet waste must not linger on the ground and must be disposed of in proper secure receptacles.
 - 6. No overnight boarding of pets, inside or outside, is allowed. Pet sitting services shall be mobile only.
 - 7. Any pet exercise and training shall occur in the grassy area of the rear yard only
3. Council to consider Conditional Use Permit Application 20-CU-010 for a wellness center offering massage, Reiki, and facials, by the Downtown Development Authority, property owner, and Regina Richardson, applicant, for property at 166 South Main Street (Parcel No. 05241B B010), Jonesboro, Georgia 30236.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

The following conditions will apply:

- 1. Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- 2. All individuals performing massage therapy must be licensed by the State of Georgia.
- 4. Council to consider approval of the replacement of two 7 ½ ton Carrier RTU gas package air conditioner units for the Police Department.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

- 5. Council to consider Fee Waiver and Partnership Request for a Unity Day event to be held at Lee Street Park on September 19, 2020 for the purpose of promoting the Census.

Minutes Acceptance: Minutes of Sep 14, 2020 6:00 PM (MINUTES)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

6. Council to consider approval of Special Events Permit as requested by Alfred Dixon for a March to the Polls event to be held on October 16, 2020.

RESULT:	DID NOT VOTE
----------------	---------------------

7. Council to consider approval of mid-year Budget Amendments.

RESULT:	TABLED [UNANIMOUS]	Next: 10/12/2020 6:00 PM
MOVER:	Donya Sartor, Councilmember	
SECONDER:	Ed Wise, Councilmember	
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise	

XIII. REPORT OF MAYOR / CITY MANAGER

None

XIV. REPORT OF CITY COUNCILMEMBERS

Councilwoman Donya Sartor- None

Councilman Ed Wise - None

Councilman Bobby Lester - None

Councilman Billy Powell - None

Councilwoman Tracey Messick - Consider scheduling retreats 90 days in advance and distributing the agendas a week prior to the meeting allowing 72 hours to make changes to the agenda.

Councilwoman Sebo-Hand - None

XV. OTHER BUSINESS - NONE

XVI. ADJOURNMENT

1. Motion to adjourn at 8:11 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Minutes Acceptance: Minutes of Sep 14, 2020 6:00 PM (MINUTES)

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

Minutes Acceptance: Minutes of Sep 14, 2020 6:00 PM (MINUTES)

**CITY OF JONESBORO
SPECIAL CALLED MEETING
170 SOUTH MAIN STREET
September 28, 2020 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Special Called Meeting on Monday, September 28, 2020. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Remote	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
David Allen	Community Development Director	Late	
Joe Nettleton	Public Works Director	Absent	
Cable Glenn-Brooks	Executive Assistant	Absent	
Derry Walker	Chief Code Officer	Absent	

II. AGENDA ITEMS

1. Motion to accept the agenda with the following amendments.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Under Agenda Items

Add Item No.#2 - Council to consider a budget amendment to the 2015 SPLOST budget.

2. Council to consider the FY' 19 Audit

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tracey Messick, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

3. Council to consider a budget amendment to the 2015 SPLOST Budget

Minutes Acceptance: Minutes of Sep 28, 2020 6:00 PM (MINUTES)

RESULT: APPROVED [UNANIMOUS]
MOVER: Pat Sebo-Hand, Mayor Pro-Tem
SECONDER: Ed Wise, Councilmember
AYES: Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

III. EXECUTIVE SESSION

1. Executive Session for the purpose of discussing Personnel Related Matters at 6:13 PM.

RESULT: APPROVED [UNANIMOUS]
MOVER: Ed Wise, Councilmember
SECONDER: Billy Powell, Councilmember
AYES: Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

2. Motion to resume regular session at 9:07 PM.

RESULT: APPROVED [UNANIMOUS]
MOVER: Bobby Lester, Councilmember
SECONDER: Pat Sebo-Hand, Mayor Pro-Tem
AYES: Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

IV. ADJOURNMENT

1. Motion to adjourn at 9:10 PM,

RESULT: APPROVED [UNANIMOUS]
MOVER: Billy Powell, Councilmember
SECONDER: Ed Wise, Councilmember
AYES: Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

Minutes Acceptance: Minutes of Sep 28, 2020 6:00 PM (MINUTES)

**CITY OF JONESBORO
PUBLIC HEARING
170 SOUTH MAIN STREET
September 29, 2020 – 10:00 AM**

MINUTES

The City of Jonesboro Mayor & Council held their Public Hearing on Tuesday, September 29, 2020. The meeting was held at 10:00 AM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Absent	
Bobby Lester	Councilmember	Absent	
Tracey Messick	Councilmember	Absent	
Billy Powell	Councilmember	Absent	
Donya Sartor	Councilmember	Absent	
Ed Wise	Councilmember	Absent	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Absent	
David Allen	Community Development Director	Absent	
Joe Nettleton	Public Works Director	Absent	
Cable Glenn-Brooks	Executive Assistant	Present	
Derry Walker	Chief Code Officer	Absent	

II. PUBLIC HEARING

- Public Hearing regarding adoption of the FY' 21 Millage Rate.

At this time Mayor Day opened the Public Hearing. As none were present to speak, the Public Hearing was duly closed.

III. ADJOURNMENT

- Motion to adjourn at 10:04 AM.

RESULT:	APPROVED [UNANIMOUS]
ABSENT:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

**CITY OF JONESBORO
WORK SESSION
170 SOUTH MAIN STREET
October 5, 2020 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Work Session on Monday, October 5, 2020. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR JOY B. DAY

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Absent	
Pat Daniel	Assistant City Clerk	Present	
David Allen	Community Development Director	Present	
Joe Nettleton	Public Works Director	Absent	
Cable Glenn-Brooks	Executive Assistant	Present	
Derry Walker	Chief Code Officer	Absent	
Maria Wetherington	Assistant	Present	
Sandra Meyers	Finance Officer	Present	
Jonathan James	Lieutenant Jonesboro Police Department	Present	
Kelli Duffy	Municipal Court Clerk	Present	

II. ROLL CALL - PAT DANIEL, ASSISTANT CITY CLERK

III. INVOCATION - MOMENT OF SILENCE

IV. ADOPTION OF AGENDA

- Motion to adopt the agenda as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

V. MILLAGE RATE

- Public Hearing regarding the FY' 21 Millage Rate.

At this time Mayor Day opened the Public Hearing. As none were present to speak, the Public Hearing was duly closed.

Minutes Acceptance: Minutes of Oct 5, 2020 6:00 PM (MINUTES)

VI. WORK SESSION

1. Council to consider Text Amendment Ord. 2020-019 for Chapter 34, Article VII – Post Development Stormwater Management for New Development and Redevelopment, revisions and updates, per Metro North GA Water Planning District plan requirements and the Environmental Protection Division.

RESULT:	OLD BUSINESS	Next: 10/12/2020 6:00 PM
----------------	---------------------	---------------------------------

Summary of proposed changes

1. Deletion of Findings of Fact section from the General Provisions Section 34-301.
 2. Modification of Purpose and Intent section.
 3. Modification, addition, and deletion of a number of definitions in Section 34-302, in alignment with the Metro North GA Water Planning District 2013 Model Ordinance.
 4. Clarified the applicability criteria in Section 34-303.
 5. Clarified the City Manager's role in appointing an administrator of this Ordinance (Section 34-304).
 6. Updated application requirements in Section 34-306.
 7. Updated pre-submittal process in Section 34-307 and stormwater management plan requirements.
 8. Updated Compliance Section 34-308.
 9. Deleted Section 34-309, Stormwater Management Inspection and Maintenance Agreements. (Done by CCWA, not City.)
 10. Added section about performance and maintenance bonds.
 11. Updated Stormwater Management Standards, Section 34-311, including new effective date for standards - December 10, 2020.
 12. Updated Section 34-312, Modifications of Off-site Facilities.
2. Council to consider Text Amendment Ord. 2020-018 for Chapter 34, Article V - Flood Damage Prevention, revisions and updates, per Metro North GA Water Planning District plan requirements and the Environmental Protection Division.

RESULT:	OLD BUSINESS	Next: 10/12/2020 6:00 PM
----------------	---------------------	---------------------------------

Minutes Acceptance: Minutes of Oct 5, 2020 6:00 PM (MINUTES)

VII. OTHER BUSINESS

Councilwoman Donya Sartor requested all council members and city employees wear pink in recognition of Breast Cancer Awareness at the Regular Council Meeting on October 12, 2020.

VIII. ADJOURNMENT

1. Motion to adjourn at 6:13 PM.

RESULT: APPROVED [UNANIMOUS]
MOVER: Billy Powell, Councilmember
SECONDER: Ed Wise, Councilmember
AYES: Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

Minutes Acceptance: Minutes of Oct 5, 2020 6:00 PM (MINUTES)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.1

- 1

COUNCIL MEETING DATE
 October 12, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

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

Council to consider adoption of millage rate of 8.0 for FY 2021.

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 4.0 in our mills totaling 8.0 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 4.0 mills, still would not pay any property taxes. A property not eligible for the homestead exemption, with a Fair Market of \$100,000 would pay \$320.00

Below I have done a comparative analysis of your property values, taxable amounts and tax payments that show the increase. Jonesboro is a very interesting community as it relates to taxation since it is the county seat and so much of the property is non-taxable. In looking at the chart below, FMV indicates Fair Market Value. Please also note that there could be changes based upon appeals, valuation changes, etc. Also note, that we will never collect 100% as indicated on the Tax Digest. Our digest shows a slight increase; however, you will note even using the seven of you that some values actually dropped. This is the reason that we have to keep economic development as a main strategic priority for our government. This is the first of several breakdowns of **real** data that I have prepared for you.

Breakdown:

(Scenario 1)

For the purpose of this illustration, I used our legislative body and some of our businesses. I hope that

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 12, 2020

Signature

City Clerk's Office

you don't mind me using your information; however, it is public knowledge. Out of councilmembers and a Mayor, there were only three (3) that paid any property taxes for FY' 19. Of the three that paid, the City collected only \$102.83. Please note most municipalities in Georgia generate the majority of their general fund revenues through taxation. In fact, taxes should comprise roughly two-thirds of municipal general fund revenues state-wide. This is the best practice, because this is one of the few guaranteed forms of revenue. If you break the \$102.83 down, our lowest employee in the City makes \$12.50 per hour. The \$102.83 would not even cover an entire 40 - hour work period. Of course, this is just a comparative analysis of seven councilmembers. Should Council raise the millage to 8 mills, there would only be one additional councilmember paying and that assessment would only be \$36.77. Of the Councilmembers paying the 8Mills for FY' 20, the City will collect \$566.02. Bear in mind this would be at 100% collection and no valuation change. I will note that the calculations below are also indicated of the homestead decreasing from \$50,000 to \$40,000.

(Scenario 2)

I have also listed some businesses and their corresponding valuation.

BELOW ARE THE TAX PAYMENTS TO THE COUNTY:

CLAYTON COUNTY RE TAX BILLS		
NAME	2019	2020
CRANE HARDWARE	\$5,699.68	\$5,615.30
SWINTS FEED & SEED	\$7,940.58	\$7,823.02
PARAGON ALARM	\$5,569.65	\$5,484.32
T. MADDEN & ASSOCIATES	\$4,321.33	\$4,256.55

With the businesses, state law prohibits the use of any homestead exemptions. They are taxed based upon their assessed value. Please note that the businesses pay a much higher property tax to the County; however, the County is not responsible for any provision of service (i.e. Police, Street Maintenance, Administrative Services, Sanitation, etc.). The argument has come up several times that the businesses carry the load; however, without an increase in the tax digest, this will continue because the majority of residents do not pay especially when the median house value is under \$70K. This is why it is paramount for us to focus on positive, sustainable growth in order to raise the total compilation of our Tax Digest.

One of the projections I would like to point out to you for FY' 21 is the fact that some of our businesses were closed due to COVID. This will cause a huge fluctuation in the amount that will be reported for the Occupational Tax period covering FY' 20. We are projecting cutting the revenue by at least 38%, which would only generate roughly \$200,000.00. I also want to point out that we have had businesses that have opened within the last quarter of the year, so they will only pay occupational taxes based upon 4 months. I will also note that based upon current projections, we have only collected 18% (\$165,028 of \$900,000) of some of our major fines/fees. This number will negatively

Another point I would like to call your attention to is the number of business closures we have experienced. To date, I have closed a total of 60 businesses – a total impact of \$16,561.84 to our coffers based upon their previous collections. In addition, we have another 50 that have simply not renewed yet so the assumption is that they are closed as well.

I also would like to point out that based upon the actuarial evaluation of our retirement plan, our renewal rate is at a 7% increase over current year. A total financial impact of \$21,151.

One piece of good news I have is that I have received confirmation that United Healthcare will hold the current Medical rate for the upcoming year if the City agrees not to go to the market. The initial renewal called for an 11.5% increase; however, there is a 4% increase in dental insurance across the Board. We have not yet received our renewals from workers compensation; however, we always experience a slight increase of 4% or greater just based upon conditions.

Summation:

If you look at previous year tax histories, you will see that in 2019, with the adopted 4 mills, the City should have collected \$386,311; however, our actuals were \$319,629.00 (82.7%). We currently have sent out 44 FiFa notices (total debt \$21,907.07). If the proposed 8Mills passes, we will collect based upon the total digest, \$834,139.00 but remember, we only collect a portion of it based upon appeals, value changes and those that simply don't pay and we go the legal route.

If we utilize the projection that we will collect 80% of the total digest at 8Mills, that brings our total collection to \$667,311.20 a difference of \$347,682.20.

Some of the noted projections of decreases above are:

1. Loss of Occupational Tax due to COVID-19 - \$125,000
2. Retirement Valuation Increase - \$21,151
3. Fines/Fees - \$300,000

Total with only these three - \$446,151.00

Of course, the above projected revenue losses do not take in to consideration Workers Compensation as we will not get the renewal notice until sometime in November.

Again, I have enclosed a few numbers above just to give you some insight as to what we are up against. Our future looks bright, but we must ensure that we have a hedge against the future. Raising the millage rate – and property taxes – is not a decision that should be taken lightly, but, a millage increase is an effective tool available to us as we work to manage through a significant loss in

revenue. If there is not a hedge, then we will only get further behind and then becomes where do we pull the money from? We must also remember that even during COVID, we still are responsible for ensuring that we provide effective, efficient services to our community.

On the high end, Mayor Day’s house has one of the highest appraisals in the City. A question that I will leave you with in making your determination is as follows: Are the high level, efficient services to our citizens that our employees provide not worth \$200 to our residents? The second question I ask you to consider is, “With our businesses having the ability to interact face to face with our city staff for any services they need, without any automated system, and the ability for us to help broker their property when they are looking to sell not worth \$200? Remember that there are less than 3% of our residents that would get even close to paying the \$200 based upon valuation of their property. The remainder would be absentee property owners that are making revenue from the rental of their property; however, we are responsible for providing a clean, safe and a walkable community.

The other thing I would like to point out is the current impact of the Grove subdivision.

The lots at the Grove have a fair market value of \$20,000, leaving the assessed value at \$8,000. With the 8 mills that is only \$64 per lot and at 49 lots it will only generate \$3,136 for FY 21. Remember, those residents will not pay taxes on the assessed value until 2022. They only recently constructed those homes and it was after January 1, which is the cycle date for taxes. At current 10 Homes have been sold and the average price is between \$235,000 - \$

The following are the estimated tax breakdowns per 1000 for FMV amounts of 235000 to 240000 at 4, 6 & 8 mil

4 Mil	6 Mil	8 Mil
\$216.00	\$324.00	\$432.00
\$217.60	\$326.40	\$435.20
\$267.20	\$400.80	\$534.40
\$220.80	\$331.20	\$441.60
\$222.40	\$333.60	\$444.80
\$224.00	\$336.00	\$448.00

Local Millage Rates:

Lovejoy – 6.662 mills increased from 5.808 in 2020

Morrow – 9.380 mills

Forest Park – 16.743 mills (property tax generates \$13,535,000)

Riverdale – 11.48 mills (property tax generates \$3,900,000)

Lake City – 7.5 mills (property tax generates \$420,000)

Fiscal Impact

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

11.1

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

- Copy of 2019 vs 2020 Tax Millage Rate Analysis Rev 1

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

Approval

Millage Rate Tax Analysis

Name	2019					2020							
	FMV Amount	Assessed Value	Homestead Amount	Taxable Amount	4 Mil	FMV Amount	FMV Increase %	Assessed Value	Homestead Amount	Taxable Amount	4 Mil	6 Mil	8 Mil
Joy B Day	\$159,000.00	\$63,600.00	\$50,000.00	\$13,600.00	\$54.40	\$164,257.00	3.20%	\$65,702.80	\$40,000.00	\$25,702.80	\$102.81	\$154.22	\$205.62
Ed Wise	\$72,514.00	\$29,005.60	\$50,000.00	\$0.00	\$0.00	\$75,919.00	4.49%	\$30,367.60	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Pat Sebo-Hand	\$79,746.00	\$31,898.40	\$50,000.00	\$0.00	\$0.00	\$93,249.00	14.48%	\$37,299.60	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Billy Powell	\$147,527.00	\$59,010.80	\$50,000.00	\$9,010.80	\$36.04	\$148,554.00	0.69%	\$59,421.60	\$40,000.00	\$19,421.60	\$77.69	\$116.53	\$155.37
Donya Sartor	\$108,877.00	\$43,550.80	\$50,000.00	\$0.00	\$0.00	\$111,492.00	2.35%	\$44,596.80	\$40,000.00	\$4,596.80	\$18.39	\$27.58	\$36.77
Tracy Messick	\$76,724.00	\$30,689.60	\$50,000.00	\$0.00	\$0.00	\$88,702.00	13.50%	\$35,480.80	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Bobby Lester	\$132,742.00	\$53,096.80	\$50,000.00	\$3,096.80	\$12.39	\$152,582.00	13.00%	\$61,032.80	\$40,000.00	\$21,032.80	\$84.13	\$126.20	\$168.26
Swints Feed & Seed	\$489,000.00	\$195,600.00	N/A	\$195,600.00	\$782.40	\$489,000.00	0.00%	\$195,600.00	N/A	\$195,600.00	\$782.40	\$1,173.60	\$1,564.80
Crane Hardware	\$351,000.00	\$140,400.00	N/A	\$140,400.00	\$561.60	\$351,000.00	0.00%	\$140,400.00	N/A	\$140,400.00	\$561.60	\$842.40	\$1,123.20
Paragon	\$342,992.00	\$137,196.80	N/A	\$137,196.80	\$548.79	\$342,812.00	-0.05%	\$137,124.80	N/A	\$137,124.80	\$548.50	\$822.75	\$1,097.00
T Madden & Associates	\$266,117.00	\$106,446.80	N/A	\$106,446.80	\$425.79	\$266,068.00	-0.02%	\$106,427.20	N/A	\$106,427.20	\$425.71	\$638.56	\$851.42

Attachment: Copy of 2019 vs 2020 Tax Millage Rate Analysis Rev 1 (1734 : 2020 Millage Rate)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.2

- 2

COUNCIL MEETING DATE
 October 12, 2020

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 Text Amendment Ord. 2020-018 for Chapter 34, Article V - Flood Damage Prevention, revisions and updates, per Metro North GA Water Planning District plan requirements and the Environmental Protection Division.

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

Review of Text Amendment for Chapter 34, Article V Flood Damage Prevention

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, Safety, Health and Wellbeing

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.)

Agency recommendation – Approval; Per Metro North GA Water Planning District plan requirements and the Environmental Protection Division, Chapter 34, Article V – Flood Damage Prevention is proposed to be revised and updated. These are recommended Code revisions to bring up to date with the Metro North GA Water Planning District 2013 Model Ordinance for Floodplain Management and Flood Damage Prevention and provide consistency for all seven cities in Clayton County.

The City Attorney’s office has reviewed the changes and produced a formatted document. Due to the limited nature of the changes, this is a true text amendment, rather than the “repeal and replace” document amendment for Article VII – Post Development Stormwater Management.

Summary of proposed changes

1. **Changed name of Article to “Floodplain Management and Flood Damage Prevention”**
2. **Added several words and phrases for consistency of language in the Code.**
3. **Changed designation of Ordinance administrator and clarified throughout the Code who handles permitting, etc.**
4. **Updated Flood Insurance Study dates.**
5. **Changed location of FIS repository.**
6. **Clarified the definition of “accessory structure.”**
7. **Updated the definition of “adjacent.”**
8. **Clarified the definition of “administrator.”**
9. **Included definition of “Conditional Letter of Mapping Revision.”**
10. **Included definition of “designee.”**
11. **Included definition of “Letter of Mapping Revision (LOMR).”**
12. **Included definition of “no rise certification.”**
13. **Included definition of “repetitive loss.”**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title
 Ricky L. Clark, City Manager

Date
 October, 12, 2020

10/05/20

City Council OLD BUSINESS
Next: 10/12/20

Signature

City Clerk’s Office

14. Confirmed that variance applications go to the City Council and not a Board of Appeals.
15. Confirmed location of court that handles appeals.
16. Recommended keeping the 24-hour notice of violation for certain hazards in Section 34-227.
17. Corrected several clerical errors.

Update:

No changes since the Work Session on October 5th. A formatted version of the revised Ordinance is attached. No public hearing was required, since it is not part of the Zoning Code.

Fiscal Impact

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

n/a

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

- Revised_Jonesboro_Art_V_Flood_Damage_Prev_trackedchanges_5Aug20
- Revised_Jonesboro_Art_V_Flood_Damage_Prev_clean_5Aug20
- Jonesboro Final Ordinance Crosswalk (003)
- Flood Damage Ordinance V4

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

Approval

CITY OF JONESBORO, GA

CODE OF ORDINANCES

CHAPTER 34 - ENVIRONMENT

ARTICLE V. - FLOODPLAIN MANAGEMENT AND FLOOD DAMAGE PREVENTION^[6]

Footnotes:

--- (6) ---

Editor's note— Ord. No. 2014-011, § 1, adopted Dec. 8, 2014, repealed the former Art. V, §§ 34-200—34-228, and enacted a new Art. V as set out herein. The former Art. V pertained to similar subject matter and derived from Ord. No. 04-06, § 2, adopted Mar. 8, 2004.

Commented [PB1]: Recommended Code revision bring up to date with MNGWPD 2013 Model Ordinance Floodplain Management and Flood Damage Prevention provide consistency for all (7) CCWA Members.

Commented [PB2]: Added floodplain management ordinance title to match ordinance title.

DIVISION 1. - TITLE, FINDINGS OF FACT, AND GENERAL PROVISIONS

Sec. 34-200. - Title.

This article shall be known as the City of Jonesboro's "[Floodplain Management and Flood Damage Prevention Ordinance](#)."

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-201. - Findings of fact.

It is hereby determined that:

- (1) The flood hazard areas of the City of Jonesboro are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.
- (3) Effective floodplain management and flood hazard protection activities can: (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.
- (4) Article IX, Section II of the Constitution of the State of Georgia and The Municipal Home Rule Act of 1965, O.C.G.A. §§ 36-35-1 to -8, have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Jonesboro does ordain this ordinance and establishes this set of floodplain management and flood hazard reduction provisions for the purpose of regulating the use of flood hazard areas.

It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-201.1. - Purpose and intent.

The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation, and ecological and environmental protection by provisions designed to:

- (1) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
- (3) Control filling, grading, dredging, and other development which may increase flood damage or erosion;
- (4) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
- (5) Limit the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters; and
- (6) Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological functions of natural floodplain areas.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-202. - Applicability.

This article shall be applicable to all areas of special flood hazard within the jurisdiction of the City of Jonesboro, Georgia.

(Ord. No. 2014-011, § 1, 12-8-2014)

Commented [GM3]: Added for consistency of lar to match Clayton Co and others

Sec. - 34-203. Designation of Ordinance Administrator.

The City of Jonesboro community development director Clayton County Water Authority is hereby appointed to administer and implement the provisions of this article and provide appropriate recommendations for permit approval to the City of Jonesboro.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-204. - Basis for establishing areas of special flood hazard, areas of future—Conditions flood hazard and associated floodplain characteristics—Flood area maps and studies.

For the purposes of defining and determining "areas of special flood hazard," "areas of future-conditions flood hazard," "areas of shallow flooding," "base flood elevations," "floodplains," "floodways," "future-conditions flood elevations," "future-conditions floodplains," potential flood hazard or risk categories as shown on FIRM maps, and other terms used in this article, the following documents and sources may be used for such purposes and are adopted by reference thereto:

- (1) The flood insurance study (FIS), dated ~~May 1983~~ June 7, 2017, with accompanying maps and other supporting data and any revision thereto. For those land areas acquired by ~~a municipality~~ the City of Jonesboro through annexation, the current effective FIS and data for the City of Jonesboro, ~~as of the effective date of this article~~ June 7, 2017, are hereby adopted by reference.
- (2) Other studies, which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and flood-prone areas, including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City of Jonesboro; and
 - b. Any base flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology and approved by the City of Jonesboro.
- (3) Other studies, which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas, including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, State or Federal agency applicable to the City of Jonesboro; and
 - b. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology approved by the City of Jonesboro.
- (4) The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the ~~Clayton County Water Authority~~ City Hall of the City of Jonesboro.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-205. - Compatibility with other regulations.

This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-206. - Severability.

If the provisions of any section, subsection, paragraph, subdivision or clause of this article shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this article.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-207. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This article does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ~~ordinance article~~ shall not create liability on the part of the City of Jonesboro or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 2. - DEFINITIONS

Sec. 34-208. - Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Accessory structure or facility means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure

Commented [PB4]: Shifted to top

Addition means any walled and roofed expansion to the perimeter or height of a building.

Adjacent means those areas located a defined horizontal distance from the future-conditions floodplain boundary that are at or lower in elevation than either three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, unless the area is hydraulically independent (meaning absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, and etc. with no fill or other manmade barriers creating the separation).

Commented [PB5]: Added as update to model or defines "adjacent" for section called "building stand structures and buildings authorized adjacent to the conditions floodplain"

Administrator or Ordinance Administrator means the Clayton County Water Authority, City of Jonesboro community development director, or any other agency, department or official to whom the county/city has designated the administration of this article.

Commented [GM6]: Per CCWA mtg: Need to incl local designee in definitions section.

Appeal means a request for a review of the City of Jonesboro's interpretation of any provision of this ordinance/article.

Area of future-conditions flood hazard means the land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of shallow flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard means the land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as Zones A, AI-30, A-99, AE, AO, AH, and AR on a community's flood insurance rate map (FIRM).

~~Accessory structure or facility means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure.~~

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base flood elevation means the highest water surface elevation anticipated at any given location during the base flood.

Basement means any area of a building having its floor subgrade below ground level on all sides.

Building has the same meaning as structure.

Conditional Letter of Mapping Revision (CLOMR): FEMA’s comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations (BFEs), or the special flood hazard area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA.

Commented [PB7]: Not in model ordinance, recommending adding since included in later section

Designee means a city official in a department other than the department of community development, who is authorized by the city department of community development to serve as Administrator for the purposes of this chapter.

Commented [PB8]: Not in model ordinance, recommended by CCWA

Development means any manmade change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Elevated building means a non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing construction means any structure for which the "start of construction" commenced before June 2, 1987.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this article.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood insurance rate map or FIRM means an official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study or FIS means the official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain or flood-prone area means any land area susceptible to flooding.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or regulatory floodway means the channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future-conditions flood means the flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions flood elevation means the highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions floodplain means any land area susceptible to flooding by the future-conditions flood.

Future-conditions hydrology means the flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Letter of Mapping Revision (LOMR) means FEMA's official modification to an effective flood insurance rate map (FIRM), or flood boundary and floodway map (FBFM), or both. letter of map revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and this result in the modification of the existing regulatory floodway, the effective base flood elevations (BFE's), or the special flood hazard area (SFHA). The LOMR officially revises the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM), and sometimes the flood insurance study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

Commented [PB9]: Not in model ordinance, recommend adding since included in later section

Lowest floor means the lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this ordinance article.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property. The term does not include a "recreational vehicle."

Mean sea level means the datum to which base flood elevations shown on a community's flood insurance rate Map (FIRM) are referenced. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

New construction means any structure (see definition) for which the "start of construction" commenced on or after the effective date of this article and includes any subsequent improvements to the structure.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this article.

No-Rise Certification means a submittal supported by technical data and signed by a registered professional engineer that states any proposed development that must stipulate NO impact or NO changes to the base flood elevations, regulatory floodway elevations, or regulatory floodway widths at all new and existing cross-sections in the model. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM).

Commented [PB10]: Not in model ordinance, recommend adding since included in later section

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City of Jonesboro to the applicant which is required prior to undertaking any development activity.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;

- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive loss means flood related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Site means the parcel of land being developed, or the portion thereof on which the development project is located.

Start of construction includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building (including a gas or liquid storage tank), that is principally above ground, or a manufactured home.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. This term also includes Repetitive Loss.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement to a structure, taking place during a ten-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the code enforcement official. The term does also not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Commented [PB11]: City does not have a program to track flood damages, but including this definition to model ordinance update.

Substantially improved existing manufactured home park or subdivision means the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance means a grant of relief from the requirements of this [ordinance article](#).

Violation means the failure of a structure or other development to be fully compliant with the requirements of this article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 3. - PERMIT PROCEDURES AND REQUIREMENTS

Sec. 34-209. - Permit application requirements.

No owner or developer shall perform any development activities on a site where an area of special flood hazard or area of future-conditions flood hazard is located without first meeting the requirements of this article prior to commencing the proposed activity.

Unless specifically excluded by this article, any landowner or developer desiring a permit for a development activity shall submit to the ~~city clerk~~City of Jonesboro a permit application on a form provided by the ~~city clerk~~City of Jonesboro for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this article.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-210. - Floodplain management plan requirements.

An application for a development project with any area of special flood hazard or area of future-conditions flood hazard located on the site shall include a floodplain management/flood damage prevention plan. This plan shall include the following items:

- (1) Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building comers and 20-foot or smaller intervals along the foundation footprint, or one foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a licensed professional engineer or surveyor.
- (2) Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;

- b. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - c. Certification that any proposed non-residential floodproofed structure meets the criteria in subsection 34-220(2);
 - d. For enclosures below the base flood elevation, location and total net area of flood openings as required in subsection 34-219(5); and
 - e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
- (3) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
 - (4) Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;
 - (5) Copies of all applicable state and federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
 - (6) All appropriate certifications required under this article.

The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-211. - Construction stage submittal requirements.

For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the ~~community development director~~ **ordinance administrator or designee** a certified as-built elevation certificate or floodproofing certificate for non-residential construction including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final elevation certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a licensed professional engineer or architect and certified by same using the FEMA floodproofing certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The ~~ordinance administrator or designee~~ **community development director** shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit

certification or failure to make the corrections required hereby shall be cause to issue a stop work order for the project.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-212. - Duties and responsibilities of the administrator.

Duties of the ~~community development director~~ ordinance administrator, or designee, shall include, but shall not be limited to:

- (1) Review all development applications and permits to assure that the requirements of this ~~ordinance article~~ have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
- (2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334;
- (3) When base flood elevation data or floodway data have not been provided, then the ~~community development director~~ ordinance administrator or designee shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources in order to meet the provisions in divisions 4 and 5 of this ~~ordinance article~~;
- (4) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new and substantially improved structures;
- (5) Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been floodproofed;
- (6) When floodproofing is utilized for a non-residential structure, the ~~community development director~~ ordinance administrator or designee shall review the design and operation/maintenance plan and obtain certification from a licensed professional engineer or architect;
- (7) Notify affected adjacent communities and the Georgia Department of Natural Resources (GADNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA;
- (8) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions) the ~~community development director~~ ordinance administrator or designee shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ~~ordinance article~~. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps;
- (9) All records pertaining to the provisions of this article shall be maintained in the office of the ~~community development director~~ ordinance administrator or designee and shall be open for public inspection;

Commented [GM12]: Replace with article to maintain language consistent; throughout.

Formatted: Font: (Default) +Body (Calibri), 11 pt

Formatted: Font: (Default) +Body (Calibri), 11 pt

City of Jonesboro, GA

Recommended updates to Code

Floodplain Management

- (10) Coordinate all FIRM revisions with the ~~Georgia Department of Natural Resources~~GADNR and FEMA; and
- (11) Review variance applications and make recommendations to the council of the City of Jonesboro.

(Ord. No. 2014-011, § 1, 12-8-2014)

Commented [SG13]: City - please confirm variance to City Council and not to a Board of Appeals.

DIVISION 4. - STANDARDS FOR DEVELOPMENT

Sec. 34-213. - Definition of floodplain boundaries.

- (a) Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.
- (b) For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the ~~community development director~~City of Jonesboro. If future-conditions elevation data is not available from the ~~community development director~~City of Jonesboro, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the ~~community development director~~ordinance administrator or designee.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-214. - Definition of floodway boundaries.

The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the ~~community development director~~City of Jonesboro. If floodway data is not available from the ~~community development director~~City of Jonesboro, it shall be determined by a licensed professional engineer using a method approved by FEMA and the ~~city~~community development director.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-215. - General standards.

- (a) No development shall be allowed within any area of special flood hazard or area of future-conditions flood hazard that could result in any of the following:
 - (1) Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - (2) Reducing the base flood or future-conditions flood storage capacity;
 - (3) Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or
 - (4) Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.
- (b) Any development within any area of special flood hazard or area of future-conditions flood hazard allowed under Section 34-215(a) shall also meet the following conditions:
 - (1) Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood,

and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;

- (2) Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
- (3) Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
- (4) Verification of no-rise conditions (less than 0.01 foot), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of section 34-216;
- (5) Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
- (6) Any significant physical changes to the base flood floodplain shall be submitted as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the City of Jonesboro using the FEMA community concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final letter of map revision (LOMR).

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-216. - Engineering study requirements for floodplain encroachments.

An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study shall be prepared by a licensed professional engineer and made a part of the application for a permit. This information shall be submitted to and approved by the ~~community development director~~ City of Jonesboro prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:

- (1) Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
- (2) Step-backwater analysis, using a FEMA-approved methodology approved by the City of Jonesboro ~~community development director~~. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating PISFIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;

- (3) Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
- (4) The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-217. - Floodway encroachments.

Located within areas of special flood hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

- (1) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in subsection (2) below.
- (2) Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and
- (3) If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City of Jonesboro until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the city.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-218. - Maintenance requirements.

The property owner shall be responsible ~~to~~for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The City of Jonesboro may direct the property owner (at no cost to the city) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the city.

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 5. - PROVISIONS FOR FLOOD DAMAGE REDUCTION

Sec. 34-219. - General standards.

In all areas of special flood hazard and areas of future-conditions flood hazard, the following provisions apply:

- (1) New construction and substantial improvements of structures (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of sections 34-215, 34-216, and 34-217 have been met;
- (2) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (5) Elevated buildings. All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
 - (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (ii) The bottom of all openings shall be no higher than one foot above grade;
 - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the "lowest floor" criteria of this article, the unfinished and flood resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and
 - c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
- (6) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

- (7) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces;
- (8) All proposed development shall include adequate drainage and stormwater management facilities per the requirements of the City of Jonesboro to reduce exposure to flood hazards;
- (9) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (10) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (11) On-site waste disposal systems shall be located and constructed to avoid impairment to, or contamination from, such systems during flooding;
- (12) Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazards from them, during flooding;
- (13) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this article, shall be undertaken only if the non-conformity is not furthered, extended or replaced;
- (14) If the proposed development is located in multiple flood zones, or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence;
- (15) When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this [article ordinance](#); and
- (16) Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
 - a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-220. - Building standards for structures and buildings within the future-conditions floodplain.

In addition to the requirements in section 34-219, the follow provisions shall apply:

- (1) *Residential buildings.*
 - a. *New construction.* New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of sections 34-215, 34-

216, and 34-217 have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a.

- b. *Substantial improvements.* Substantial improvement of any principal residential structure shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a.
- (2) *Non-residential buildings.*
- a. *New construction.* New construction of principal non-residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of sections 34-215, 34-216, and 34-217 have been met, all new construction shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a. New construction that has met all of the requirements of subsections 34-215, 34-216, and 34-217 may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the [community development director/ordinance administrator or designee](#) using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
 - b. *Substantial improvements.* Substantial improvement of any principal non-residential structure located in A1-30, AE, or AH zones, may be authorized by the [community development director/ordinance administrator or designee](#) to be elevated or floodproofed. Substantial improvements shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic

and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the ordinance administrator or designee ~~community development director~~ using the FEMA floodproofing certificate along with the design and operation/maintenance plan.

- (3) *Accessory structures and facilities.* Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of sections 34-215, 34-216, and 34-217 and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with subsection 34-219(5)a. and be anchored to prevent flotation, collapse and lateral movement of the structure.
- (4) *Standards for recreational vehicles.* All recreational vehicles placed on sites must either:
 - a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
 - b. Meet all the requirements for residential buildings—substantial improvements (subsection 34-220(1)(b)), including the anchoring and elevation requirements.
- (5) *Standards for manufactured homes.*
 - a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of sections 34-215, 34-216, and 34-217 have been met, all new construction and substantial improvement shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)_a.
 - b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
 - (i) The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or
 - (ii) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height ~~above grade~~ above grade.
 - c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of subsection 34-219(7).

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-221. - Building standards for structures and buildings authorized adjacent to the future-conditions floodplain.

For purposes of this article, the term "adjacent to the future conditions floodplain" includes: all structures and buildings on a property that contains (partially or entirely) an area of special flood hazard and all structures and buildings on a property that shares a common property line with another parcel that contains (partially or entirely) an area of special flood hazard. Buildings and structures and buildings that are adjacent to the future-conditions floodplain shall meet the following requirements:

- (1) *Residential buildings.* For new construction and substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)(a).
- (2) *Non-residential buildings.* For new construction and substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)(a). Nonresidential buildings may be floodproofed in lieu of elevation.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-222. - Building standards for residential single-lot developments on streams without established base flood elevations and floodway (A-Zones).

For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A-Zones), the ~~community development director ordinance administrator or designee~~ shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of this article.

If data are not available from any of these sources, the following provisions shall apply:

- (1) No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or 50 feet from the top of the bank of the stream, whichever is greater.
- (2) In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood prone enclosures in accordance with subsection 34-219(5)a.

Commented [GM14]: Definition does not match ordinance or CCWA. Moved to definitions section and updated to match model ordinance.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-223. - Building standards for areas of shallow flooding (AO-Zones).

Areas of special flood hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet above ground, with no clearly defined channel. In these areas the following provisions apply:

- (1) All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to no lower than one foot above the flood depth number in feet specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with standards of subsection 34-219(5)a;
- (2) New construction and substantial improvement of a non-residential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the ordinance administrator or designee community development director using the FEMA floodproofing certificate along with the design and operation/maintenance plan; and
- (3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-224. - Standards for subdivisions of land.

- (a) All subdivision proposals shall identify the areas of special flood hazard and areas of future-conditions flood hazard therein and provide base flood elevation data and future-conditions flood elevation data;
- (b) All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required; and
- (c) All subdivision plans will provide the elevations of proposed structures in accordance with subsection 34-210(2).

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 6. - VARIANCE PROCEDURES

Sec. 34-225. - Variance procedures.

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this article.

- (1) Requests for variances from the requirements of this article shall be submitted to the ~~community development director~~ City of Jonesboro. All such requests shall be heard and decided in accordance with procedures to be published in writing by the ~~community development director~~ City of Jonesboro. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
- (2) Any person adversely affected by any decision of the City of Jonesboro ~~community development director~~ shall have the right to appeal such decision to the council of the City of Jonesboro with procedures to be published in writing by the city. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
- (3) Any person aggrieved by the decision of the council of the City of Jonesboro rendered under subsection (2) may appeal such decision to the Superior Court of Clayton County by writ of certiorari, as provided in O.C.G.A. § Section 5-4-1 of the Official Code of Georgia Annotated.
- (4) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.
- (5) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- (6) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (7) In reviewing such requests, the council of the City of Jonesboro shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this article.
- (8) Conditions for variances:
 - a. A variance shall be issued only when there is:
 - (i) A finding of good and sufficient cause;
 - (ii) A determination that failure to grant the variance would result in exceptional hardship; and
 - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
 - b. The provisions of this article are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued

Commented [GM15]: City of Jonesboro (jurisdiction typical)

Formatted: Font: (Default) +Body (Calibri), 11 pt

Commented [SG16]: City - please confirm - appeal to City Council vs. a Board of Appeals.

Commented [SG17]: City - please confirm correct.

Commented [GM18]: Matches model ordinance other codes. Same content, just language consistent.

Commented [SG19]: City to confirm

upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

- c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance resulting from the lowest floor elevation being placed below the base flood elevation will be commensurate with the increased risk to life and property, and that such costs may be as high as \$25.00 for each \$100.00 of insurance coverage provided.
 - d. The ~~community development director~~ ordinance administrator or designee shall maintain the records of all variance actions, both granted and denied, and report them to the Georgia Department of Natural Resources and the Federal Emergency Management Agency upon request.
- (9) Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the Council of the City of Jonesboro shall deem necessary for the consideration of the request.
- (10) Upon consideration of the factors listed above and the purposes of this ordinance article, the council of the City of Jonesboro may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this article.
- (11) Variances shall not be issued "after the fact."

Commented [PB20]: City to confirm

Commented [PB21]: City to confirm

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 7. - VIOLATIONS, ENFORCEMENT and PENALTIES

Sec. 34-226. - Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this article or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this article. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-227. - Notice of violation.

If the City of Jonesboro determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this article and the date for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
- (6) A statement that the determination of violation may be appealed to the city by filing a written notice of appeal within 30 days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-228. - Penalties.

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following

Commented [GM22]: Matches Clayton County code additional to model ordinance. Recommend keeping

actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Jonesboro shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the city may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) *Stop work order.* The city may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
- (2) *Withhold certificate of occupancy.* The city may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) *Suspension, revocation or modification of permit.* The city may suspend, revoke or modify the permit authorizing the development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the city may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (4) *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the city shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the city has taken one or more of the actions described above, the city may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
- (5) *Criminal penalties.* For intentional and flagrant violations of this article, the city may issue a citation to the applicant or other responsible person, requiring such person to appear in the municipal court of the City of Jonesboro to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(Ord. No. 2014-011, § 1, 12-8-2014)

Secs. 34-229—34-250. - Reserved.

Commented [SG23]: City - please confirm this is correct Court.

CITY OF JONESBORO, GA

CODE OF ORDINANCES

CHAPTER 34 - ENVIRONMENT

ARTICLE V. FLOODPLAIN MANAGEMENT AND FLOOD DAMAGE PREVENTION^[6]

Footnotes:

--- (6) ---

Editor's note— Ord. No. 2014-011, § 1, adopted Dec. 8, 2014, repealed the former Art. V, §§ 34-200—34-228, and enacted a new Art. V as set out herein. The former Art. V pertained to similar subject matter and derived from Ord. No. 04-06, § 2, adopted Mar. 8, 2004.

Commented [PB1]: Recommended Code revision bring up to date with MNGWPD 2013 Model Ordinance Floodplain Management and Flood Damage Prevention provide consistency for all (7) CCWA Members.

Commented [PB2]: Added floodplain management ordinance title to match ordinance title.

Attachment: Revised_Jonesboro_Art_V_Flood_Damage_Prev_clean_5Aug20 (1722 : Article V - Flood Damage Prevention)

DIVISION 1. - TITLE, FINDINGS OF FACT, AND GENERAL PROVISIONS

Sec. 34-200. - Title.

This article shall be known as the City of Jonesboro's "Floodplain Management and Flood Damage Prevention Ordinance."

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-201. - Findings of fact.

It is hereby determined that:

- (1) The flood hazard areas of the City of Jonesboro are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.
- (3) Effective floodplain management and flood hazard protection activities can: (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.
- (4) Article IX, Section II of the Constitution of the State of Georgia and The Municipal Home Rule Act of 1965, O.C.G.A. §§ 36-35-1 to -8, have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Jonesboro does ordain this ordinance and establishes this set of floodplain management and flood hazard reduction provisions for the purpose of regulating the use of flood hazard areas.

It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-201.1. - Purpose and intent.

The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation, and ecological and environmental protection by provisions designed to:

- (1) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
- (3) Control filling, grading, dredging, and other development which may increase flood damage or erosion;
- (4) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
- (5) Limit the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters; and
- (6) Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological functions of natural floodplain areas.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-202. - Applicability.

This article shall be applicable to all areas of special flood hazard within the jurisdiction of the City of Jonesboro, Georgia.

(Ord. No. 2014-011, § 1, 12-8-2014)

Commented [GM3]: Added for consistency of lar to match Clayton Co and others

Sec. - 34-203. Designation of Ordinance Administrator.

The City of Jonesboro community development director is hereby appointed to administer and implement the provisions of this article

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-204. - Basis for establishing areas of special flood hazard, areas of future—Conditions flood hazard and associated floodplain characteristics—Flood area maps and studies.

For the purposes of defining and determining "areas of special flood hazard," "areas of future-conditions flood hazard," "areas of shallow flooding," "base flood elevations," "floodplains," "floodways," "future-conditions flood elevations," "future-conditions floodplains," potential flood hazard or risk categories as shown on FIRM maps, and other terms used in this article, the following documents and sources may be used for such purposes and are adopted by reference thereto:

- (1) The flood insurance study (FIS), dated June 7, 2017, with accompanying maps and other supporting data and any revision thereto. For those land areas acquired by the City of Jonesboro through annexation, the current effective FIS and data for the City of Jonesboro, June 7, 2017, are hereby adopted by reference.
- (2) Other studies, which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and flood-prone areas, including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City of Jonesboro; and
 - b. Any base flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology and approved by the City of Jonesboro.
- (3) Other studies, which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas, including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, State or Federal agency applicable to the City of Jonesboro; and
 - b. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology approved by the City of Jonesboro.
- (4) The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Clayton County Water Authority.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-205. - Compatibility with other regulations.

This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-206. - Severability.

If the provisions of any section, subsection, paragraph, subdivision or clause of this article shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this article.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-207. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This article does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City of Jonesboro or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 2. - DEFINITIONS

Sec. 34-208. - Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Accessory structure or facility means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure

Commented [PB4]: Shifted to top

Addition means any walled and roofed expansion to the perimeter or height of a building.

Adjacent means those areas located a defined horizontal distance from the future-conditions floodplain boundary that are at or lower in elevation than either three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, unless the area is hydraulically independent (meaning absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, and etc. with no fill or other manmade barriers creating the separation).

Commented [PB5]: Added as update to model or defines "adjacent" for section called "building stand structures and buildings authorized adjacent to the conditions floodplain"

Administrator or Ordinance Administrator means the City of Jonesboro community development director, or any other department or official to whom the city has designated the administration of this article.

Commented [GM6]: Per CCWA mtg: Need to incl local designee in definitions section.

Appeal means a request for a review of the City of Jonesboro's interpretation of any provision of this article.

Area of future-conditions flood hazard means the land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of shallow flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard means the land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as Zones A, AI-30, A-99, AE, AO, AH, and AR on a community's flood insurance rate map (FIRM).

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base flood elevation means the highest water surface elevation anticipated at any given location during the base flood.

Basement means any area of a building having its floor subgrade below ground level on all sides.

Building has the same meaning as structure.

Conditional Letter of Mapping Revision (CLOMR): FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations (BFEs), or the special flood hazard area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA.

Commented [PB7]: Not in model ordinance, recommending adding since included in later section

Designee means a city official in a department other than the department of community development, who is authorized by the city department of community development to serve as Administrator for the purposes of this chapter.

Commented [PB8]: Not in model ordinance, recommended by CCWA

Development means any manmade change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Elevated building means a non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing construction means any structure for which the "start of construction" commenced before June 2, 1987.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this article.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood insurance rate map or FIRM means an official map of a community, issued by FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study or FIS means the official report by FEMA providing an examination, evaluation and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain or flood-prone area means any land area susceptible to flooding.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or regulatory floodway means the channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future-conditions flood means the flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions flood elevation means the highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions floodplain means any land area susceptible to flooding by the future-conditions flood.

Future-conditions hydrology means the flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Letter of Mapping Revision (LOMR) means FEMA's official modification to an effective flood insurance rate map (FIRM), or flood boundary and floodway map (FBFM), or both. Letter of map revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and this result in the modification of the existing regulatory floodway, the effective base flood elevations (BFE's), or the special flood hazard area (SFHA). The LOMR officially revises the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM), and sometimes the flood insurance study (FIS) report, and when appropriate, includes a description of the

Commented [PB9]: Not in model ordinance, recommending adding since included in later section

modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

Lowest floor means the lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this article.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property. The term does not include a "recreational vehicle."

Mean sea level means the datum to which base flood elevations shown on a community's flood insurance rate Map (FIRM) are referenced. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

New construction means any structure (see definition) for which the "start of construction" commenced on or after the effective date of this article and includes any subsequent improvements to the structure.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this article.

No-Rise Certification means a submittal supported by technical data and signed by a registered professional engineer that states any proposed development that must stipulate NO impact or NO changes to the base flood elevations, regulatory floodway elevations, or regulatory floodway widths at all new and existing cross-sections in the model. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM).

Commented [PB10]: Not in model ordinance, recommend adding since included in later section

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City of Jonesboro to the applicant which is required prior to undertaking any development activity.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive loss means flood related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Site means the parcel of land being developed, or the portion thereof on which the development project is located.

Start of construction includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building (including a gas or liquid storage tank), that is principally above ground, or a manufactured home.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. This term also includes Repetitive Loss.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement to a structure, taking place during a ten-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the code enforcement official. The term does also not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantially improved existing manufactured home park or subdivision means the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance means a grant of relief from the requirements of this article.

Commented [PB11]: City does not have a progra track flood damages, but including this definition to model ordinance update.

Violation means the failure of a structure or other development to be fully compliant with the requirements of this article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 3. - PERMIT PROCEDURES AND REQUIREMENTS

Sec. 34-209. - Permit application requirements.

No owner or developer shall perform any development activities on a site where an area of special flood hazard or area of future-conditions flood hazard is located without first meeting the requirements of this article prior to commencing the proposed activity.

Unless specifically excluded by this article, any landowner or developer desiring a permit for a development activity shall submit to the City of Jonesboro a permit application on a form provided by the City of Jonesboro for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this article.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-210. - Floodplain management plan requirements.

An application for a development project with any area of special flood hazard or area of future-conditions flood hazard located on the site shall include a floodplain management/flood damage prevention plan. This plan shall include the following items:

- (1) Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a licensed professional engineer or surveyor.
- (2) Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;

- b. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - c. Certification that any proposed non-residential floodproofed structure meets the criteria in subsection 34-220(2);
 - d. For enclosures below the base flood elevation, location and total net area of flood openings as required in subsection 34-219(5); and
 - e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
- (3) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
 - (4) Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;
 - (5) Copies of all applicable state and federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
 - (6) All appropriate certifications required under this article.

The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-211. - Construction stage submittal requirements.

For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the ordinance administrator or designee a certified as-built elevation certificate or floodproofing certificate for non-residential construction including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final elevation certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a licensed professional engineer or architect and certified by same using the FEMA floodproofing certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The ordinance administrator or designee shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to

further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby shall be cause to issue a stop work order for the project.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-212. - Duties and responsibilities of the administrator.

Duties of the ordinance administrator, or designee, shall include, but shall not be limited to:

- (1) Review all development applications and permits to assure that the requirements of this article have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
- (2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334;
- (3) When base flood elevation data or floodway data have not been provided, then the ordinance administrator or designee shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources in order to meet the provisions in divisions 4 and 5 of this article;
- (4) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new and substantially improved structures;
- (5) Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been floodproofed;
- (6) When floodproofing is utilized for a non-residential structure, the ordinance administrator or designee shall review the design and operation/maintenance plan and obtain certification from a licensed professional engineer or architect;
- (7) Notify affected adjacent communities and the Georgia Department of Natural Resources (GADNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA;
- (8) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions) the ordinance administrator or designee shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps;
- (9) All records pertaining to the provisions of this article shall be maintained in the office of the ordinance administrator or designee and shall be open for public inspection;
- (10) Coordinate all FIRM revisions with the GADNR and FEMA; and
- (11) Review variance applications and make recommendations to the council of the City of Jonesboro.

(Ord. No. 2014-011, § 1, 12-8-2014)

Commented [SG12]: City - please confirm variance to City Council and not to a Board of Appeals.

DIVISION 4. - STANDARDS FOR DEVELOPMENT

Sec. 34-213. - Definition of floodplain boundaries.

- (a) Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.
- (b) For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the City of Jonesboro. If future-conditions elevation data is not available from the City of Jonesboro, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the ordinance administrator or designee.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-214. - Definition of floodway boundaries.

The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the City of Jonesboro. If floodway data is not available from the City of Jonesboro, it shall be determined by a licensed professional engineer using a method approved by FEMA and the city.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-215. - General standards.

- (a) No development shall be allowed within any area of special flood hazard or area of future-conditions flood hazard that could result in any of the following:
 - (1) Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - (2) Reducing the base flood or future-conditions flood storage capacity;
 - (3) Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or
 - (4) Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.
- (b) Any development within any area of special flood hazard or area of future-conditions flood hazard allowed under Section 34-215(a) shall also meet the following conditions:
 - (1) Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of

providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;

- (2) Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
- (3) Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
- (4) Verification of no-rise conditions (less than 0.01 foot), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of section 34-216;
- (5) Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
- (6) Any significant physical changes to the base flood floodplain shall be submitted as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the City of Jonesboro using the FEMA community concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final letter of map revision (LOMR).

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-216. - Engineering study requirements for floodplain encroachments.

An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study shall be prepared by a licensed professional engineer and made a part of the application for a permit. This information shall be submitted to and approved by the City of Jonesboro prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:

- (1) Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
- (2) Step-backwater analysis, using a FEMA-approved methodology approved by the City of Jonesboro. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
- (3) Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;

- (4) The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-217. - Floodway encroachments.

Located within areas of special flood hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

- (1) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in subsection (2) below.
- (2) Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and
- (3) If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City of Jonesboro until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the city.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-218. - Maintenance requirements.

The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The City of Jonesboro may direct the property owner (at no cost to the city) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the city.

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 5. - PROVISIONS FOR FLOOD DAMAGE REDUCTION

Sec. 34-219. - General standards.

In all areas of special flood hazard and areas of future-conditions flood hazard, the following provisions apply:

- (1) New construction and substantial improvements of structures (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of sections 34-215, 34-216, and 34-217 have been met;
- (2) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (5) Elevated buildings. All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
 - (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (ii) The bottom of all openings shall be no higher than one foot above grade;
 - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the "lowest floor" criteria of this article, the unfinished and flood resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and
 - c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
- (6) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

- (7) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces;
- (8) All proposed development shall include adequate drainage and stormwater management facilities per the requirements of the City of Jonesboro to reduce exposure to flood hazards;
- (9) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (10) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (11) On-site waste disposal systems shall be located and constructed to avoid impairment to, or contamination from, such systems during flooding;
- (12) Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazards from them, during flooding;
- (13) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this article, shall be undertaken only if the non-conformity is not furthered, extended or replaced;
- (14) If the proposed development is located in multiple flood zones, or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence;
- (15) When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this article; and
- (16) Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
 - a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-220. - Building standards for structures and buildings within the future-conditions floodplain.

In addition to the requirements in section 34-219, the follow provisions shall apply:

- (1) *Residential buildings.*
 - a. *New construction.* New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of sections 34-215, 34-216, and 34-217 have been met, all new construction shall have the lowest floor, including

basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a.

- b. *Substantial improvements.* Substantial improvement of any principal residential structure shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a.
- (2) *Non-residential buildings.*
- a. *New construction.* New construction of principal non-residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of sections 34-215, 34-216, and 34-217 have been met, all new construction shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a. New construction that has met all of the requirements of subsections 34-215, 34-216, and 34-217 may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the ordinance administrator or designee using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
 - b. *Substantial improvements.* Substantial improvement of any principal non-residential structure located in A1-30, AE, or AH zones, may be authorized by the ordinance administrator or designee to be elevated or floodproofed. Substantial improvements shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)a. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of

practice for meeting the provisions above, and shall provide such certification to the ordinance administrator or designee using the FEMA floodproofing certificate along with the design and operation/maintenance plan.

- (3) *Accessory structures and facilities.* Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of sections 34-215, 34-216, and 34-217 and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with subsection 34-219(5)a. and be anchored to prevent flotation, collapse and lateral movement of the structure.
- (4) *Standards for recreational vehicles.* All recreational vehicles placed on sites must either:
- a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
 - b. Meet all the requirements for residential buildings—substantial improvements (subsection 34-220(1)(b)), including the anchoring and elevation requirements.
- (5) *Standards for manufactured homes.*
- a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of sections 34-215, 34-216, and 34-217 have been met, all new construction and substantial improvement shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5) a.
 - b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
 - (i) The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or
 - (ii) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
 - c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of subsection 34-219(7).

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-221. - Building standards for structures and buildings authorized adjacent to the future-conditions floodplain.

Structures and buildings that are adjacent to the future-conditions floodplain shall meet the following requirements:

- (1) *Residential buildings.* For new construction and substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)(a).
- (2) *Non-residential buildings.* For new construction and substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection 34-219(5)(a). Nonresidential buildings may be floodproofed in lieu of elevation.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-222. - Building standards for residential single-lot developments on streams without established base flood elevations and floodway (A-Zones).

For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A-Zones), the ordinance administrator or designee shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of this article.

If data are not available from any of these sources, the following provisions shall apply:

- (1) No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or 50 feet from the top of the bank of the stream, whichever is greater.
- (2) In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood prone enclosures in accordance with subsection 34-219(5)a.

(Ord. No. 2014-011, § 1, 12-8-2014)

Commented [GM13]: Definition does not match ordinance or CCWA. Moved to definitions section and updated to match model ordinance.

Sec. 34-223. - Building standards for areas of shallow flooding (AO-Zones).

Areas of special flood hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet above ground, with no clearly defined channel. In these areas the following provisions apply:

- (1) All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to no lower than one foot above the flood depth number in feet specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with standards of subsection 34-219(5)a;
- (2) New construction and substantial improvement of a non-residential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the ordinance administrator or designee using the FEMA floodproofing certificate along with the design and operation/maintenance plan; and
- (3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-224. - Standards for subdivisions of land.

- (a) All subdivision proposals shall identify the areas of special flood hazard and areas of future-conditions flood hazard therein and provide base flood elevation data and future-conditions flood elevation data;
- (b) All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required; and
- (c) All subdivision plans will provide the elevations of proposed structures in accordance with subsection 34-210(2).

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 6. - VARIANCE PROCEDURES

Sec. 34-225. - Variance procedures.

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this article.

- (1) Requests for variances from the requirements of this article shall be submitted to the City of Jonesboro. All such requests shall be heard and decided in accordance with procedures to be published in writing by the City of Jonesboro. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
- (2) Any person adversely affected by any decision of the City of Jonesboro shall have the right to appeal such decision to the council of the City of Jonesboro with procedures to be published in writing by the city. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
- (3) Any person aggrieved by the decision of the council of the City of Jonesboro rendered under subsection (2) may appeal such decision to the Superior Court of Clayton County by writ of certiorari, as provided in O.C.G.A. § 5-4-1.
- (4) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.
- (5) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- (6) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (7) In reviewing such requests, the council of the City of Jonesboro shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this article.
- (8) Conditions for variances:
 - a. A variance shall be issued only when there is:
 - (i) A finding of good and sufficient cause;
 - (ii) A determination that failure to grant the variance would result in exceptional hardship; and
 - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.

Commented [SG14]: City - please confirm - appeal to City Council vs. a Board of Appeals.

Commented [SG15]: City - please confirm correct.

Commented [GM16]: Matches model ordinance other codes. Same content, just language consistent.

Commented [SG17]: City to confirm

- b. The provisions of this article are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance resulting from the lowest floor elevation being placed below the base flood elevation will be commensurate with the increased risk to life and property, and that such costs may be as high as \$25.00 for each \$100.00 of insurance coverage provided.
 - d. The ordinance administrator or designee shall maintain the records of all variance actions, both granted and denied, and report them to the Georgia Department of Natural Resources and the Federal Emergency Management Agency upon request.
- (9) Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the Council of the City of Jonesboro shall deem necessary for the consideration of the request.
- (10) Upon consideration of the factors listed above and the purposes of this article, the council of the City of Jonesboro may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this article.
- (11) Variances shall not be issued "after the fact."

Commented [PB18]: City to confirm

Commented [PB19]: City to confirm

(Ord. No. 2014-011, § 1, 12-8-2014)

DIVISION 7. - VIOLATIONS, ENFORCEMENT and PENALTIES

Sec. 34-226. - Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this article or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this article. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-227. - Notice of violation.

If the City of Jonesboro determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this article and the date for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
- (6) A statement that the determination of violation may be appealed to the city by filing a written notice of appeal within 30 days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).

(Ord. No. 2014-011, § 1, 12-8-2014)

Sec. 34-228. - Penalties.

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following

Commented [GM20]: Matches Clayton County code. Recommend keeping additional to model ordinance. Recommend keeping

actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Jonesboro shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the city may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) *Stop work order.* The city may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
- (2) *Withhold certificate of occupancy.* The city may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) *Suspension, revocation or modification of permit.* The city may suspend, revoke or modify the permit authorizing the development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the city may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (4) *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the city shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the city has taken one or more of the actions described above, the city may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
- (5) *Criminal penalties.* For intentional and flagrant violations of this article, the city may issue a citation to the applicant or other responsible person, requiring such person to appear in the municipal court of the City of Jonesboro to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(Ord. No. 2014-011, § 1, 12-8-2014)

Secs. 34-229—34-250. - Reserved.

Commented [SG21]: City - please confirm this is correct Court.

Model Ordinance Section Name	Model Ordinance Sub-Section Number	Local Code Section Reference	Existing Ordinance Gap	Proposed Updated Ordinance Language
Section 1 General Provisions	Introduction	Article V Title	Gap - missing text	ARTICLE V. - FLOODPLAIN MANAGEMENT AND FLOOD DAMAGE PREVENTION
	Introduction	34-200	Gap - missing text	This article shall be known as the City of Jonesboro's "Floodplain Management and Flood Damage Prevention Ordinance."
	1.2 Applicability	34-202	Gap - language consistency	This article shall be applicable to all areas of special flood hazard within the jurisdiction of the City of Jonesboro, Georgia.
	1.3 Designation of Ordinance Administrator	34-203	Gap - incorrect administrator; missing language	The City of Jonesboro community development director is hereby appointed to administer and implement the provisions of this article and provide appropriate recommendations for permit approval to the City of Jonesboro.
	1.4 Basis for Establishing Areas of Special Flood Hazard, Areas of Future-Conditions Flood Hazard and Associated Floodplain Characteristics - Flood Area Maps and Studies	34-204.1	Gap - section specifies municipality instead of city; incorrect FIS date and missing effective FIS date for areas acquired through annexation	The flood insurance study (FIS), dated June 7, 2017, with accompanying maps and other supporting data and any revision thereto. For those land areas acquired by the City of Jonesboro through annexation, the current effective FIS and data for the City of Jonesboro, as of the effective date of this article, are hereby adopted by reference.
	1.4 Basis for Establishing Areas of Special Flood Hazard, Areas of Future-Conditions Flood Hazard and Associated Floodplain Characteristics - Flood Area Maps and Studies	34-204.4	Gap - incorrect data provider, City Hall of the City of Jonesboro	The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Clayton County Water Authority.
	1.7 Warning and Disclaimer of Liability	34-207	Gap - inconsistent language, refers to ordinance instead of article	This article shall not create liability on the part of the City of Jonesboro or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Section 2 Definitions	34-208	Gap - missing definition for administrator	<i>Administrator or Ordinance Administrator</i> means the City of Jonesboro community development director, or any other agency, department or official to whom the county has designated the administration of this article .
	34-208	Gap - inconsistent language, refers to ordinance instead of article	<i>Appeal</i> means a request for a review of the City of Jonesboro's interpretation of any provision of this article .
	34-208	Gap - missing definition for Adjacent	<i>Adacent</i> means those areas located a defined horizontal distance from the future-conditions floodplain boundary that are at or lower in elevation than either three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, unless the area is hydraulically independent (meaning absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, and etc. with no fill or other manmade barriers creating the separation).
	34-208	Gap - missing definition for conditional letter of mapping revision	<i>Conditional Letter of Mapping Revision (CLOMR)</i> : FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations (BFEs), or the special flood hazard area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA.

	34-208	Gap - missing definition	<i>Designee</i> means a city official in a department other than the department of community services, who is authorized by the city department of community services to serve as Administrator for the purposes of this chapter.
	34-208	Gap - missing definition for letter of mapping revision	<i>Letter of Mapping Revision (LOMR)</i> means FEMA's official modification to an effective flood insurance rate map (FIRM), or flood boundary and floodway map (FBFM), or both. letter of map revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and this result in the modification of the existing regulatory floodway, the effective base flood elevations (BFE's), or the special flood hazard area (SFHA). The LOMR officially revises the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM), and sometimes the flood insurance study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBEM, or FIS report.
	34-208	Gap - inconsistent language, refers to ordinance instead of article	<i>Lowest floor</i> means the lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this article .
	34-208	Gap - missing text	<i>New construction</i> means any structure (see definition) for which the "start of construction" commenced on or after the effective date of this article and includes any subsequent improvements to the structure.

		34-208	Gap - missing definition for no-rise certification	<i>No-Rise Certification</i> means a submittal supported by technical data and signed by a registered professional engineer that states any proposed development that must stipulate NO impact or NO changes to the base flood elevations, regulatory floodway elevations, or regulatory floodway widths at all new and existing cross-sections in the model. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM).
		34-208	Gap - inconsistent language, refers to ordinance instead of article	<i>Variance</i> means a grant of relief from the requirements of this ordinance article.
Section 3 Permit Procedures and Requirements	3.1 Permit application requirements	34-209	Gap - incorrect authority	Unless specifically excluded by this article, any landowner or developer desiring a permit for a development activity shall submit to the City of Jonesboro a permit application on a form provided by the City of Jonesboro for that purpose.
	3.2 Floodplain Management Plan Requirements	34-210	Gap - formatting error	The approved floodplain management / flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions.

3.3 Construction stage submittal requirements	34-211	Gap - incorrect administrator, use general term	For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the ordinance administrator or designee a certified as-built elevation certificate or floodproofing certificate for non-residential construction including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed.
3.3 Construction stage submittal requirements	34-211	Gap - incorrect administrator, use general term	The ordinance administrator or designee shall review the above referenced certification data submitted.
3.4 Duties and Responsibilities of the Administrator	34-212	Gap - incorrect administrator	Duties of the ordinance administrator, or designee, shall include, but shall not be limited to:
3.4 Duties and Responsibilities of the Administrator	34-212.1	Gap - inconsistent language, refers to ordinance instead of article	Review all development applications and permits to assure that the requirements of this article have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
3.4 Duties and Responsibilities of the Administrator	34-212.3	Gap - incorrect administrator and inconsistent language, refers to ordinance instead of article	When base flood elevation data or floodway data have not been provided, then the ordinance administrator or designee shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources in order to meet the provisions in divisions 4 and 5 of this article ;

	3.4 Duties and Responsibilities of the Administrator	34-212.6	Gap - incorrect administrator	When floodproofing is utilized for a non-residential structure, the ordinance administrator or designee shall review the design and operation/maintenance plan and obtain certification from a licensed professional engineer or architect;
	3.4 Duties and Responsibilities of the Administrator	34-212.7	Gap - language consistency	Notify affected adjacent communities and the Georgia Department of Natural Resources (GADNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA;
	3.4 Duties and Responsibilities of the Administrator	34-212.8	Gap - incorrect administrator and inconsistent language, refers to ordinance instead of article	Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions) the ordinance administrator or designee shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article .
	3.4 Duties and Responsibilities of the Administrator	34-212.9	Gap - incorrect administrator	All records pertaining to the provisions of this article shall be maintained in the office of the ordinance administrator or designee and shall be open for public inspection;
	3.4 Duties and Responsibilities of the Administrator	34-212.10	Gap - language consistency	Coordinate all FIRM revisions with the GADNR and FEMA; and
Section 4 Standards for Development	4.4 Engineering study requirements for Floodplain Encroachments	34-216	Gap - incorrect administrator, should be jurisdiction	This information shall be submitted to and approved by the City of Jonesboro prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain.

4.4 Engineering study requirements for Floodplain Encroachments	34-216.2	Gap - incorrect administrator, should be jurisdiction	Step-backwater analysis, using a FEMA-approved methodology approved by the City of Jonesboro.
4.4 Engineering study requirements for Floodplain Encroachments	34-216.2	Gap - formatting error	Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
4.5 Floodway Encroachments	34-217.3	Gap - language consistency	If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City of Jonesboro until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the City of Jonesboro.
4.6 Maintenance Requirements	34-218	Gap - formatting error	The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained.
4.6 Maintenance Requirements	34-218	Gap - language consistency	The City of Jonesboro may direct the property owner (at no cost to the City of Jonesboro) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the City of Jonesboro.
Section 5 Provisions for Flood Damage Reduction	5.1 General Standards	34-219.15 Gap - inconsistent language, refers to ordinance instead of article	When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this article ; and

5.2 Building Standards for Structures and Buildings Within the Future-Conditions Floodplain	34-220.2.a	Gap - incorrect administrator, use general term	A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the ordinance administrator or designee using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
5.2 Building Standards for Structures and Buildings Within the Future-Conditions Floodplain	34-220.2.b	Gap - incorrect administrator, use general term	Substantial improvement of any principal non-residential structure located in A1-30, AE, or AH zones, may be authorized by the ordinance administrator or designee to be elevated or floodproofed...A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the ordinance administrator or designee using the FEMA floodproofing certificate along with the design and operation/maintenance plan.
5.2 Building Standards for Structures and Buildings Within the Future-Conditions Floodplain	34-220.5.b.ii	Gap - formatting error	The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
5.3 Building standards for structures and buildings authorized adjacent to the future-conditions floodplain	34-221	Gap - inconsistent language, definition of adjacent and introduction paragraph	Structures and buildings that are adjacent to the future-conditions floodplain shall meet the following requirements:
5.3 Building standards for structures and buildings authorized adjacent to the future-conditions floodplain	34-221.1 and 2	Gap - formatting error	34-219(5)(a)

	5.4 Building standards for residential single-lot developments on streams without established base flood elevations and floodway (A-Zones)	34-222	Gap - incorrect administrator, use general term	For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A-Zones), the ordinance administrator or designee shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of this article.
	5.5 Building standards for areas of shallow flooding (AO-Zones)	34-223.2	Gap - incorrect administrator, use general term	A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the ordinance administrator or designee using the FEMA floodproofing certificate along with the design and operation/maintenance plan;
Section 6 Variance Procedures	N/A	34-225.1	Gap - replace local authority with jurisdiction	Requests for variances from the requirements of this article shall be submitted to the City of Jonesboro . All such requests shall be heard and decided in accordance with procedures to be published in writing by the City of Jonesboro .
	N/A	34-225.2	Gap - language consistency	Any person adversely affected by any decision of the City of Jonesboro shall have the right to appeal such decision to the council of the City of Jonesboro with procedures to be published in writing by the City of Jonesboro .

	N/A	34-225.3	Gap - language consistency	Any person aggrieved by the decision of the council of the City of Jonesboro rendered under subsection (2) may appeal such decision to the Superior Court of Clayton County by writ of certiorari, as provided in O.C.G.A. § 5-4-1.
	N/A	34-225.8.d	Gap - incorrect administrator, use general term	The ordinance administrator or designee shall maintain the records of all variance actions, both granted and denied, and report them to the Georgia Department of Natural Resources and the Federal Emergency Management Agency upon request.
	N/A	34-225.10	Gap - inconsistent language, refers to ordinance instead of article	Upon consideration of the factors listed above and the purposes of this article, the council of the City of Jonesboro may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this article.
Section 7 Violations, Enforcement and Penalties	7.1 Notice of Violation	34-227.6	Gap - language consistency	A statement that the determination of violation may be appealed to the City of Jonesboro by filing a written notice of appeal within 30 days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).
	7.1 Notice of Violation	34-228	Gap - language consistency, city	Before taking any of the following actions or imposing any of the following penalties, the City of Jonesboro (the City) shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure such violation.
	7.2 Penalties	34-228	Gap - inconsistent language "city" typical throughout section	City

1 STATE OF GEORGIA
2 COUNTY OF CLAYTON
3 CITY OF JONESBORO
4

5 ORDINANCE NO. 2020-____
6

7 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF
8 JONESBORO, GEORGIA, BY AMENDING ARTICLE V (FLOODPLAIN
9 MANAGEMENT AND FLOOD DAMAGE PREVENTION), WITHIN CHAPTER 34
10 (ENVIRONMENT); TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR
11 SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN
12 ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER
13 PURPOSES ALLOWED BY LAW.

14 WHEREAS, the governing authority of the City of Jonesboro, Georgia (the “City”) is the
15 Mayor and Council thereof; and

16 WHEREAS, the Mayor and Council desire to amend Article V of Chapter 34 of its Code
17 of Ordinances to reflect certain changes made to floodplain management in Georgia; and

18 WHEREAS, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to
19 adopt ordinances relating to its property, affairs, and local government; and

20 WHEREAS, this ordinance serves a public purpose that protects the public health, safety,
21 and general welfare of the City of Jonesboro and all its citizens.

22 NOW THEREFORE, be it and it is hereby ordained by the Mayor and Council of the
23 City of Jonesboro:

24 Section 1. The Code of Ordinances of the City of Jonesboro, Georgia, is hereby amended
25 by amending Article V (Floodplain Management and Flood Damage Prevention) of Chapter 34

Attachment: Flood Damage Ordinance V4 (1722 : Article V - Flood Damage Prevention)

26 (Environment), and inserting the provisions set forth in Exhibit A attached hereto and made a part
27 by reference.

28 **Section 2.**

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

32 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
33 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
34 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
35 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
36 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance
37 is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this
38 Ordinance.

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

48 **Section 3.** All ordinances and parts of ordinances in conflict herewith are hereby
49 expressly repealed.

50 **Section 4.** The effective date of this Ordinance shall be the date of its adoption by the
51 Mayor and Council unless otherwise stated herein.

52 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of
53 the State of Georgia and the City of Jonesboro.

Section 6. It is the intention of the governing body, and it is hereby ordained that the
provisions of this Ordinance shall become and be made part of the Code of Ordinances, City
of Jonesboro, Georgia and the sections of this Ordinance may be renumbered to accomplish
such intention.

54 **SO ORDAINED, this _____ day of _____, 2020.**

55
56
57
58
59
60
61
62
63
64
65
66
67
68

{SIGNATURES ON FOLLOWING PAGE}

Attachment: Flood Damage Ordinance V4 (1722 : Article V - Flood Damage Prevention)

69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87

CITY OF JONESBORO, GEORGIA

Joy Day, Mayor

ATTEST:

Ricky L. Clark, Jr., City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: Flood Damage Ordinance V4 (1722 : Article V - Flood Damage Prevention)

88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109

EXHIBIT A
(SEE ATTACHED)

Attachment: Flood Damage Ordinance V4 (1722 : Article V - Flood Damage Prevention)

110

111 **ARTICLE V. FLOODPLAIN MANAGEMENT AND FLOOD DAMAGE**
 112 **PREVENTION**^[6]

113

114 **DIVISION 1. - TITLE, FINDINGS OF FACT, AND GENERAL PROVISIONS**

115 **Sec. 34-200. - Title.**

116 This article shall be known as the City of Jonesboro's "Floodplain Management and Flood Damage
 117 Prevention Ordinance."

118 **Sec. 34-201. - Findings of fact.**

119 It is hereby determined that:

- 120 (1) The flood hazard areas of the City of Jonesboro are subject to periodic inundation which
 121 may result in loss of life and property, health and safety hazards, disruption of commerce
 122 and governmental services, extraordinary public expenditures for flood relief and
 123 protection, and impairment of the tax base, all of which adversely affect the public health,
 124 safety, and general welfare.
- 125 (2) Flood hazard areas can serve important stormwater management, water quality,
 126 streambank protection, stream corridor protection, wetland preservation and ecological
 127 purposes when permanently protected as undisturbed or minimally disturbed areas.
- 128 (3) Effective floodplain management and flood hazard protection activities can: (1) Protect
 129 human life and health; (2) Minimize damage to private property; (3) Minimize damage
 130 to public facilities and infrastructure such as water and gas mains, electric, telephone and
 131 sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of
 132 public money for costly flood control projects associated with flooding and generally
 133 undertaken at the expense of the general public.
- 134 (4) Article IX, Section II of the Constitution of the State of Georgia and The Municipal Home
 135 Rule Act of 1965, O.C.G.A. §§ 36-35-1 to 8, have delegated the responsibility to local
 136 governmental units to adopt regulations designed to promote the public health, safety,
 137 and general welfare of its citizenry. Therefore, the City of Jonesboro does ordain this
 138 ordinance and establishes this set of floodplain management and flood hazard reduction
 139 provisions for the purpose of regulating the use of flood hazard areas.

140 It is determined that the regulation of flood hazard areas and the prevention of flood damage
 141 are in the public interest and will minimize threats to public health and safety, as well as to private
 142 and public property.

143 **Sec. 34-201.1. - Purpose and intent.**

144 The purpose of this article is to protect, maintain and enhance the public health, safety,
 145 environment and general welfare and to minimize public and private losses due to flood conditions
 146 in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality

147 protection, streambank and stream corridor protection, wetlands preservation, and ecological and
148 environmental protection by provisions designed to:

- 149 (1) Require that uses vulnerable to floods, including facilities which serve such uses, be
150 protected against flood damage at the time of initial construction;
- 151 (2) Restrict or prohibit uses which are dangerous to health, safety and property due to
152 flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
- 153 (3) Control filling, grading, dredging, and other development which may increase flood
154 damage or erosion;
- 155 (4) Prevent or regulate the construction of flood barriers which will unnaturally divert flood
156 waters or which may increase flood hazards to other lands;
- 157 (5) Limit the alteration of natural floodplains, stream channels, and natural protective
158 barriers, which are involved in the accommodation of flood waters; and
- 159 (6) Protect the stormwater management, water quality, streambank protection, stream
160 corridor protection, wetland preservation, and ecological functions of natural floodplain
161 areas.

162 **Sec. 34-202. - Applicability.**

163 This article shall be applicable to all areas of special flood hazard within the jurisdiction of
164 the City of Jonesboro, Georgia.

165 **Sec. - 34-203. Designation of Ordinance Administrator.**

166 The City of Jonesboro Community Development Director is hereby appointed to administer
167 and implement the provisions of this article.

168 **Sec. 34-204. - Basis for establishing areas of special flood hazard, areas of future-Conditions
169 flood hazard and associated floodplain characteristics—Flood area maps and studies.**

170 For the purposes of defining and determining "areas of special flood hazard," "areas of future-
171 conditions flood hazard," "areas of shallow flooding," "base flood elevations," "floodplains,"
172 "floodways," "future-conditions flood elevations," "future-conditions floodplains," potential flood
173 hazard or risk categories as shown on FIRM maps, and other terms used in this article, the
174 following documents and sources may be used for such purposes and are adopted by reference
175 thereto:

- 176 (1) The flood insurance study (FIS), dated June 7, 2017, with accompanying maps and other
177 supporting data and any revision thereto. For those land areas acquired by the City of
178 Jonesboro through annexation, the current effective FIS and data for the City of
179 Jonesboro, June 7, 2017, are hereby adopted by reference.
- 180 (2) Other studies, which may be relied upon for the establishment of the base flood elevation
181 or delineation of the base or one-percent (100-year) floodplain and flood-prone areas,
182 including:

- 183 a. Any flood or flood-related study conducted by the United States Army Corps of
 184 Engineers, the United States Geological Survey or any other local, State or Federal
 185 agency applicable to the City of Jonesboro; and
- 186 b. Any base flood study conducted by a licensed professional engineer which has been
 187 prepared utilizing FEMA--approved methodology and approved by the City of
 188 Jonesboro.
- 189 (3) Other studies, which may be relied upon for the establishment of the future-conditions
 190 flood elevation or delineation of the future-conditions floodplain and flood-prone areas,
 191 including:
- 192 a. Any flood or flood-related study conducted by the United States Army Corps of
 193 Engineers, the United States Geological Survey, or any other local, State or Federal
 194 agency applicable to the City of Jonesboro; and
- 195 b. Any future-conditions flood study conducted by a licensed professional engineer
 196 which has been prepared utilizing FEMA approved methodology approved by the
 197 City of Jonesboro.
- 198 (4) The repository for public inspection of the FIS, accompanying maps and other supporting
 199 data is located at the Clayton County Water Authority.

200 **Sec. 34-205. - Compatibility with other regulations.**

201 This article is not intended to modify or repeal any other ordinance, rule, regulation, statute,
 202 easement, covenant, deed restriction or other provision of law. The requirements of this article are
 203 in addition to the requirements of any other ordinance, rule, regulation or other provision of law,
 204 and where any provision of this article imposes restrictions different from those imposed by any
 205 other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive
 206 or imposes higher protective standards for human health or the environment shall control.

207 **Sec. 34-206. - Severability.**

208 If the provisions of any section, subsection, paragraph, subdivision or clause of this article
 209 shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or
 210 invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this article.

211 **Sec. 34-207. - Warning and disclaimer of liability.**

212 The degree of flood protection required by this article is considered reasonable for regulatory
 213 purposes and is based on scientific and engineering considerations. Larger floods can and will
 214 occur; flood heights may be increased by manmade or natural causes. This article does not imply
 215 that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be
 216 free from flooding or flood damages. This article shall not create liability on the part of the City
 217 of Jonesboro or any officer or employee thereof for any flood damages that result from reliance on
 218 this article or any administrative decision lawfully made thereunder.

219

220 **DIVISION 2. - DEFINITIONS**

221 **Sec. 34-208. - Definitions.**

222 Unless specifically defined below, words or phrases used in this article shall be interpreted so
 223 as to give them the meaning they have in common usage and to give this article its most reasonable
 224 application.

225 Accessory structure or facility means a structure which is on the same parcel of property as
 226 the principal structure and the use of which is incidental to the use of the primary structure.

227 *Addition* means any walled and roofed expansion to the perimeter or height of a building.

228 Adjacent means those areas located a defined horizontal distance from the future-conditions
 229 floodplain boundary that are at or lower in elevation than either three feet above the base flood
 230 elevation or one foot above the future-conditions flood elevation, whichever is higher, unless the
 231 area is hydraulically independent (meaning absolutely no connection to the flooding source such
 232 as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow,
 233 gated or valved pipes, excavated and backfilled trenches, and etc. with no fill or other manmade
 234 barriers creating the separation).

235 Administrator or Ordinance Administrator means the City of Jonesboro Community
 236 Development Director, or any other department or official to whom the city has designated the
 237 administration of this article.

238 *Appeal* means a request for a review of the City of Jonesboro's interpretation of any provision
 239 of this article.

240 *Area of future-conditions flood hazard* means the land area that would be inundated by the
 241 one-percent-annual-chance flood based on future-conditions hydrology (100-year future-
 242 conditions flood).

243 *Area of shallow flooding* means a designated AO or AH Zone on a community's Flood
 244 Insurance Rate Map (FIRM) with a one percent or greater chance of flooding to an average depth
 245 of one to three feet where a clearly defined channel does not exist, where the path of flooding is
 246 unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is
 247 characterized by ponding or sheet flow.

248 *Area of special flood hazard* means the land area subject to a one percent or greater chance of
 249 flooding in any given year. This includes all floodplain and flood prone areas at or below the base
 250 flood elevation designated as Zones A, AI-30, A-99, AE, AO, AH, and AR on a community's flood
 251 insurance rate map (FIRM).

252 *Base flood* means the flood having a one percent chance of being equaled or exceeded in any
 253 given year, also known as the 100-year flood.

254 *Base flood elevation* means the highest water surface elevation anticipated at any given
 255 location during the base flood.

256 *Basement* means any area of a building having its floor subgrade below ground level on all
 257 sides.

258 *Building* has the same meaning as structure.

259 Conditional Letter of Mapping Revision (CLOMR): FEMA's comment on a proposed project
 260 that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding
 261 source and thus result in the modification of the existing regulatory floodway, the effective base
 262 flood elevations (BFEs), or the special flood hazard area (SFHA). The letter does not revise an

263 effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by
 264 FEMA.

265 Designee means a city official in a department other than the department of community
 266 development, who is authorized by the city department of community development to serve as
 267 Administrator for the purposes of this chapter.

268 *Development* means any manmade change to improved or unimproved real estate, including
 269 but not limited to, buildings or other structures, mining, dredging, filling, clearing, grubbing,
 270 grading, paving, any other installation of impervious cover, excavation or drilling operations or
 271 storage of equipment or materials.

272 *Elevated building* means a non-basement building which has its lowest elevated floor raised
 273 above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

274 *Existing construction* means any structure for which the "start of construction" commenced
 275 before June 2, 1987.

276 *Existing manufactured home park or subdivision* means a manufactured home park or
 277 subdivision for which the construction of facilities for servicing the lots on which the manufactured
 278 homes are to be affixed (including, at a minimum, the installation of utilities, the construction of
 279 streets, and either final site grading or the pouring of concrete pads) is completed before the
 280 effective date of this article.

281 *Expansion to an existing manufactured home park or subdivision* means the preparation of
 282 additional sites by the construction of facilities for servicing the lots on which the manufactured
 283 homes are to be affixed (including the installation of utilities, the construction of streets, and either
 284 final site grading or the pouring of concrete pads).

285 *FEMA* means the Federal Emergency Management Agency.

286 *Flood or flooding* means a general and temporary condition of partial or complete inundation
 287 of normally dry land areas from:

- 288 (1) The overflow of inland or tidal waters; or
 289 (2) The unusual and rapid accumulation or runoff of surface waters from any source.

290 *Flood insurance rate map or FIRM* means an official map of a community, issued by FEMA,
 291 delineating the areas of special flood hazard and/or risk premium zones applicable to the
 292 community.

293 *Flood insurance study or FIS* means the official report by FEMA providing an examination,
 294 evaluation and determination of flood hazards and corresponding flood profiles and water surface
 295 elevations of the base flood.

296 *Floodplain or flood-prone area* means any land area susceptible to flooding.

297 *Floodproofing* means any combination of structural and non-structural additions, changes, or
 298 adjustments to structures which reduce or eliminate flood damage to real estate or improved real
 299 property, water and sanitary facilities, structures and their contents.

300 *Floodway or regulatory floodway* means the channel of a stream, river, or other watercourse
 301 and the adjacent areas that must be reserved in order to discharge the base flood without
 302 cumulatively increasing the water surface elevation more than a designated height.

303 *Functionally dependent use* means a use which cannot perform its intended purpose unless it
 304 is located or carried out in close proximity to water. The term includes only docking facilities, port
 305 facilities that are necessary for the loading and unloading of cargo or passengers, and ship building
 306 and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

307 *Future-conditions flood* means the flood having a one percent chance of being equaled or
 308 exceeded in any given year based on future-conditions hydrology. Also known as the 100-year
 309 future-conditions flood.

310 *Future-conditions flood elevation* means the highest water surface elevation anticipated at any
 311 given location during the future-conditions flood.

312 *Future-conditions floodplain* means any land area susceptible to flooding by the future-
 313 conditions flood.

314 *Future-conditions hydrology* means the flood discharges associated with projected land-use
 315 conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed
 316 study projections, and without consideration of projected future construction of stormwater
 317 management (flood detention) structures or projected future hydraulic modifications within a
 318 stream or other waterway, such as bridge and culvert construction, fill, and excavation.

319 *Highest adjacent grade* means the highest natural elevation of the ground surface prior to
 320 construction next to the proposed walls of a structure.

321 *Historic structure* means any structure that is:

- 322 (1) Listed individually in the National Register of Historic Places (a listing maintained by
 323 the U.S. Department of Interior) or preliminarily determined by the Secretary of the
 324 Interior as meeting the requirements for individual listing on the National Register;
- 325 (2) Certified or preliminarily determined by the Secretary of the interior as contributing to
 326 the historical significance of a registered historic district or a district preliminarily
 327 determined by the Secretary to qualify as a registered historic district;
- 328 (3) Individually listed on a state inventory of historic places by states with historic
 329 preservation programs which have been approved by the Secretary of the Interior; or
- 330 (4) Individually listed on a local inventory of historic places by communities with historic
 331 preservation programs that have been certified either:
 - 332 a. By an approved state program as determined by the Secretary of the Interior, or
 - 333 b. Directly by the Secretary of the Interior in states without approved programs.

334 *Letter of Mapping Revision (LOMR)* means FEMA's official modification to an effective
 335 flood insurance rate map (FIRM), or flood boundary and floodway map (FBFM), or both. Letter
 336 of map revisions are generally based on the implementation of physical measures that affect the
 337 hydrologic or hydraulic characteristics of a flooding source and this result in the modification of
 338 the existing regulatory floodway, the effective base flood elevations (BFE's), or the special flood
 339 hazard area (SFHA). The LOMR officially revises the flood insurance rate map (FIRM) or flood
 340 boundary and floodway map (FBFM), and sometimes the flood insurance study (FIS) report, and
 341 when appropriate, includes a description of the modifications. The LOMR is generally
 342 accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

343 *Lowest floor* means the lowest floor of the lowest enclosed area including basement. An
 344 unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or
 345 storage in an area other than a basement area, is not considered a building's lowest floor, provided
 346 that such enclosure is not built so as to render the structure in violation of other provisions of this
 347 article.

348 *Manufactured home* means a structure, transportable in one or more sections, which is built
 349 on a permanent chassis and is designed to be used with or without a permanent foundation when
 350 attached to the required utilities. The term includes any structure commonly referred to as a
 351 "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel
 352 trailers and similar transportable structures placed on a site for 180 consecutive days or longer and
 353 intended to be improved property. The term does not include a "recreational vehicle."

354 *Mean sea level* means the datum to which base flood elevations shown on a community's flood
 355 insurance rate Map (FIRM) are referenced. For purposes of this article, the term is synonymous
 356 with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum
 357 (NAVD) of 1988.

358 *New construction* means any structure (see definition) for which the "start of construction"
 359 commenced on or after the effective date of this article and includes any subsequent improvements
 360 to the structure.

361 *New manufactured home park or subdivision* means a manufactured home park or subdivision
 362 for which the construction of facilities for servicing the lots on which the manufactured homes are
 363 to be affixed (including at a minimum, the installation of utilities, the construction of streets, and
 364 either final site grading or the pouring of concrete pads) is completed on or after the effective date
 365 of this article.

366 *No-Rise Certification* means a submittal supported by technical data and signed by a
 367 registered professional engineer that states any proposed development that must stipulate NO
 368 impact or NO changes to the base flood elevations, regulatory floodway elevations, or regulatory
 369 floodway widths at all new and existing cross-sections in the model. The supporting technical data
 370 should be based on the standard step-backwater computer model used to develop the 100-year
 371 floodway shown on the flood insurance rate map (FIRM) or flood boundary and floodway map
 372 (FBFM).

373 *Owner* means the legal or beneficial owner of a site, including but not limited to, a mortgagee
 374 or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in
 375 control of the site.

376 *Permit* means the permit issued by the City of Jonesboro to the applicant which is required
 377 prior to undertaking any development activity.

378 *Recreational vehicle* means a vehicle which is:

- 379 (1) Built on a single chassis;
- 380 (2) 400 square feet or less when measured at the largest horizontal projection;
- 381 (3) Designed to be self-propelled or permanently towable by light duty truck; and
- 382 (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters
 383 for recreational, camping, travel, or seasonal use.

384 Repetitive loss means flood related damage sustained by a structure on two separate occasions
 385 during a ten-year period for which the cost of repairs at the time of each such flood event, on the
 386 average, equals or exceeds 25 percent of the market value of the structure before the damage
 387 occurred.

388 *Site* means the parcel of land being developed, or the portion thereof on which the
 389 development project is located.

390 *Start of construction* includes substantial improvement, and means the date the permit was
 391 issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition
 392 placement, or other improvement was within 180 days of the permit date. The actual start means
 393 either the first placement of permanent construction of the structure on a site, such as the pouring
 394 of slabs or footings, the installation of piles, the construction of columns, or any work beyond the
 395 stage of excavation; or the placement of a manufactured home on a foundation. Permanent
 396 construction does not include initial land preparation, such as clearing, grading and filling; nor
 397 does it include the installation of streets and/or walkways; nor does it include excavation for a
 398 basement, footings, piers or foundations or the erection of temporary forms; nor does it include
 399 the installation on the property of accessory buildings, such as garages or sheds not occupied as
 400 dwelling units or part of the main structure. For a substantial improvement, the actual start of
 401 construction means the first alteration of any wall, ceiling, floor, or other structural part of a
 402 building, whether or not that alteration affects the external dimensions of the building.

403 *Structure* means a walled and roofed building (including a gas or liquid storage tank), that is
 404 principally above ground, or a manufactured home.

405 *Subdivision* means the division of a tract or parcel of land resulting in one or more new lots
 406 or building sites for the purpose, whether immediately or in the future, of sale, other transfer of
 407 ownership or land development, and includes divisions of land resulting from or made in
 408 connection with the layout or development of a new street or roadway or a change in an existing
 409 street or roadway.

410 *Substantial damage* means damage of any origin sustained by a structure whereby the cost of
 411 restoring the structure to its before damaged condition would equal or exceed 50 percent of the
 412 market value of the structure before the damage occurred. This term also includes Repetitive Loss.

413 *Substantial improvement* means any reconstruction, rehabilitation, addition, or other
 414 improvement to a structure, taking place during a ten-year period, in which the cumulative cost
 415 equals or exceeds 50 percent of the market value of the structure prior to the improvement. The
 416 market value of the building means (1) the appraised value of the structure prior to the start of the
 417 initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the
 418 damage occurring. This term includes structures which have incurred "substantial damage,"
 419 regardless of the actual repair work performed. The term does not, however, include those
 420 improvements of a structure required to comply with existing state or local health, sanitary, or
 421 safety code specifications which are the minimum necessary to assure safe living conditions, which
 422 have been identified by the code enforcement official. The term does also not include any alteration
 423 of a historic structure, provided that the alteration will not preclude the structure's continued
 424 designation as a historic structure.

425 *Substantially improved existing manufactured home park or subdivision* means the repair,
 426 reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50

427 percent of the value of the streets, utilities and pads before the repair, reconstruction or
428 improvement commenced.

429 *Variance* means a grant of relief from the requirements of this article.

430 *Violation* means the failure of a structure or other development to be fully compliant with the
431 requirements of this article. A structure or other development without the elevation certificate,
432 other certifications, or other evidence of compliance required in this article is presumed to be in
433 violation until such time as that documentation is provided.

434

435

436 **DIVISION 3. - PERMIT PROCEDURES AND REQUIREMENTS**

437 **Sec. 34-209. - Permit application requirements.**

438 No owner or developer shall perform any development activities on a site where an area of
439 special flood hazard or area of future-conditions flood hazard is located without first meeting the
440 requirements of this article prior to commencing the proposed activity.

441 Unless specifically excluded by this article, any landowner or developer desiring a permit
442 for a development activity shall submit to the City of Jonesboro a permit application on a form
443 provided by the City of Jonesboro for that purpose.

444 No permit will be approved for any development activities that do not meet the
445 requirements, restrictions and criteria of this article.

446 **Sec. 34-210. - Floodplain management plan requirements.**

447 An application for a development project with any area of special flood hazard or area of
448 future-conditions flood hazard located on the site shall include a floodplain management/flood
449 damage prevention plan. This plan shall include the following items:

- 450 (1) Site plan drawn to scale, which includes but is not limited to:
- 451 a. Existing and proposed elevations of the area in question and the nature, location and
452 dimensions of existing and/or proposed structures, earthen fill placement, amount
453 and location of excavation material, and storage of materials or equipment;
 - 454 b. For all proposed structures, spot ground elevations at building comers and 20-foot
455 or smaller intervals along the foundation footprint, or one-foot contour elevations
456 throughout the building site;
 - 457 c. Proposed locations of water supply, sanitary sewer, and utilities;
 - 458 d. Proposed locations of drainage and stormwater management facilities;
 - 459 e. Proposed grading plan;
 - 460 f. Base flood elevations and future-conditions flood elevations;
 - 461 g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - 462 h. If applicable, the location of the floodway; and
 - 463 i. Certification of the above by a licensed professional engineer or surveyor.

- 464 (2) Building and foundation design detail, including but not limited to:
- 465 a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor,
- 466 including basement, of all proposed structures;
- 467 b. Elevation in relation to mean sea level to which any non-residential structure will be
- 468 floodproofed;
- 469 c. Certification that any proposed non-residential floodproofed structure meets the
- 470 criteria in subsection 34-220(2);
- 471 d. For enclosures below the base flood elevation, location and total net area of flood
- 472 openings as required in subsection 34-219(5); and
- 473 e. Design plans certified by a licensed professional engineer or architect for all
- 474 proposed structure(s).
- 475 (3) Description of the extent to which any watercourse will be altered or relocated as a result
- 476 of the proposed development;
- 477 (4) Hard copies and digital files of computer models, if any, copies of work maps,
- 478 comparison of pre- and post-development conditions base flood elevations, future-
- 479 conditions flood elevations, flood protection elevations, special flood hazard areas and
- 480 regulatory floodways, flood profiles and all other computations and other information
- 481 similar to that presented in the FIS;
- 482 (5) Copies of all applicable state and federal permits necessary for proposed development,
- 483 including but not limited to permits required by Section 404 of the Federal Water
- 484 Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
- 485 (6) All appropriate certifications required under this article.

486 The approved floodplain management/flood damage prevention plan shall contain

487 certification by the applicant that all development activities will be done according to the plan or

488 previously approved revisions. Any and all development permits and/or use and occupancy

489 certificates or permits may be revoked at any time if the construction and development activities

490 are not in strict accordance with approved plans.

491 **Sec. 34-211. - Construction stage submittal requirements.**

492 For all new construction and substantial improvements on sites with a floodplain

493 management/flood damage prevention plan, the permit holder shall provide to the ordinance

494 administrator or designee a certified as-built elevation certificate or floodproofing certificate for

495 non-residential construction including the lowest floor elevation or floodproofing level

496 immediately after the lowest floor or floodproofing is completed. A final elevation certificate shall

497 be provided after completion of construction including final grading of the site. Any lowest floor

498 certification made relative to mean sea level shall be prepared by or under the direct supervision

499 of a licensed land surveyor or professional engineer and certified by same. When floodproofing is

500 utilized for non-residential structures, said certification shall be prepared by or under the direct

501 supervision of a licensed professional engineer or architect and certified by same using the FEMA

502 floodproofing certificate. This certification shall also include the design and

503 operation/maintenance plan to assure continued viability of the floodproofing measures.

504 Any work undertaken prior to approval of these certifications shall be at the permit holder's
 505 risk. The ordinance administrator or designee shall review the above referenced certification data
 506 submitted. Deficiencies detected by such review shall be corrected by the permit holder
 507 immediately and prior to further work being allowed to proceed. Failure to submit certification or
 508 failure to make the corrections required hereby shall be cause to issue a stop work order for the
 509 project.

510 **Sec. 34-212. - Duties and responsibilities of the administrator.**

511 Duties of the ordinance administrator, or designee, shall include, but shall not be limited to:

- 512 (1) Review all development applications and permits to assure that the requirements of this
 513 article have been satisfied and to determine whether proposed building sites will be
 514 reasonably safe from flooding;
- 515 (2) Review proposed development to assure that all necessary permits have been received
 516 from those governmental agencies from which approval is required by federal or state
 517 law, including but not limited to Section 404 of the Federal Water Pollution Control Act,
 518 Amendments of 1972, 33 U.S.C. 1334;
- 519 (3) When base flood elevation data or floodway data have not been provided, then the
 520 ordinance administrator or designee shall require the applicant to obtain, review and
 521 reasonably utilize any base flood elevation and floodway data available from a federal,
 522 state or other source in order to meet the provisions in divisions 4 and 5 of this article;
- 523 (4) Review and record the actual elevation in relation to mean sea level (or highest adjacent
 524 grade) of the lowest floor, including basement, of all new and substantially improved
 525 structures;
- 526 (5) Review and record the actual elevation, in relation to mean sea level to which any
 527 substantially improved structures have been floodproofed;
- 528 (6) When floodproofing is utilized for a non-residential structure, the ordinance
 529 administrator or designee shall review the design and operation/maintenance plan and
 530 obtain certification from a licensed professional engineer or architect;
- 531 (7) Notify affected adjacent communities and the Georgia Department of Natural Resources
 532 (GADNR) prior to any alteration or relocation of a watercourse and submit evidence of
 533 such notification to FEMA;
- 534 (8) Where interpretation is needed as to the exact location of boundaries of the areas of
 535 special flood hazard (e.g. where there appears to be a conflict between a mapped boundary
 536 and actual field conditions) the ordinance administrator or designee shall make the
 537 necessary interpretation. Any person contesting the location of the boundary shall be
 538 given a reasonable opportunity to appeal the interpretation as provided in this article.
 539 Where floodplain elevations have been defined, the floodplain shall be determined based
 540 on flood elevations rather than the area graphically delineated on the floodplain maps;
- 541 (9) All records pertaining to the provisions of this article shall be maintained in the office
 542 of the ordinance administrator or designee and shall be open for public inspection;
- 543 (10) Coordinate all FIRM revisions with the GADNR and FEMA; and

544 (11) Review variance applications and make recommendations to the council of the City of
545 Jonesboro.

546

547 **DIVISION 4. - STANDARDS FOR DEVELOPMENT**

548 **Sec. 34-213. - Definition of floodplain boundaries.**

549 (a) Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations
550 whenever available.

551 (b) For all streams with a drainage area of 100 acres or greater, the future-conditions flood
552 elevations shall be provided by the City of Jonesboro. If future-conditions elevation data is
553 not available from the City of Jonesboro, then it shall be determined by a licensed professional
554 engineer using a method approved by FEMA and the ordinance administrator or designee.

555 **Sec. 34-214. - Definition of floodway boundaries.**

556 The width of a floodway shall be determined from the FIS or FEMA approved flood study.
557 For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be
558 provided by the City of Jonesboro. If floodway data is not available from the City of Jonesboro,
559 it shall be determined by a licensed professional engineer using a method approved by FEMA
560 and the city.

561 **Sec. 34-215. - General standards.**

562 (a) No development shall be allowed within any area of special flood hazard or area of future-
563 conditions flood hazard that could result in any of the following:

564 (1) Raising the base flood elevation or future-conditions flood elevation equal to or more
565 than 0.01 foot;

566 (2) Reducing the base flood or future-conditions flood storage capacity;

567 (3) Changing the flow characteristics as to the depth and velocity of the waters of the base
568 flood or future-conditions flood as they pass both the upstream and the downstream
569 boundaries of the development area; or

570 (4) Creating hazardous or erosion-producing velocities, or resulting in excessive
571 sedimentation.

572 (b) Any development within any area of special flood hazard or area of future-conditions flood
573 hazard allowed under Section 34-215(a) shall also meet the following conditions:

574 (1) Compensation for storage capacity shall occur between the average ground water table
575 elevation and the base flood elevation for the base flood, and between the average ground
576 water table elevation and the future-condition flood elevation for the future-conditions
577 flood, and lie either within the boundaries of ownership of the property being developed
578 and shall be within the immediate vicinity of the location of the encroachment.
579 Acceptable means of providing required compensation include lowering of natural
580 ground elevations within the floodplain, or lowering of adjoining land areas to create
581 additional floodplain storage. In no case shall any required compensation be provided via

582 bottom storage or by excavating below the elevation of the natural (pre-development)
 583 stream channel unless such excavation results from the widening or relocation of the
 584 stream channel;

- 585 (2) Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
- 586 (3) Effective transitions shall be provided such that flow velocities occurring on both
 587 upstream and downstream properties are not increased or decreased;
- 588 (4) Verification of no-rise conditions (less than 0.01 foot), flood storage volumes, and flow
 589 characteristics shall be provided via a step-backwater analysis meeting the requirements
 590 of section 34-216;
- 591 (5) Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems,
 592 shall be located and constructed to minimize or eliminate infiltration or contamination
 593 from flood waters; and
- 594 (6) Any significant physical changes to the base flood floodplain shall be submitted as a
 595 conditional letter of map revision (CLOMR) or conditional letter of map amendment
 596 (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval
 597 by the City of Jonesboro using the FEMA concurrence forms before
 598 forwarding the submittal package to FEMA for final approval. The responsibility for
 599 forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the
 600 responsibility of the applicant. Within six months of the completion of development, the
 601 applicant shall submit as-built surveys and plans for a final letter of map revision
 602 (LOMR).

603 **Sec. 34-216. - Engineering study requirements for floodplain encroachments.**

604 An engineering study is required, as appropriate to the proposed development activities on the
 605 site, whenever a development proposes to disturb any land within the future-conditions floodplain,
 606 except for a residential single-lot development on streams without established base flood
 607 elevations and floodways. This study shall be prepared by a licensed professional engineer and
 608 made a part of the application for a permit. This information shall be submitted to and approved
 609 by the City of Jonesboro prior to the approval of any permit which would authorize the disturbance
 610 of land located within the future-conditions floodplain. Such study shall include:

- 611 (1) Description of the extent to which any watercourse or floodplain will be altered or
 612 relocated as a result of the proposed development;
- 613 (2) Step-backwater analysis, using a FEMA-approved methodology approved by the City
 614 of Jonesboro. Cross-sections (which may be supplemented by the applicant) and flow
 615 information will be obtained whenever available. Computations will be shown
 616 duplicating FIS results and will then be rerun with the proposed modifications to
 617 determine the new base flood profiles, and future-conditions flood profiles;
- 618 (3) Floodplain storage calculations based on cross-sections (at least one every 100 feet)
 619 showing existing and proposed floodplain conditions to show that base flood floodplain
 620 and future-conditions floodplain storage capacity would not be diminished by the
 621 development;

622 (4) The study shall include a preliminary plat, grading plan, or site plan, as appropriate,
623 which shall clearly define all future-conditions floodplain encroachments.

624 **Sec. 34-217. - Floodway encroachments.**

625 Located within areas of special flood hazard are areas designated as floodway. A floodway
626 may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In
627 addition, floodways must remain free of encroachment in order to allow for the discharge of the
628 base flood without increased flood heights. Therefore, the following provisions shall apply:

629 (1) Encroachments are prohibited, including earthen fill, new construction, substantial
630 improvements or other development within the regulatory floodway, except for activities
631 specifically allowed in subsection (2) below.

632 (2) Encroachments for bridges, culverts, roadways and utilities within the regulatory
633 floodway may be permitted provided it is demonstrated through hydrologic and hydraulic
634 analyses performed in accordance with standard engineering practice that the
635 encroachment will not result in any increase to the pre-project base flood elevations,
636 floodway elevations, or floodway widths during the base flood discharge. A licensed
637 professional engineer must provide supporting technical data and certification thereof;
638 and

639 (3) If the applicant proposes to revise the floodway boundaries, no permit authorizing the
640 encroachment into or an alteration of the floodway shall be issued by the City of
641 Jonesboro until an affirmative Conditional Letter of Map Revision (CLOMR) is issued
642 by FEMA or a no-rise certification is approved by the city.

643 **Sec. 34-218. - Maintenance requirements.**

644 The property owner shall be responsible for continuing maintenance as may be needed within
645 an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood
646 storage capacity is maintained. The City of Jonesboro may direct the property owner (at no cost to
647 the city) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has
648 not performed maintenance as required by the approved floodplain management plan on file with
649 the city.

650

651 **DIVISION 5. - PROVISIONS FOR FLOOD DAMAGE REDUCTION**

652 **Sec. 34-219. - General standards.**

653 In all areas of special flood hazard and areas of future-conditions flood hazard, the following
654 provisions apply:

655 (1) New construction and substantial improvements of structures (residential or non-
656 residential), including manufactured homes, shall not be allowed within the limits of the
657 future-conditions floodplain, unless all requirements of sections 34-215, 34-216, and 34-
658 217 have been met;

659 (2) New construction and substantial improvements shall be anchored to prevent flotation,
660 collapse and lateral movement of the structure;

- 661 (3) New construction and substantial improvements shall be constructed with materials and
662 utility equipment resistant to flood damage;
- 663 (4) New construction and substantial improvements shall be constructed by methods and
664 practices that minimize flood damage;
- 665 (5) Elevated buildings. All new construction and substantial improvements that include any
666 fully enclosed area located below the lowest floor formed by foundation and other
667 exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The
668 enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by
669 allowing for the automatic entry and exit of floodwater.
- 670 a. Designs for complying with this requirement must either be certified by a licensed
671 professional engineer or architect to meet or exceed the following minimum criteria:
- 672 (i) Provide a minimum of two openings having a total net area of not less than one
673 square inch for every square foot of enclosed area subject to flooding;
- 674 (ii) The bottom of all openings shall be no higher than one foot above grade;
- 675 (iii) Openings may be equipped with screens, louvers, valves or other coverings or
676 devices provided they permit the automatic flow of floodwater in both
677 directions.
- 678 b. So as not to violate the "lowest floor" criteria of this article, the unfinished and flood
679 resistant enclosure shall solely be used for parking of vehicles, limited storage of
680 maintenance equipment used in connection with the premises, or entry to the elevated
681 area; and
- 682 c. The interior portion of such enclosed area shall not be finished or partitioned into
683 separate rooms.
- 684 (6) All heating and air conditioning equipment and components (including ductwork), all
685 electrical, ventilation, plumbing, and other service facilities shall be designed and/or
686 located three feet above the base flood elevation or one foot above the future-conditions
687 flood elevation, whichever is higher, so as to prevent water from entering or accumulating
688 within the components during conditions of flooding;
- 689 (7) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral
690 movement. Methods of anchoring may include, but are not limited to, use of over-the-top
691 or frame ties to ground anchors. This standard shall be in addition to and consistent with
692 applicable State requirements for resisting wind forces;
- 693 (8) All proposed development shall include adequate drainage and stormwater management
694 facilities per the requirements of the City of Jonesboro to reduce exposure to flood
695 hazards;
- 696 (9) New and replacement water supply systems shall be designed to minimize or eliminate
697 infiltration of flood waters into the system;
- 698 (10) New and replacement sanitary sewage systems shall be designed to minimize or
699 eliminate infiltration of flood waters into the systems and discharges from the systems
700 into flood waters;

- 701 (11) On-site waste disposal systems shall be located and constructed to avoid impairment to,
702 or contamination from, such systems during flooding;
- 703 (12) Other public utilities such as gas and electric systems shall be located and constructed to
704 avoid impairment to them, or public safety hazards from them, during flooding;
- 705 (13) Any alteration, repair, reconstruction or improvement to a structure which is not
706 compliant with the provisions of this article, shall be undertaken only if the non-
707 conformity is not furthered, extended or replaced;
- 708 (14) If the proposed development is located in multiple flood zones, or multiple base flood
709 elevations cross the proposed site, the higher or more restrictive base flood elevation or
710 future condition elevation and development standards shall take precedence;
- 711 (15) When only a portion of a proposed structure is located within a flood zone or the future
712 conditions floodplain, the entire structure shall meet the requirements of this article; and
- 713 (16) Subdivision proposals and other proposed new development, including manufactured
714 home parks or subdivisions, shall be reasonably safe from flooding:
- 715 a. All such proposals shall be consistent with the need to minimize flood damage within
716 the flood-prone area;
- 717 b. All public utilities and facilities, such as sewer, gas, electrical, and water systems
718 shall be located and constructed to minimize or eliminate flood damage; and
- 719 c. Adequate drainage shall be provided to reduce exposure to flood hazards.

720 **Sec. 34-220. - Building standards for structures and buildings within the future-conditions**
721 **floodplain.**

722 In addition to the requirements in section 34-219, the following provisions shall apply:

- 723 (1) *Residential buildings.*
- 724 a. *New construction.* New construction of principal residential structures shall not be
725 allowed within the limits of the future-conditions floodplain unless all requirements
726 of sections 34-215, 34-216, and 34-217 have been met. If all of the requirements of
727 sections 34-215, 34-216, and 34-217 have been met, all new construction shall have
728 the lowest floor, including basement, elevated no lower than three feet above the base
729 flood elevation or one foot above the future-conditions flood elevation, whichever is
730 higher. Should solid foundation perimeter walls be used to elevate the structure,
731 openings sufficient to automatically equalize the hydrostatic flood forces on exterior
732 walls shall be provided in accordance with standards of subsection 34-219(5)(a).
- 733 b. *Substantial improvements.* Substantial improvement of any principal residential
734 structure shall have the lowest floor, including basement, elevated no lower than
735 three feet above the base flood elevation or one foot above the future-conditions flood
736 elevation, whichever is higher. Should solid foundation perimeter walls be used to
737 elevate a structure, openings sufficient to automatically equalize the hydrostatic
738 flood forces on exterior walls shall be provided in accordance with standards of
739 subsection 34-219(5)(a).
- 740 (2) *Non-residential buildings.*

- 741 a. *New construction.* New construction of principal non-residential structures shall not
 742 be allowed within the limits of the future-conditions floodplain unless all
 743 requirements of sections 34-215, 34-216, and 34-217 have been met. If all of the
 744 requirements of sections 34-215, 34-216, and 34-217 have been met, all new
 745 construction shall have the lowest floor, including basement, elevated no lower than
 746 one foot above the base flood elevation or at least as high as the future-conditions
 747 flood elevation, whichever is higher. Should solid foundation perimeter walls be used
 748 to elevate the structure, openings sufficient to automatically equalize the hydrostatic
 749 flood forces on exterior walls shall be provided in accordance with standards of
 750 subsection 34-219(5)(a). New construction that has met all of the requirements of
 751 subsections 34-215, 34-216, and 34-217 may be floodproofed in lieu of elevation.
 752 The structure, together with attendant utility and sanitary facilities, must be designed
 753 to be watertight to one foot above the base flood elevation, or at least as high as the
 754 future-conditions flood elevation, whichever is higher, with walls substantially
 755 impermeable to the passage of water and structural components having the capability
 756 of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A
 757 licensed professional engineer or architect shall certify that the design and methods
 758 of construction are in accordance with accepted standards of practice for meeting the
 759 provisions above, and shall provide such certification to the ordinance administrator
 760 or designee using the FEMA floodproofing certificate along with the design and
 761 operation/maintenance plan.
- 762 b. *Substantial improvements.* Substantial improvement of any principal non-residential
 763 structure located in A1-30, AE, or AH zones, may be authorized by the ordinance
 764 administrator or designee to be elevated or floodproofed. Substantial improvements
 765 shall have the lowest floor, including basement, elevated no lower than one foot
 766 above the base flood elevation or at least as high as the future-conditions flood
 767 elevation, whichever is higher. Should solid foundation perimeter walls be used to
 768 elevate the structure, openings sufficient to automatically equalize the hydrostatic
 769 flood forces on exterior walls shall be provided in accordance with standards of
 770 subsection 34-219(5)(a). Substantial improvements may be floodproofed in lieu of
 771 elevation. The structure, together with attendant utility and sanitary facilities, must
 772 be designed to be watertight to one foot above the base flood elevation, or at least as
 773 high as the future-conditions flood elevation, whichever is higher, with walls
 774 substantially impermeable to the passage of water and structural components having
 775 the capability of resisting hydrostatic and hydrodynamic loads and the effect of
 776 buoyancy. A licensed professional engineer or architect shall certify that the design
 777 and methods of construction are in accordance with accepted standards of practice
 778 for meeting the provisions above, and shall provide such certification to the
 779 ordinance administrator or designee using the FEMA floodproofing certificate along
 780 with the design and operation/maintenance plan.
- 781 (3) *Accessory structures and facilities.* Accessory structures and facilities (i.e., barns, sheds,
 782 gazebos, detached garages, recreational facilities and other similar non-habitable
 783 structures and facilities) which meet the requirements of sections 34-215, 34-216, and 34-
 784 217 and are permitted to be located within the limits of the future-conditions floodplain
 785 shall be constructed of flood-resistant materials and designed to provide adequate flood

786 openings in accordance with subsection 34-219(5)(a) and be anchored to prevent
787 flotation, collapse and lateral movement of the structure.

788 (4) *Standards for recreational vehicles.* All recreational vehicles placed on sites must
789 either:

790 a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready
791 for highway use (a recreational vehicle is ready for highway use if it is licensed, on
792 its wheels or jacking system, attached to the site only by quick disconnect type
793 utilities and security devices, and has no permanently attached structures or
794 additions); or

795 b. Meet all the requirements for residential buildings—substantial improvements
796 (subsection 34-220(1)(b)), including the anchoring and elevation requirements.

797 (5) *Standards for manufactured homes.*

798 a. New manufactured homes shall not be allowed to be placed within the limits of the
799 future-conditions floodplain unless all requirements of sections 34-215, 34-216, and
800 34-217 have been met. If all of the requirements of sections 34-215, 34-216, and 34-
801 217 have been met, all new construction and substantial improvement shall have the
802 lowest floor, including basement, elevated no lower than three feet above the base
803 flood elevation or one foot above the future-conditions flood elevation, whichever is
804 higher. Should solid foundation perimeter walls be used to elevate the structure,
805 openings sufficient to automatically equalize the hydrostatic flood forces on exterior
806 walls shall be provided in accordance with standards of subsection 34-219(5)(a).

807 b. Manufactured homes placed and/or substantially improved in an existing
808 manufactured home park or subdivision shall be elevated so that either:

809 (i) The lowest floor of the manufactured home is elevated no lower than three feet
810 above the level of the base flood elevation, or one foot above the future-
811 conditions flood elevation, whichever is higher; or

812 (ii) The manufactured home chassis is elevated and supported by reinforced piers
813 (or other foundation elements of at least an equivalent strength) of no less than
814 36 inches in height above grade.

815 c. All manufactured homes must be securely anchored to an adequately anchored
816 foundation system to resist flotation, collapse and lateral movement in accordance
817 with standards of subsection 34-219(7).

818 **Sec. 34-221. - Building standards for structures and buildings authorized adjacent to the**
819 **future-conditions floodplain.**

820 Structures and buildings that are adjacent to the future-conditions floodplain shall meet the
821 following requirements:

822 (1) *Residential buildings.* For new construction and substantial improvement of any
823 principal residential building or manufactured home, the elevation of the lowest floor,
824 including basement and access to the building, shall be at least three feet above the base
825 flood elevation or one foot above the future-conditions flood elevation, whichever is
826 higher. Should solid foundation perimeter walls be used to elevate the structure, openings

827 sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be
828 provided in accordance with standards of subsection 34-219(5)(a).

829 (2) *Non-residential buildings.* For new construction and substantial improvement of any
830 principal non-residential building, the elevation of the lowest floor, including basement
831 and access to the building, shall be at least one foot above the level of the base flood
832 elevation or at least as high as the future-conditions flood elevation, whichever is higher.
833 Should solid foundation perimeter walls be used to elevate the structure, openings
834 sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be
835 provided in accordance with standards of subsection 34-219(5)(a). Nonresidential
836 buildings may be floodproofed in lieu of elevation.

837 **Sec. 34-222. - Building standards for residential single-lot developments on streams without**
838 **established base flood elevations and floodway (A-Zones).**

839 For a residential single-lot development not part of a subdivision that has areas of special flood
840 hazard, where streams exist but no base flood data have been provided (A-Zones), the ordinance
841 administrator or designee shall review and reasonably utilize any available scientific or historic
842 flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation
843 data available from a federal, state, local or other source, in order to administer the provisions and
844 standards of this article.

845 If data is not available from any of these sources, the following provisions shall apply:

- 846 (1) No encroachments, including structures or fill material, shall be located within an area
847 equal to twice the width of the stream or 50 feet from the top of the bank of the stream,
848 whichever is greater.
- 849 (2) In special flood hazard areas without base flood or future-conditions flood elevation
850 data, new construction and substantial improvements shall have the lowest floor of the
851 lowest enclosed area (including basement) elevated no less than three feet above the
852 highest adjacent grade at the building site. Flood openings sufficient to facilitate
853 automatic equalization of hydrostatic flood forces shall be provided for flood prone
854 enclosures in accordance with subsection 34-219(5)(a).

855 **Sec. 34-223. - Building standards for areas of shallow flooding (AO-Zones).**

856 Areas of special flood hazard may include designated "AO" shallow flooding areas. These
857 areas have base flood depths of one to three feet above ground, with no clearly defined channel.
858 In these areas the following provisions apply:

- 859 (1) All new construction and substantial improvements of residential and non-residential
860 structures shall have the lowest floor, including basement, elevated to no lower than one
861 foot above the flood depth number in feet specified on the flood insurance rate map
862 (FIRM), above the highest adjacent grade. If no flood depth number is specified, the
863 lowest floor, including basement, shall be elevated at least three feet above the highest
864 adjacent grade. Flood openings sufficient to facilitate automatic equalization of
865 hydrostatic flood forces shall be provided in accordance with standards of subsection 34-
866 219(5)(a);
- 867 (2) New construction and substantial improvement of a non-residential structure may be
868 floodproofed in lieu of elevation. The structure, together with attendant utility and

869 sanitary facilities, must be designed to be water tight to the specified FIRM flood level
 870 plus one foot above the highest adjacent grade, with walls substantially impermeable to
 871 the passage of water, and structural components having the capability of resisting
 872 hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional
 873 engineer or architect shall certify that the design and methods of construction are in
 874 accordance with accepted standards of practice, and shall provide such certification to the
 875 ordinance administrator or designee using the FEMA floodproofing certificate along with
 876 the design and operation/maintenance plan; and

877 (3) Drainage paths shall be provided to guide floodwater around and away from any
 878 proposed structure.

879 **Sec. 34-224. - Standards for subdivisions of land.**

880 (a) All subdivision proposals shall identify the areas of special flood hazard and areas of future-
 881 conditions flood hazard therein and provide base flood elevation data and future-conditions
 882 flood elevation data;

883 (b) All residential lots in a subdivision proposal shall have sufficient buildable area outside of
 884 the future-conditions floodplain such that encroachments into the future-conditions floodplain
 885 for residential structures will not be required; and

886 (c) All subdivision plans will provide the elevations of proposed structures in accordance with
 887 subsection 34-210(2).

888

889 **DIVISION 6. - VARIANCE PROCEDURES**

890 **Sec. 34-225. - Variance procedures.**

891 The following variance and appeals procedures shall apply to an applicant who has been
 892 denied a permit for a development activity, or to an owner or developer who has not applied for a
 893 permit because it is clear that the proposed development activity would be inconsistent with the
 894 provisions of this article.

895 (1) Requests for variances from the requirements of this article shall be submitted to the City
 896 of Jonesboro. All such requests shall be heard and decided in accordance with procedures
 897 to be published in writing by the City of Jonesboro. At a minimum, such procedures shall
 898 include notice to all affected parties and the opportunity to be heard.

899 (2) Any person adversely affected by any decision of the City of Jonesboro shall have the
 900 right to appeal such decision to the council of the City of Jonesboro with procedures to
 901 be published in writing by the city. At a minimum, such procedures shall include notice
 902 to all affected parties and the opportunity to be heard.

903 (3) Any person aggrieved by the decision of the council of the City of Jonesboro rendered
 904 under subsection (2) may appeal such decision ~~to the Superior Court of Clayton County~~
 905 by writ of certiorari, as provided in O.C.G.A. § 5-4-1 et. seq.

906 (4) Variances may be issued for the repair or rehabilitation of historic structures upon a
 907 determination that the proposed repair or rehabilitation will not preclude the structure's

- 908 continued designation as a historic structure, and the variance issued shall be the
909 minimum necessary to preserve the historic character and design of the structure.
- 910 (5) Variances may be issued for development necessary for the conduct of a functionally
911 dependent use, provided the criteria of this section are met, no reasonable alternative
912 exists, and the development is protected by methods that minimize flood damage during
913 the base flood and create no additional threats to public safety.
- 914 (6) Variances shall not be issued within any designated floodway if any increase in flood
915 levels during the base flood discharge would result.
- 916 (7) In reviewing such requests, the council of the City of Jonesboro shall consider all
917 technical evaluations, relevant factors, and all standards specified in this and other
918 sections of this article.
- 919 (8) Conditions for variances:
- 920 a. A variance shall be issued only when there is:
- 921 (i) A finding of good and sufficient cause;
- 922 (ii) A determination that failure to grant the variance would result in exceptional
923 hardship; and
- 924 (iii) A determination that the granting of a variance will not result in increased
925 flood heights, additional threats to public safety, extraordinary public expense,
926 or the creation of a nuisance.
- 927 b. The provisions of this article are minimum standards for flood loss reduction;
928 therefore, any deviation from the standards must be weighed carefully. Variances
929 shall only be issued upon determination that the variance is the minimum necessary,
930 considering the flood hazard, to afford relief.
- 931 c. Any person to whom a variance is granted shall be given written notice specifying
932 the difference between the base flood elevation and the elevation of the proposed
933 lowest floor and stating that the cost of flood insurance resulting from the lowest
934 floor elevation being placed below the base flood elevation will be commensurate
935 with the increased risk to life and property, and that such costs may be as high as
936 \$25.00 for each \$100.00 of insurance coverage provided.
- 937 d. The ordinance administrator or designee shall maintain the records of all variance
938 actions, both granted and denied, and report them to the Georgia Department of
939 Natural Resources and the Federal Emergency Management Agency upon request.
- 940 (9) Any person requesting a variance shall, from the time of the request until the time the
941 request is acted upon, submit such information and documentation as the Council of the
942 City of Jonesboro shall deem necessary for the consideration of the request.
- 943 (10) Upon consideration of the factors listed above and the purposes of this article, the
944 council of the City of Jonesboro may attach such conditions to the granting of variances
945 as they deem necessary or appropriate, consistent with the purposes of this article.
- 946 (11) Variances shall not be issued "after the fact."
- 947

948 **DIVISION 7. - VIOLATIONS, ENFORCEMENT and PENALTIES**

949

950 **Sec. 34-226. - Violations, enforcement and penalties.**

951 Any action or inaction which violates the provisions of this article or the requirements of an
 952 approved stormwater management plan or permit, may be subject to the enforcement actions
 953 outlined in this article. Any such action or inaction which is continuous with respect to time is
 954 deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The
 955 imposition of any of the penalties described below shall not prevent such equitable relief.

956 **Sec. 34-227. - Notice of violation.**

957 If the City of Jonesboro determines that an applicant or other responsible person has failed to
 958 comply with the terms and conditions of a permit, an approved stormwater management plan or
 959 the provisions of this article, it shall issue a written notice of violation to such applicant or other
 960 responsible person. Where a person is engaged in activity covered by this article without having
 961 first secured a permit therefor, the notice of violation shall be served on the owner or the
 962 responsible person in charge of the activity being conducted on the site.

963 The notice of violation shall contain:

- 964 (1) The name and address of the owner or the applicant or the responsible person;
- 965 (2) The address or other description of the site upon which the violation is occurring;
- 966 (3) A statement specifying the nature of the violation;
- 967 (4) A description of the remedial measures necessary to bring the action or inaction into
 968 compliance with the permit, the stormwater management plan or this article and the date
 969 for the completion of such remedial action;
- 970 (5) A statement of the penalty or penalties that may be assessed against the person to whom
 971 the notice of violation is directed; and
- 972 (6) A statement that the determination of violation may be appealed to the city by filing a
 973 written notice of appeal within 30 days after the notice of violation (except, that in the
 974 event the violation constitutes an immediate danger to public health or public safety, 24
 975 hours' notice shall be sufficient).

976 **Sec. 34-228. - Penalties.**

977 In the event the remedial measures described in the notice of violation have not been
 978 completed by the date set forth for such completion in the notice of violation, any one or more of
 979 the following actions or penalties may be taken or assessed against the person to whom the notice
 980 of violation was directed. Before taking any of the following actions or imposing any of the
 981 following penalties, the City of Jonesboro shall first notify the applicant or other responsible
 982 person in writing of its intended action, and shall provide a reasonable opportunity, of not less than
 983 ten days (except, that in the event the violation constitutes an immediate danger to public health
 984 or public safety, 24 hours' notice shall be sufficient) to cure such violation. In the event the
 985 applicant or other responsible person fails to cure such violation after such notice and cure period,

986 the city may take any one or more of the following actions or impose any one or more of the
 987 following penalties.

988 (1) *Stop work order.* The city may issue a stop work order which shall be served on the
 989 applicant or other responsible person. The stop work order shall remain in effect until the
 990 applicant or other responsible person has taken the remedial measures set forth in the
 991 notice of violation or has otherwise cured the violation or violations described therein,
 992 provided the stop work order may be withdrawn or modified to enable the applicant or
 993 other responsible person to take the necessary remedial measures to cure such violation
 994 or violations.

995 (2) *Withhold certificate of occupancy.* The city may refuse to issue a certificate of
 996 occupancy for the building or other improvements constructed or being constructed on
 997 the site until the applicant or other responsible person has taken the remedial measures
 998 set forth in the notice of violation or has otherwise cured the violations described therein.

999 (3) *Suspension, revocation or modification of permit.* The city may suspend, revoke or
 1000 modify the permit authorizing the development project. A suspended, revoked or
 1001 modified permit may be reinstated after the applicant or other responsible person has
 1002 taken the remedial measures set forth in the notice of violation or has otherwise cured the
 1003 violations described therein, provided such permit may be reinstated (upon such
 1004 conditions as the city may deem necessary) to enable the applicant or other responsible
 1005 person to take the necessary remedial measures to cure such violations.

1006 (4) *Civil penalties.* In the event the applicant or other responsible person fails to take the
 1007 remedial measures set forth in the notice of violation or otherwise fails to cure the
 1008 violations described therein within ten days, or such greater period as the city shall deem
 1009 appropriate (except, that in the event the violation constitutes an immediate danger to
 1010 public health or public safety, a twenty-four (24) hour notice shall be sufficient) after the
 1011 city has taken one or more of the actions described above, the city may impose a penalty
 1012 not to exceed \$1,000.00 (depending on the severity of the violation) for each day the
 1013 violation remains unremedied after receipt of the notice of violation.

1014 (5) *Criminal penalties.* For intentional and flagrant violations of this article, the city may
 1015 issue a citation to the applicant or other responsible person, requiring such person to
 1016 appear in the municipal court of the City of Jonesboro to answer charges for such
 1017 violation. Upon conviction, such person shall be punished by a fine not to exceed
 1018 \$1,000.00 or imprisonment for 60 days, or both. Each act of violation and each day upon
 1019 which any violation shall occur shall constitute a separate offense.

1020 **Secs. 34-229—34-250. - Reserved.**



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item # 11.3

- 3

COUNCIL MEETING DATE
 October 12, 2020

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 Text Amendment Ord. 2020-019 for Chapter 34, Article VII – Post Development Stormwater Management for New Development and Redevelopment, revisions and updates, per Metro North GA Water Planning District plan requirements and the Environmental Protection Division.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*
 Review of Text Amendment for Chapter 34, Article VII Post Development Stormwater Management

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, Safety, Health and Wellbeing

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.)*

Agency recommendation – Approval; Per Metro North GA Water Planning District plan requirements and the Environmental Protection Division, Chapter 34, Article VII – Post Development Stormwater Management is proposed to be revised and updated. These are recommended Code revisions to bring up to date with the Metro North GA Water Planning District 2013 Model Ordinance for Floodplain Management and Flood Damage Prevention and provide consistency for all seven cities in Clayton County.

The City Attorney’s office has reviewed the changes and produced a formatted document. Due to the extensive nature of the changes, this is considered a “repeal and replace” text amendment for Article VII – Post Development Stormwater Management.

Summary of proposed changes

1. **Deletion of Findings of Fact section from the General Provisions Section 34-301.**
2. **Modification of Purpose and Intent section.**
3. **Modification, addition, and deletion of of a number of definitions in Section 34-302, in alignment with the Metro North GA Water Planning District 2013 Model Ordinance.**
4. **Clarified the applicability criteria in Section 34-303.**
5. **Clarified the City Manager’s role in appointing an administer of this Ordinance (Section 34-304).**
6. **Updated application requirements in Section 34-306.**
7. **Updated pre-submittal process in Section 34-307 and stormwater management plan requirements.**
8. **Updated Compliance Section 34-308.**
9. **Deleted Section 34-309, Stormwater Management Inspection and Maintenance Agreements. (Done by CCWA, not City.)**
10. **Added section about performance and maintenance bonds.**
11. **Updated Stormwater Management Standards, Section 34-311, including new effective date for standards – December 10, 2020.**
12. **Updated Section 34-312, Modifications of Off-site Facilities.**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date October, 12, 2020	10/05/20	City Council	OLD BUSINESS
Signature	City Clerk’s Office		Next: 10/12/20	

13. Updated Section 34-313, Construction Inspections of Post-Development Stormwater Management System.
14. Updated Section 34-313, Ongoing Inspection and Maintenance of Stormwater Facilities and Practices.
15. Updated Section 34-315, Violations, Enforcement, and Penalties.

Update:

No changes since the Work Session on October 5th. A formatted version of the revised Ordinance is attached. No public hearing was required, since it is not part of the Zoning Code.

Fiscal Impact

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

n/a

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

- Jonesboro_Post-Development 2020 track changes (080820) (003)
- Jonesboro_Post-Development 2020 no track changes (080720)
- Copy of Copy of Jonesboro Model Ordinance Crosswalk 080720 (003)
- Post Development Stormwater Ordinance V4

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

Approval

ARTICLE VII. - POST-~~CONSTRUCTION~~DEVELOPMENT STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

Sec. 34-301. - General ~~P~~provisions.

(a) ~~Findings of fact.~~ It is hereby determined that:

- ~~(1) Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;~~
- ~~(2) Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;~~
- ~~(3) The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;~~
- ~~(4) These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas. The preservation and protection of natural area and greenspace for stormwater management benefits is encouraged through the use of incentives or "credits". The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;~~
- ~~(5) Localities in the State of Georgia are required to comply with a number of both state and federal laws, regulations and permits which require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution; and~~
- ~~(6) Therefore, the City of Jonesboro has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.~~

~~(b) Purpose and intent.~~ The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-~~construction development~~ stormwater runoff and nonpoint source pollution associated with new development and redevelopment. ~~It has been determined that P~~proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. ~~This article seeks to meet that purpose through the following objectives: Additionally, the City of Jonesboro is required to comply with several State and Federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post- construction stormwater runoff.~~

- ~~(1) Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;~~
- ~~(2) Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;~~

Style Definition: MNGWPD Body Text

Formatted: list1

- (3) Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
- (4) Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
- (5) Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable. Coordinate site design plans, which include greenspace, with the county's greenspace protection plan;
- (6) Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and
- (7) Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow-up.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-302. - Definitions.

[As used in this article, unless the context clearly requires otherwise, the following words or phrases shall have the following meanings:] For this Article, the terms below shall have the following meanings:

Administrator means the person appointed to administer and implement this Article on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with [Section 34-304](#).

Accelerated erosion means erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away by the action of water, wind, or chemical action.

Applicant means a person submitting a post-development stormwater management land development application and plan for approval.

BMP or best management practice means both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

BMP landscaping plan means a design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Building means any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

Channel means a natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

City means the City of Jonesboro, Georgia.

Conservation easement means an agreement between a land owner and the city and/or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Dedication means the deliberate appropriation of property by its owner for general public use.

Detention means the temporary storage of stormwater runoff in a stormwater management detention facility for the purpose of controlling the peak discharge.

Detention facility means a ~~detention basin or structure~~ designed for the detention storage and gradual release of stormwater runoff ~~and gradual release of stored water~~ at controlled rates.

Developer means a person who undertakes land development activities.

Development means a ~~land~~ new development or ~~land~~ redevelopment project.

Drainage easement means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Erosion and sedimentation control plan means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Extended detention means the detention storage of stormwater runoff for an extended period of time, typically 24 hours or greater.

Extreme flood protection means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding means a volume of surface water that ~~is too great to be confined within~~ exceeds the banks or walls of a ~~conveyance or stream BMP, or channel,~~ and that overflows onto adjacent lands.

Greenspace or open space means permanently protected areas of the site that are preserved in a natural state.

GSMM means the latest edition of the Georgia Stormwater Management Manual, Volume 2: Technical Handbook, and its Appendices.

Hotspot means ~~an area where the use of the a land use or activity on a site that~~ has the potential to generate highly contaminated runoff, with concentrations ~~produce higher than normally found levels of~~ pollutants ~~in excess of those typically found in~~ stormwater runoff. As defined by the administrator, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Hydrologic soil group (HSG) means a natural resource conservation service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

Impervious cover means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

Impervious surface means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into the soil.

Industrial Stormwater General Permit means ~~a the~~ National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry ~~or group of~~ industries which regulates the pollutant levels for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on Standard Industrial Classification (SIC) Code.

Infiltration means the process of percolating stormwater runoff into the subsoil.

infiltration facility means any structure or device designed to infiltrate retained water to the subsurface. These facilities may be above grade or below grade.

Jurisdictional wetland means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Formatted: Normal, Tab stops: 3.95", Left

Inspection and maintenance agreement means a written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site.

Land development means any land change which changes the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of the vegetation, or any activity which bears soil or rock or involves the diversion or piping of any natural or man-made watercourse, and any other installation of impervious cover.

Land development activities means those actions or activities which comprise, facilitate or result in land development.

Land development application means the application for a land development permit on a form provided by the **Public Works Department** along with the supporting documentation required in **Section 34-306(a)(1)**.

Land development permit means the authorization necessary to begin construction-related, land-disturbing activity.

Land development project means a discrete land development undertaking.

Land owner means the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

Land disturbing activity means any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including but not limited to clearing, dredging, grading, excavating, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. 12-7-17(5) or silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities.

Linear feasibility program means a feasibility program developed by **Public Works Department** and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by **the Public Works Department** is infeasible.

Linear transportation projects means construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

Inspection and maintenance agreement means a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

MS4 Permit means the NPDES permit issued by Georgia Environmental Protection Division for discharges from **the City's** separate storm sewer system.

New development means a land development activity on a previously undeveloped site. land disturbing activities, structural development (construction, installation or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Nonpoint source pollution means a form of water pollution that does not originate from a discrete point such as a sewage treatment plant wastewater treatment facility or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and/or groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstructural stormwater management practice or nonstructural practice means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and

Formatted: Left, Indent: First line: 0", Space After: 0.5", Line spacing: Multiple 1.15 li, Tab stops: 0.3"

Formatted: Indent: First line: 0.38"

~~includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.~~

~~Offset fee means a monetary compensation paid to a local government for failure to meet pollutant load reduction targets.~~

~~Off-site facility means a stormwater management facility located outside the boundaries of the site.~~

~~On-site facility means a stormwater management facility located within the boundaries of the site.~~

~~Overbank flood protection means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.~~

~~Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.~~

~~Permit means the permit issued by the city and/or its designee to the applicant which is required for undertaking any land development activity.~~

~~Person means, except to the extent exempted from this article, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.~~

~~Post-construction stormwater management means stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.~~

~~Post-development refers to the time period, or means the conditions that may reasonably be expected or anticipated to exist on site immediately, after completion of the land development activity on a site as the context may require proposed development.~~

~~Practicability policy means the latest edition of the Metropolitan North Georgia Water Planning District's Policy on Practicability Analysis for Runoff Reduction.~~

~~Pre-development refers to the time period, or means the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.~~

~~Pre-development hydrology means (a) for new development, the runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development; and (b) for redevelopment, the existing conditions hydrograph may take into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property.~~

~~Previously developed site means a site that has been altered by paving, construction, and/or land disturbing activity.~~

~~Project means a land development project.~~

~~Recharge means the replenishment of underground water reserves.~~

~~Redevelopment means a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution. structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious~~

Formatted: Indent: First line: 0.25"

surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

Regional stormwater management facility or regional facility means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Routine maintenance means activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff means stormwater runoff.

Site means the parcel of land being developed, or the portion thereof on which the land development project is located, an area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

Stop work order means an order issued which requires that all construction activity on a site be stopped.

Stormwater better site design means nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater concept plan means an initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater management means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater management facility means any infrastructure that controls or conveys stormwater runoff.

Stormwater management measure means any stormwater management facility or nonstructural stormwater practice.

Stormwater management plan means a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this article, a plan for post-construction stormwater management at the site that meets the requirements of [Section 34-307\(d\)](#) and is included as part of the land development application.

Stormwater management standards means those standards set forth in [Section 34-311](#). *Stormwater management system* means the entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site, non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater retrofit means a stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater runoff means the flow on the surface of the ground, resulting from precipitation.

~~Stormwater treatment practices (STPs) means measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.~~

~~Structural stormwater control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.~~

~~Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.~~

~~Water quality volume (WQ_v) means the storage needed to capture and treat 90 percent of the average annual stormwater runoff volume. Numerically (WQ_v) will vary as a function of long term rainfall statistical data.~~

~~Watercourse means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.~~

~~Other terms used but not defined in this Article shall be interpreted based on how such terms are defined and used in the GSMM and the City's MS4 permit.~~

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-303. Applicability Criteria for Stormwater Management Standards; Exemptions from Stormwater Management Standards.

(a) ~~This article shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless eligible for an exemption or granted a waiver by the city and/or its designee. These standards apply to any new development or redevelopment site that meets one or more of the following criteria. This article applies to following activities:~~

(1) ~~New development that creates involves the creation of or adds 5,000 square feet or greater more of impervious surface area cover, or that involves other land disturbing activity development activities of one acre of land or greater more;~~

(2) ~~Redevelopment (excluding routine maintenance and exterior remodeling) that includes the creates, adds, or replaces ion, addition or replacement of 5,000 square feet or greater more of impervious surface area cover, or that involves other land disturbing development activity of one acre or more;~~

(3) ~~Any Nnew development under redevelopment if,~~

~~regardless of size, that is defined by the city and/or its designee to be a hotspot land use; or~~

~~(i) such new development or redevelopment is part of a subdivision or other common plan of development, and~~

~~(ii) the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (1) and (2) above;~~

(4) ~~Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this Article; and~~

(5) ~~Linear transportation projects that exceed the threshold in (1) or (2) above.~~

~~Land development activities that are smaller than the minimum applicability criteria set forth in items (a) and (b) above if such activities are part of a larger common plan of development, even though~~

Formatted: Indent: Left: 0.38", Hanging: 0.25"

Formatted: Indent: Left: 0.63", Hanging: 0.25"

~~multiple, separate and distinct land development activities may take place at different times on different schedules.~~

(b) ~~This Article does not apply to the following activities; The following activities are exempt from this article:~~

- ~~(1) Individual single-family or duplex residential lots that are not part of a subdivision or phased development project;~~
- ~~(2) Additions or modifications to existing single-family or duplex residential structures;~~
- ~~(3) Agricultural or silvicultural land management activities within areas zoned for these activities;~~
- ~~(4) Developments that do not disturb more than 1,000 square feet of land, provided they are not part of a larger common development plan; and~~
- ~~(5) Repairs to any stormwater management facility or practice deemed necessary by the city and/or its designee. (1) Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;~~
- (2) Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;
- (3) Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
- (4) Repairs to any stormwater management system deemed necessary by the administrator;
- (5) Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in (a)(1) or (a)(2) of this Section;
- (6) Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in (a)(1) or (a)(2) of this Section;
- (7) Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits; and
- (8) Linear transportation projects being constructed by the Public Works Department to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the Public Works Department linear feasibility program shall first be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.

~~When a site development plan is submitted that qualifies as a redevelopment project as defined in section 34-302, decisions on permitting and on-site stormwater requirements shall be governed by special stormwater sizing criteria found in the current stormwater design manual which is defined in section 34-305 below. This criteria is dependent on the amount of impervious area created by the redevelopment and its impact on water quality. Final authorization of all redevelopment projects will be determined after a review by the city and/or its designee.~~

Sec. 34-304. - Designation of Aadministrator.

Formatted: Indent: Left: 0", Hanging: 0.25"

~~The City Manager or designee/public works director is hereby appointed to administer and implement the provisions of this article. may from time to time appoint someone to administer and implement this Article.~~

~~(Ord. No. 04-17, §§ 1, 2, 8-9-2004)~~

~~Sec. 34-305. - Stormwater design manual/Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.~~

- ~~(a) The city does hereby adopt and incorporate herein by reference the Georgia Stormwater Management Manual, Volumes 1 and 2, First Edition, 2001, and any amendments thereto. The city and/or its designee will utilize the policy, criteria and information including technical specifications and standards of the Georgia Stormwater Management Manual.~~
- ~~(b) The city and/or its designee may furnish additional policy, criteria and information, including specifications and standards, for the proper implementation of the requirements of this article and may provide such information in the form of a local stormwater design manual.~~
- ~~(c) This manual will include a list of acceptable stormwater treatment practices, including the specific design criteria and operation and maintenance requirements for each stormwater practice. The manual may be updated and expanded from time to time, at the discretion of the city and/or its designee, based on improvements in engineering, science, monitoring and local maintenance experience. Stormwater treatment practices that are designed and constructed in accordance with these design and sizing criteria will be presumed to meet the minimum water quality performance standards.~~
- ~~(a) In implementing this Article, the City shall use and require compliance with all relevant design standards, calculations, formulas, methods, and other guidance from the GSMM as well as all related appendices.~~
- ~~(b) This Article is not intended to modify or repeal any other Article, ordinance, rule, regulation or other provision of law, including but not limited to any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the City's MS4 permit and this Article, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this Article and the GSMM, the provision from this Article shall control. In the event of any other conflict or inconsistency between any provision of this Article and any other ordinance, rule, regulation or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.~~
- ~~(c) If any provision of this Article is invalidated by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Article~~

~~(Ord. No. 04-17, §§ 1, 2, 8-9-2004)~~

~~Sec. 34-306. - Permit procedures and requirements: Application Procedures; Application Fees.~~

- ~~(a) *Permit required.* No land owner or land operator shall receive any of the building, grading or other land development permits required for land disturbance activities without first meeting the requirements of this article prior to commencing the proposed activity.~~
- ~~(b) *Permit application requirements.* Unless specifically exempted by this article, any owner or developer proposing a land development activity shall submit to the city and/or its designee a permit application on a form provided by the city and/or its designee for that purpose. Unless otherwise exempted by this article, a permit application shall be accompanied by the following items in order to be considered:~~
- ~~(1) Stormwater concept plan and consultation meeting certification in accordance with section 34-307;~~

Formatted: Indent: Left: 0", Hanging: 0.25"

- ~~(2) Stormwater management plan in accordance with section 34-308;~~
- ~~(3) Inspection and maintenance agreement in accordance with section 34-309, if applicable;~~
- ~~(4) Performance bond in accordance with section 34-310, if applicable; and~~
- ~~(5) Permit application and application review fees in accordance with subsections (c) and (d). (c) Application procedure.~~
- ~~(1) Applications for land development permits shall be filed with the city and/or its designee.~~
- ~~(2) Permit applications shall include the items set forth in subsection (b) above (two copies of the stormwater management plan and two copies of the inspection maintenance agreement, if applicable), and any required review fees.~~
- ~~(3) The city and/or its designee shall inform the applicant within 60 business days of receipt of a complete permit application, whether the application, the stormwater management plan and the inspection and maintenance agreement are approved or disapproved.~~
- ~~(4) If either the permit application, the stormwater management plan or the inspection and maintenance agreement are disapproved, the city and/or its designee shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same, in which event subsection (3) above and this subsection shall apply to such resubmittal.~~
- ~~(5) Upon a finding by the city and/or its designee that the permit application, the stormwater management plan and the inspection and maintenance agreement, if applicable, meet the requirements of this article, the city and/or its designee may issue a permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.~~
- ~~(6) Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:~~
 - ~~a. The applicant shall comply with all applicable requirements of the approved plan and this article and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;~~
 - ~~b. The land development project shall be conducted only within the area specified in the approved plan;~~
 - ~~c. The city and/or its designee shall be allowed to conduct periodic inspections of the project;~~
 - ~~d. No changes may be made to an approved plan without review and written approval by the city and/or its designee; and~~
 - ~~e. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by subsection 34-313(b).~~

(a) Application Requirements

Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to [insert local ordinance reference] or building permit [insert local ordinance reference], as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:

- (1) File a land development application with the Public Works Department on the Department's form of application with the following supporting materials:
 - (A) the stormwater management plan prepared in accordance with Section 38-113.2(d).
 - (B) a certification that the development will be performed in accordance with the stormwater management plan once approved.
 - (C) a [Preliminary Determination of Infeasibility, as applicable, prepared in accordance with the practicability policy], and

Formatted: list0, Indent: Left: 0", First line: 0"

(D) an acknowledgement that applicant has reviewed the Public Works Department's form of inspection and maintenance agreement and that applicant agrees to sign and record such inspection and maintenance agreement before the final inspection.

(2) The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.

(3) If the application or supporting materials are disapproved, the administrator shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.

(4) If the application and supporting materials are approved, the Public Works Department may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in such applications becomes the approved stormwater management plan.

(b) Application fees. The fee for review of any land development application shall be based on the fee structure shall be established by the City, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.

(e) Permit duration. Permits issued under this section shall be valid from the date of issuance through the date the city and/or its designee notifies the permit holder that all stormwater management practices have passed the final inspection required under permit condition.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-307. - Stormwater concept plan and consultation meeting. Pre-Submittal Meeting. Stormwater Concept Plan, and Stormwater Management Plan Requirements.

(a) Before a land development permit application is submitted, an applicant may request a pre-submittal meeting with the Public Works Department. The pre-submittal meeting should take place based on an early step in the development process such as before site analysis and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM Section 2.4.2.5). The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and ideas for the stormwater management system before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal meeting. Applicants must request a pre-submittal meeting with the Public Works Department when applying for a Determination of Infeasibility through the Practicability Policy.

(b) The stormwater concept plan shall be prepared using the minimum following steps:

(1) Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).

(2) Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality/reduction, channel protection, overbank flooding protection and extreme flood protection (GSMM Section 2.2).

(3) Perform screening and preliminary selection of appropriate best management practices and identification of potential siting locations (GSMM Section 4.1).

(c) The stormwater concept plan shall contain:

(1) Common address and legal description of the site,

(2) Vicinity map, and

(3) Existing conditions and proposed site layout mapping and plans (recommended scale of 1" = 50'), which illustrate at a minimum:

(A) Existing and proposed topography (minimum of 2-foot contours),

(B) Perennial and intermittent streams.

- (C) Mapping of predominant soils from USDA soil surveys.
- (D) Boundaries of existing predominant vegetation and proposed limits of clearing and grading.
- (E) Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.).
- (F) Location of existing and proposed roads, buildings, parking areas and other impervious surfaces.
- (G) Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements.
- (H) Preliminary estimates of unified stormwater sizing criteria requirements.
- (I) Preliminary selection and location, size, and limits of disturbance of proposed BMPs.
- (J) Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains.
- (K) Flow paths.
- (L) Location of the boundaries of the base flood floodplain, future-conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage, and
- (M) Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings.

(d) The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia. Items (3), (4), 5), and (6) shall be sealed and signed by a registered Professional Engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7)

- (1) Natural Resources Inventory
- (2) Stormwater Concept Plan
- (3) Existing Conditions Hydrologic Analysis
- (4) Post-Development Hydrologic Analysis
- (5) Stormwater Management System
- (6) Downstream Analysis
- (7) Erosion and Sedimentation Control Plan
- (8) BMP Landscaping Plan
- (9) Inspection and Maintenance Agreement
- (10) Evidence of Acquisition of Applicable Local and Non-Local Permits
- (11) Determination of Infeasibility (if applicable)

(e) For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures

- (1) As-built Drawings
- (2) Hydrology Reports
- (3) Current inspection of existing stormwater management structures with deficiencies noted

(4) BMP Landscaping Plans**(Ord. No. 04-17, §§ 1, 2, 8-9-2004)**

~~Sec. 34-308. - Stormwater management plan requirements. Compliance with the Approved Stormwater Management Plan.~~

~~All development shall be:~~

~~(a) consistent with the approved stormwater management plan and all applicable land disturbance and building permits, and~~

~~(b) conducted only within the area specified in the approved stormwater management plan.~~

~~No changes may be made to an approved stormwater management plan without review and advanced written approval by the administrator.~~

~~(a) The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this article, including the performance criteria set forth in section 34-311. This plan shall be in accordance with the criteria established in this section and must be submitted with the stamp and signature of a professional engineer (PE) licensed in the state of Georgia, who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the submittal checklist(s) found in the Georgia Stormwater Management Manual.~~

~~(b) The stormwater management plan must ensure that the requirements and criteria in this article are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the stormwater management site plan checklist found in the Georgia Stormwater Management Manual. This includes:~~

~~(1) Common address and legal description of site.~~

~~(2) Vicinity map.~~

~~(3) Existing conditions hydrologic analysis. The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities.~~

~~(4) Post-development hydrologic analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in section 34-311; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a~~

redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in section 34-311 must be met for the stormwater runoff from the entire site.

- (5) ~~Stormwater management system. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in section 34-311; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.~~
- (6) ~~Post-development downstream analysis. A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is ten percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the Georgia Stormwater Management Manual.~~
- (7) ~~Construction phase erosion and sedimentation control plan. An erosion and sedimentation control plan in accordance with the city's ordinance on soil erosion and sedimentation control found at sections 34-31 through 34-80 or NPDES permit for construction activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.~~
- (8) ~~Landscaping and open space plan. A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.~~
- (9) ~~Operations and maintenance plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.~~

- (10) ~~Maintenance access easements. Prior to the issuance of any permit that has a stormwater management facility as one of the requirements of the permit, the applicant or owner of the site must execute a maintenance easement agreement that shall be binding on all subsequent owners of land served by the stormwater management facility. The agreement shall provide for access to the facility at reasonable times for periodic inspection by the city and/or its designee, or their contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this article. The easement agreement shall be recorded by the city and/or its designee in the land records.~~
- (11) ~~Inspection and maintenance agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the city and/or its designee as provided in section 34-309 below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice.~~
- (12) ~~Evidence of acquisition of applicable local and nonlocal permits. The applicant shall certify and provide documentation to the city and/or its designee that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.~~

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

~~Sec. 34-309. -- Stormwater management inspection and maintenance agreements.~~

Formatted: Font: (Default) Arial, 10 pt

- (a) ~~Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which the city and/or its designee requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the city and/or its designee, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.~~
- (b) ~~The inspection and maintenance agreement, if applicable, must be approved by the city and/or its designee prior to plan approval, and recorded in the deed records upon final plat approval.~~
- (c) ~~The inspection and maintenance agreement shall identify by name or official title the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.~~
- (d) ~~All stormwater management facilities must undergo, at the minimum, an annual inspection to document maintenance and repair needs and ensure compliance with the requirements of this article and accomplishment of its purposes. These needs may include: removal of silt, litter and other debris from all catch basins, inlets and drainage pipes, grass cutting and vegetation removal, and necessary replacement of landscape vegetation. Any maintenance needs found must be addressed in a timely manner, as determined by the city and/or its designee, and the inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the stormwater management facility.~~
- (e) ~~In addition to enforcing the terms of the inspection and maintenance agreement, the city and/or its designee may also enforce all of the provisions for ongoing inspection and maintenance in section 34-314.~~
- (f) ~~The city and/or its designee, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this article and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.~~

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-310. - Performance and maintenance bonds.

The city and/or its designee may, at its discretion, require the submittal of a performance security or bond prior to issuance of a permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The amount of the installation performance security shall be the total estimated construction cost of the stormwater management practices approved under the permit, plus 25 percent. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of "as built plans" and written certification by a registered professional engineer that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this article. The city and/or its designee will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provisions of this article. Provisions for a partial pro-rata release of the performance security based on the completion of various development stages can be done at the discretion of the city and/or its designee.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-311. - Post-development stormwater management performance criteria Standards.

The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this article:

Subject to the applicability criteria in Section 34-303(a) and exemptions in Section 34-303(b) the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:

(a1) Design of Stormwater Management System:

The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM as directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

~~Water quality. All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:~~

- ~~a. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;~~
- ~~b. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and~~
 - ~~c. Runoff from hotspot land uses and activities identified by the city and/or its designee are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.~~

(b2) Stream channel protection. Natural Resources Inventory:

Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the Stormwater Management Plan, shall include, at a minimum (as applicable):

- (1) Topography (minimum of 2-foot contours) and Steep Slopes (i.e., Areas with Slopes Greater Than 15%).
- (2) Natural Drainage Divides and Patterns.

Formatted: Numbered + Level: 1 + Numbering 1, 2, 3, ... + Start at: 1 + Alignment: Left + Align 0.3" + Indent at: 0.55"

- (3) Natural Drainage Features (e.g., swales, basins, depressional areas),
- (4) Natural feature protection and conservation areas such as wetlands, lakes, ponds, flood plains, stream buffers, drinking water wellhead protection areas and river corridors,
- (5) Predominant soils (including erodible soils and karst areas), and
- (6) Existing predominant vegetation including trees, high quality habitat and other existing vegetation.

a. Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:

- 1. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
- 2. Twenty-four hour extended detention storage of the one-year, 24-hour return frequency storm event; and
- 3. Erosion prevention measures such as energy dissipation and velocity control.

b. This requirement is waived for sites that discharge directly into larger streams, rivers, wetlands, or lakes, or to a man-made channel or conveyance system where the reduction in these flows will not have an impact on upstream or downstream streambank or channel integrity.

(c3). Overbank flooding protection. *Better Site Design Practices for Stormwater Management:*

a. Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the one-year, 24-hour storm under subsection (2) is exempted, then peak discharge rate attenuation of the two-year through the 25-year return frequency storm event must be provided.

b. This requirement is waived for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in the GSMM Section 2.3.

(d4) Extreme flooding protection. *Stormwater Runoff Quality/Reduction:*

a. Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

b. This requirement may be adjusted or waived for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

Stormwater Runoff Quality/Reduction shall be provided by using the following:

- (1) For development with a stormwater management plan submitted before **December 10, 2020**, the applicant may choose either (A) Runoff Reduction or (B) Water Quality.
- (2) For development with a stormwater management plan submitted on or after **December 10, 2020**, the applicant shall choose (A) Runoff Reduction and additional water quality shall not be required. To the extent (A) Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Practicability Policy, then (B) Water Quality shall apply for the remaining runoff from a 1.2 inch rainfall event and must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.

(A) Runoff Reduction - The stormwater management system shall be designed to retain the first 1.0 inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.

(B) Water Quality – The stormwater management system shall be designed to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2 inch rainfall event.

(3) If a site is determined to be a hotspot as detailed in Section 34-303(a), the Public Works Department or designee may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by that site.

(e5) Stream Channel Protection:

—Structural stormwater controls. All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the city and/or its designee before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the city and/or its designee may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.

Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

Stream channel protection shall be provided by using all of the following three approaches:

- (1) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;
- (2) Erosion prevention measures, such as energy dissipation and velocity control; and
- (3) Preservation of any applicable stream buffer.

(f6) —Stormwater credits for nonstructural measures. Overbank Flood Protection:

Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.

The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under subsection (1) herein. The applicant may, if approved by the city and/or its designee, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.

(g7) —Drainage system guidelines. Extreme Flood Protection:

Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.

Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public rights of way and

Formatted: Indent: Left: 0", Hanging: 0.25"

Formatted: Indent: Left: 0", Hanging: 0.25"

private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

- a. Methods to calculate stormwater flows shall be in accordance with the stormwater design manual;
- b. All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the stormwater design manual; and
- c. Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the Georgia Stormwater Management Manual.

(h8) —*Dam design guidelines. Downstream Analysis:*

Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises 10% of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system.

(i) *Stormwater Management System Inspection and Maintenance:*

The components of the stormwater management system that will not be dedicated to and accepted by the Public Works Department or designee including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems, shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in Section 34-314(b).

Any land-disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-312. - Modifications for Off-site Facilities.

- (a) The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.
- (b) A stormwater management plan must be submitted to the city and/or its designee which shows the adequacy of the off-site or regional facility.
- (c) To be eligible for a modification, the applicant must demonstrate to the satisfaction of the city and/or its designee that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:
 - (1) Increased threat of flood damage to public health, life, and property;

Formatted: Indent: Left: 0", Hanging: 0.25"

- (2) Deterioration of existing culverts, bridges, dams, and other structures;
- (3) Accelerated streambank or streambed erosion or siltation;
- (4) Degradation of in-stream biological functions or habitat; or
- (5) Water quality impairment in violation of state water quality standards, and/or violation of any state or federal regulations.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-313. - Construction inspections of post-development stormwater management system.

- (a) *Inspections to ensure plan compliance during construction.* ~~The applicant must notify the city and/or its designee in advance before the commencement of construction.~~ Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the Public Works Department or designee ~~city and/or~~ conducted and certified by a professional engineer ~~or their designee~~ who has been approved by the Department ~~city~~. ~~Construction~~ inspections shall ~~utilize~~ use the approved stormwater management plan for establishing compliance. All inspections shall be documented with written reports prepared that contain the following information:
- (1) The date and location of the inspection;
 - (2) Whether the stormwater management system ~~construction~~ is in compliance with the approved stormwater management plan;
 - (3) Variations from the approved ~~construction specifications~~ stormwater management plan; and
 - (4) Any other variations or violations of the conditions of the approved stormwater plan.

~~If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions. No added work shall proceed until all violations are corrected and all work previously completed has received approval by the city and/or its designee.~~

- (b) *Final inspection:* ~~and As-Built Drawings/plans; Delivery of Inspection and Maintenance Agreement.~~

Upon completion of the development ~~a project, and before a certificate of occupancy shall be granted,~~ the applicant is responsible for ~~certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a professional engineer. A final inspection by the city and/or its designee is required before the release of any performance securities can occur.~~

- (1) Certifying that the stormwater management system is functioning properly and was constructed in conformance with the approved stormwater management plan and associated hydrologic analysis.
- (2) Submitting as-built drawings showing the final design specifications for all components of the stormwater management system as certified by a professional engineer.
- (3) Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and
- (4) Delivering to the Public Works Department or designee a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcel(s) that make up the site.

The required certification under part (a) shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified

person and submitted to the Public Works Department or designee with the request for a final inspection. The Public Works Department or designee shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-314. - Ongoing inspection and maintenance of stormwater facilities and practices.

~~(a) Long-term maintenance inspection of stormwater facilities and practices. Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this article.~~

~~A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the city and/or its designee shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the city and/or its designee, may correct the violation as provided in subsection (d).~~

~~Inspection programs by the city and/or its designee may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.~~

(a) Maintenance by Owner of Stormwater Management Systems Predating Current GSMM:

For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.

(b) Inspection and Maintenance Agreements:

- (1) The owner shall execute an inspection and maintenance agreement with the Public Works Department or designee obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be the form provided by the Department of Public Works. After the inspection and maintenance agreement has been signed by the owner and the Public Works Department or designee, the owner shall promptly record such agreement at the owner's cost in the property record for all parcel(s) that make up the site.
- (2) The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact for carrying out the owner's obligations under the inspection and maintenance agreement. The owner shall update the point of contact from time to time as needed and upon request by the Public Works Department or designee. Upon any sale or transfer of the site, the new owner shall notify the Public Works Department or designee in writing within 30 days of the name or official title of new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.

(3) The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:

(A) The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the Public Works Department or designee.

(B) In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.

(cb) Right-of-entry for Maintenance inspections. The terms of the inspection and maintenance agreement shall provide for the Public Works Department's or designee's city and/or its designee to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this article is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this article right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the Public Works Department or designee shall have the right to enter and make inspections pursuant to the Public Works Department's general provisions for property maintenance inspections pursuant to [insert reference to existing local ordinance providing for right of entry and inspect for general property maintenance obligations, whether under the local administration procedures for the Georgia Statewide Minimum Construction Codes or other local property maintenance ordinance].

(c) Records of installation and maintenance activities. Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least 15 years. These records shall be made available to the city and/or its designee during inspection of the facility and at other reasonable times upon request.

(d) Owner's Failure to Maintain the Stormwater Management System. If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the city and/or its designee, after 30 days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The city and/or its designee may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad-valorem tax bill for such property and collected in the ordinary manner for such taxes.

The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to the City. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

(1) An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to [insert reference to existing local ordinance on violations of general property maintenance obligations, whether under the local administration procedures for the Georgia Statewide Minimum Construction Codes or other local property maintenance ordinance] and

Formatted: MNGWPD Body Text

(2) To address such a failure to maintain the stormwater management system, the City or designee shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-315. Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this article or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

(1) Notice of violation. If the city and/or its designee determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- a. The name and address of the owner or the applicant or the responsible person;
- b. The address or other description of the site upon which the violation is occurring;
- c. A statement specifying the nature of the violation;
- d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this article and the date for the completion of such remedial action;
- e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
- f. A statement that the determination of violation may be appealed to the city council and/or its designee by filing a written notice of appeal within 30 days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).

Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to [insert local ordinance reference] or the underlying building permit pursuant to [insert local ordinance reference]. To address a violation of this Article, the City or designee shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits, including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Secs. 34-316—34-330. - Reserved.

Formatted: p0, Indent: First line: 0"

ARTICLE VII. - POST- CONSTRUCTION STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

Sec. 34-301. - General Provisions.

Purpose and intent. The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-construction stormwater runoff and nonpoint source pollution associated with new development and redevelopment. Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the City of Jonesboro is required to comply with several State and Federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post- construction stormwater runoff.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-302. - Definitions.

For this Article, the terms below shall have the following meanings:

Administrator means the person appointed to administer and implement this Article on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with Section 34-304.

Applicant means a person submitting a land development application and plan for approval.

BMP or best management practice means both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

BMP landscaping plan means a design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Channel means a natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

City means the City of Jonesboro, Georgia.

Detention means the temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

Detention facility means a structure designed for the storage and gradual release of stormwater runoff at controlled rates.

Development means new development or redevelopment.

Extended detention means the storage of stormwater runoff for an extended period of time.

Extreme flood protection means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding means a volume of surface water that exceeds the banks or walls of a BMP, or channel, and overflows onto adjacent lands.

GSMM means the latest edition of the Georgia Stormwater Management Manual, Volume 2: Technical Handbook, and its Appendices.

Hotspot means a land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the administrator, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Impervious surface means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into the soil.

Industrial Stormwater General Permit means the National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on Standard Industrial Classification (SIC) Code.

Infiltration means the process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement means a written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site.

Land development application means the application for a land development permit on a form provided by the **Public Works Department** along with the supporting documentation required in **Section 34-306(a)(1)**.

Land development permit means the authorization necessary to begin construction-related, land-disturbing activity

Land disturbing activity means any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including but not limited to clearing, dredging, grading, excavating, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. 12-7-17(5) or silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities.

Linear feasibility program means a feasibility program developed by **Public Works Department** and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by **the Public Works Department** is infeasible.

Linear transportation projects means construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

MS4 Permit means the NPDES permit issued by Georgia Environmental Protection Division for discharges from **the City's** separate storm sewer system.

New development means . land disturbing activities, structural development (construction, installation or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Nonpoint source pollution means a form of water pollution that does not originate from a discrete point such as a wastewater treatment facility or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water or groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Overbank flood protection means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain).

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Post-construction stormwater management means stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development means the conditions anticipated to exist on site immediately after completion of the proposed development.

Practicability policy means the latest edition of the Metropolitan North Georgia Water Planning District's Policy on Practicability Analysis for Runoff Reduction.

Pre-development means the conditions that exist immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Pre-development hydrology means (a) for new development, the runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development; and (b) for redevelopment, the existing conditions hydrograph may take into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property.

Previously developed site means a site that has been altered by paving, construction, and/or land disturbing activity.

Redevelopment means. structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

Routine maintenance means activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff means stormwater runoff.

Site means an area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

Stormwater concept plan means an initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater management plan means a plan for post-construction stormwater management at the site that meets the requirements of [Section 34-307\(d\)](#) and is included as part of the land development application.

Stormwater management standards means those standards set forth in [Section 34-311](#). *Stormwater management system* means the entire set of non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner

designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater runoff means flow on the surface of the ground, resulting from precipitation.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Other terms used but not defined in this Article shall be interpreted based on how such terms are defined and used in the GSMM and the City's MS4 permit.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-303. – Applicability_Criteria for Stormwater Management Standards; Exemptions from Stormwater Management Standards.

(a) This article applies to following activities:

- (1) New development that creates or adds 5,000 square feet or greater of impervious surface area, or that involves land disturbing activity of one acre of land or greater;
- (2) Redevelopment (excluding routine maintenance and exterior remodeling) that creates, adds, or replaces 5,000 square feet or greater of impervious surface area, or that involves land disturbing activity of one acre or more;
- (3) New development and redevelopment if,
 - (i) such new development or redevelopment is part of a subdivision or other common plan of development, and
 - (ii) the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (1) and (2) above;
- (4) Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this Article; and
- (5) Linear transportation projects that exceed the threshold in (1) or (2) above.

(b) This Article does not apply to the following activities:

- (1) Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;
- (2) Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;
- (3) Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
- (4) Repairs to any stormwater management system deemed necessary by the administrator;
- (5) Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in (a)(1) or (a)(2) of this Section;

- (6) Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in (a)(1) or (a)(2) of this Section;
- (7) Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits; and
- (8) Linear transportation projects being constructed by the Public Works Department to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the Public Works Department linear feasibility program shall first be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.

Sec. 34-304. - Designation of Administrator.

The City Manager or designee may from time to time appoint someone to administer and implement this Article.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-305. - Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.

- (a) In implementing this Article, the City shall use and require compliance with all relevant design standards, calculations, formulas, methods, and other guidance from the GSMM as well as all related appendices.
- (b) This Article is not intended to modify or repeal any other Article, ordinance, rule, regulation or other provision of law, including but not limited to any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the City's MS4 permit and this Article, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this Article and the GSMM, the provision from this Article shall control. In the event of any other conflict or inconsistency between any provision of this Article and any other ordinance, rule, regulation or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.
- (c) If any provision of this Article is invalidated by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Article

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-306. - Application Procedures; Application Fees.

(a) *Application Requirements*

Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to [insert local ordinance reference] or building permit [insert local ordinance reference], as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:

- (1) File a land development application with the Public Works Department on the Department's form of application with the following supporting materials:

- (A) the stormwater management plan prepared in accordance with **Section 38-113.2(d)**,
 - (B) a certification that the development will be performed in accordance with the stormwater management plan once approved,
 - (C) a [**Preliminary Determination of Infeasibility, as applicable, prepared in accordance with the practicability policy**], and
 - (D) an acknowledgement that applicant has reviewed the **Public Works Department's** form of inspection and maintenance agreement and that applicant agrees to sign and record such inspection and maintenance agreement before the final inspection.
- (2) The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.
 - (3) If the application or supporting materials are disapproved, the administrator shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.
 - (4) If the application and supporting materials are approved, the **Public Works Department** may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in such applications becomes the approved stormwater management plan.
- (b) *Application fees.* The fee for review of any land development application shall be based on the fee structure shall be established by **the City**, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-307. - Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.

- (a) Before a land development permit application is submitted, an applicant may request a pre-submittal meeting with the **Public Works Department**. The pre-submittal meeting should take place based on an early step in the development process such as before site analysis and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM Section 2.4.2.5). The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and ideas for the stormwater management system before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal meeting. Applicants must request a pre-submittal meeting with the **Public Works Department** when applying for a Determination of Infeasibility through the Practicability Policy.
- (b) The stormwater concept plan shall be prepared using the minimum following steps:
 - (1) Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).
 - (2) Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality/reduction, channel protection, overbank flooding protection and extreme flood protection (GSMM Section 2.2).
 - (3) Perform screening and preliminary selection of appropriate best management practices and identification of potential siting locations (GSMM Section 4.1).
- (c) The stormwater concept plan shall contain:
 - (1) Common address and legal description of the site,
 - (2) Vicinity map, and
 - (3) Existing conditions and proposed site layout mapping and plans (recommended scale of 1" = 50'), which illustrate at a minimum:

- (A) Existing and proposed topography (minimum of 2-foot contours),
 - (B) Perennial and intermittent streams,
 - (C) Mapping of predominant soils from USDA soil surveys,
 - (D) Boundaries of existing predominant vegetation and proposed limits of clearing and grading,
 - (E) Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.),
 - (F) Location of existing and proposed roads, buildings, parking areas and other impervious surfaces,
 - (G) Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements,
 - (H) Preliminary estimates of unified stormwater sizing criteria requirements,
 - (I) Preliminary selection and location, size, and limits of disturbance of proposed BMPs,
 - (J) Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains,
 - (K) Flow paths,
 - (L) Location of the boundaries of the base flood floodplain, future-conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage, and
 - (M) Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings.
- (d) The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia. Items (3), (4), 5), and (6) shall be sealed and signed by a registered Professional Engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7)
- (1) Natural Resources Inventory
 - (2) Stormwater Concept Plan
 - (3) Existing Conditions Hydrologic Analysis
 - (4) Post-Development Hydrologic Analysis
 - (5) Stormwater Management System
 - (6) Downstream Analysis
 - (7) Erosion and Sedimentation Control Plan
 - (8) BMP Landscaping Plan
 - (9) Inspection and Maintenance Agreement
 - (10) Evidence of Acquisition of Applicable Local and Non-Local Permits
 - (11) Determination of Infeasibility (if applicable)
- (e) For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures
- (1) As-built Drawings

- (2) Hydrology Reports
- (3) Current inspection of existing stormwater management structures with deficiencies noted
- (4) BMP Landscaping Plans

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-308. - Compliance with the Approved Stormwater Management Plan.

All development shall be:

- (a) consistent with the approved stormwater management plan and all applicable land disturbance and building permits, and
- (b) conducted only within the area specified in the approved stormwater management plan.

No changes may be made to an approved stormwater management plan without review and advanced written approval by the administrator.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-310. - Performance and maintenance bonds.

The city and/or its designee may, at its discretion, require the submittal of a performance security or bond prior to issuance of a permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The amount of the installation performance security shall be the total estimated construction cost of the stormwater management practices approved under the permit, plus 25 percent. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of "as built plans" and written certification by a registered professional engineer that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this article. The city and/or its designee will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provisions of this article. Provisions for a partial pro-rata release of the performance security based on the completion of various development stages can be done at the discretion of the city and/or its designee.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-311. - Stormwater Management Standards.

Subject to the applicability criteria in [Section 34-303\(a\)](#) and exemptions in [Section 34-303\(b\)](#) the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:

(a) *Design of Stormwater Management System:*

The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM as directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

(b) *Natural Resources Inventory:*

Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the Stormwater Management Plan, shall include, at a minimum (as applicable):

- (1) Topography (minimum of 2-foot contours) and Steep Slopes (i.e., Areas with Slopes Greater Than 15%),
- (2) Natural Drainage Divides and Patterns,
- (3) Natural Drainage Features (e.g., swales, basins, depressional areas),
- (4) Natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, drinking water wellhead protection areas and river corridors,
- (5) Predominant soils (including erodible soils and karst areas), and
- (6) Existing predominant vegetation including trees, high quality habitat and other existing vegetation.

(c) . *Better Site Design Practices for Stormwater Management:*

Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in the GSMM Section 2.3.

(d) *Stormwater Runoff Quality/Reduction:*

Stormwater Runoff Quality/Reduction shall be provided by using the following:

- (1) For development with a stormwater management plan submitted before **December 10, 2020**, the applicant may choose either (A) Runoff Reduction or (B) Water Quality.
- (2) For development with a stormwater management plan submitted on or after **December 10, 2020**, the applicant shall choose (A) Runoff Reduction and additional water quality shall not be required. To the extent (A) Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Practicability Policy, then (B) Water Quality shall apply for the remaining runoff from a 1.2 inch rainfall event and must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.
 - (A) Runoff Reduction - The stormwater management system shall be designed to retain the first 1.0 inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.
 - (B) Water Quality – The stormwater management system shall be designed to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2 inch rainfall event.
- (3) If a site is determined to be a hotspot as detailed in **Section 34-303(a)**, the **Public Works Department** or designee may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by that site.

(e) *Stream Channel Protection:*

Stream channel protection shall be provided by using all of the following three approaches:

- (1) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;
- (2) Erosion prevention measures, such as energy dissipation and velocity control; and
- (3) Preservation of any applicable stream buffer.

(f) . *Overbank Flood Protection:*

Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.

(g) *Extreme Flood Protection:*

Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.

(h) . *Downstream Analysis:*

Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises 10% of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system.

(i) Stormwater Management System Inspection and Maintenance:

The components of the stormwater management system that will not be dedicated to and accepted by the **Public Works Department or designee** including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems, shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in **Section 34-314(b)**.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-312. - Modifications for Off-site Facilities.

- (a) The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.
- (b) A stormwater management plan must be submitted to the city and/or its designee which shows the adequacy of the off-site or regional facility.
- (c) To be eligible for a modification, the applicant must demonstrate to the satisfaction of the city and/or its designee that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:
- (1) Increased threat of flood damage to public health, life, and property;
 - (2) Deterioration of existing culverts, bridges, dams, and other structures;
 - (3) Accelerated streambank or streambed erosion or siltation;
 - (4) Degradation of in-stream biological functions or habitat; or
 - (5) Water quality impairment in violation of state water quality standards, and/or violation of any state or federal regulations.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-313. - Construction inspections of post-development stormwater management system.

- (a) *Inspections to ensure plan compliance during construction.* Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the Public Works Department or designee or conducted and certified by a professional engineer who has been approved by the Department. Inspections shall use the approved stormwater management plan for establishing compliance. All inspections shall be documented with written reports prepared that contain the following information:
- (1) The date and location of the inspection;
 - (2) Whether the stormwater management system is in compliance with the approved stormwater management plan;
 - (3) Variations from the approved stormwater management plan; and
 - (4) Any other variations or violations of the conditions of the approved stormwater plan.
- (b) *Final inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement.*

Upon completion of the development, the applicant is responsible for:

- (1) Certifying that the stormwater management system is functioning properly and was constructed in conformance with the approved stormwater management plan and associated hydrologic analysis,
- (2) Submitting as-built drawings showing the final design specifications for all components of the stormwater management system as certified by a professional engineer,
- (3) Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and
- (4) Delivering to the Public Works Department or designee a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcel(s) that make up the site.

The required certification under part (a) shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified person and submitted to the Public Works Department or designee with the request for a final inspection. The Public Works Department or designee shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-314. - Ongoing inspection and maintenance of stormwater facilities and practices.

- (a) *Maintenance by Owner of Stormwater Management Systems Predating Current GSMM:*

For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.

- (b) *Inspection and Maintenance Agreements:*

- (1) The owner shall execute an inspection and maintenance agreement with the **Public Works Department or designee** obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be the form provided by the **Department of Public Works**. After the inspection and maintenance agreement has been signed by the owner and the **Public Works Department or designee**, the owner shall promptly record such agreement at the owner's cost in the property record for all parcel(s) that make up the site.
- (2) The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact for carrying out the owner's obligations under the inspection and maintenance agreement. The owner shall update the point of contact from time to time as needed and upon request by the **Public Works Department or designee**. Upon any sale or transfer of the site, the new owner shall notify the **Public Works Department or designee** in writing within 30 days of the name or official title of new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.
- (3) The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:
 - (A) The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the **Public Works Department or designee**.
 - (B) In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.
- (c) *Right-of-entry for Maintenance Inspections.* The terms of the inspection and maintenance agreement shall provide for the **Public Works Department's or designee's** right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the **Public Works Department or designee** shall have the right to enter and make inspections pursuant to the **Public Works Department's** general provisions for property maintenance inspections pursuant to **[insert reference to existing local ordinance providing for right of entry and inspect for general property maintenance obligations, whether under the local administration procedures for the Georgia Statewide Minimum Construction Codes or other local property maintenance ordinance]**.
- (d) *Owner's Failure to Maintain the Stormwater Management System.*

The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to the **City**. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

- (1) An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to **[insert reference to existing local ordinance on violations of general property maintenance obligations, whether under the local administration procedures for the Georgia Statewide Minimum Construction Codes or other local property maintenance ordinance]** and
- (2) To address such a failure to maintain the stormwater management system, the **City or designee** shall have all the powers and remedies that are available to it for other violations of an owner's

property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Sec. 34-315. – Violations, enforcement and penalties.

Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to **[insert local ordinance reference]** or the underlying building permit pursuant to **[insert local ordinance reference]**. To address a violation of this Article, the **City or designee** shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits, including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

(Ord. No. 04-17, §§ 1, 2, 8-9-2004)

Secs. 34-316—34-330. - Reserved.

2002 Model Ordinance	2004 Jonesboro Ordinance
ARTICLE [X] Stormwater Management	Article V - Post-Development Stormwater Management for New Development and Redevelopment
Findings	34-301(a) Findings
DIVISION	
1.1 Purpose and Intent	34-301(b) Purpose and Intent
1.2 Applicability	34-303 Applicability
1.3 Designation of Ordinance Administrator	34-304 Designation of administrator
1.4 Compatibility with Other Regulations	N/A
1.5 Severability	N/A
1.6 Stormwater Design Manual	34-305 Stormwater design manual
DIVI:	
2 Definitions	34-302 Definitions
DIVISION 3 - PERMI	
3.1 Permit Application Requirements	34-306(b) Permit application requirements
3.2 Stormwater Concept Plan and Consultation Meeting	34-307 Stormwater concept plan and consultation meeting
3.3 Stormwater Management Plan Requirements	33-308 Stormwater management plan requirements
3.4 Stormwater Management Inspection and Maintenance Agreements	34-309 Stormwater management inspection and maintenance agreements
3.5 Performance and Maintenance Bonds	34-310 Performance and maintenance bonds
3.6 Application Procedures	34-306(c) Application procedure
3.7 Application Review Fees	34-306(d) Application fees
3.8 Modification for Off-Site Facilities	34-312 Modifications for off-site facilities
DIVISION 4 - POST DEVELOPMENT STORMWATER MANAGEMENT PERFORMANCE CRITERIA	
N/A	N/A
4.1 Water Quality	34-311(1) Water quality
4.2 Stream Channel Protection	34-311(2) Stream channel protection
4.3 Overbank Flooding Protection	34-311(3) Overbank flooding protection
4.4 Extreme Flooding Protection	34-311(4) Extreme flooding protection

4.5 Structural Stormwater Controls	34-311(5) Structural stormwater controls
4.6 Stormwater Credits for Nonstructural Measures	34-311(6) Stormwater credits for nonstructural measures
4.7 Drainage System Guidelines	34-311(7) Drainage system guidelines
N/A	N/A
N/A	N/A
4.8 Dam Design Guidelines	33-311(8) Dam design guidelines
DIVISION 5 - CONSTRUCTION INSPECTIONS OI	
5.1 Inspections to Ensure Plan Compliance During Construction	34-313(a) Inspections to ensure plan compliance during construction
5.2 Final Inspection and As Built Plans	34-313(b) Final inspection and as build plans
DIVISION 6 - ONGOING INSPECTION AND MAINTENANCE FACILITIES AND PRACTICES	
6.1 Long-Term Maintenance Inspection of Stormwater Facilities and Practices	34-314(a) Long term maintenance inspection of stormwater facilities and practices
6.2 Right-of-Entry for Inspection	34-314 (b) Right of entry for inspection
6.3 Records of Maintenance Activites	34-314(c) Records of maintenance activities
6.4 Failure to Maintain	34-314(d) Failure to maintain
DIVISION 7 - VIOLATI	
7.1 Notice of Violation	34-315(1) Notice of violation
7.2 Penalites	34-315 (2) Penalties

2019 Model Ordinance
Article [X]. Post-Construction Stormwater Management for New Development and Redevelopment.
N/A
1 - GENERAL PROVISIONS
Section [Y]-1. Purpose and Intent.
Section [Y]-5. Applicability Criteria for Stormwater Management Standards; Section [Y]-6. Exemptions from Stormwater Management Standards.
Section [Y]-4. Designation of Administrator.
Section [Y]-3. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.
SECTION 2 - DEFINITIONS
Section [Y]-2. Definitions.
SECTION 3 - PROCEDURES AND REQUIREMENTS
Section [Y]-10. Application Procedures.
Section [Y]-8. Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.
Section [Y]-13(c) Delivering to [local jurisdiction] a signed inspection and maintenance agreement
N/A
Section [Y]-10. Application Procedures; Section [Y]-11. Compliance with the Approved Stormwater Management Plan.
Section [Y]-9. Application Fee.
N/A
DIVISION 4 - STORMWATER MANAGEMENT
Section [Y]-7(b) Natural Resources Inventory
Section [Y]-7(d) Stormwater Runoff Quality/Reduction
Section [Y]-7(e) Stream Channel Protection
Section [Y]-7(f) Overbank Flood Protection
Section [Y]-7(g) Extreme Flood Protection

Section [Y]-7(a) Design of Stormwater Management System
Section [Y]-7(c) Better Site Design Practices for Stormwater Management
Section [Y]-7(a) Design of Stormwater Management System OR Refer to Georgia Stormwater Management Manual
Section [Y]-7(h) Downstream Analysis
Section [Y]-7(i) Stormwater Management System Inspection and Maintenance
Section [Y]-3. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.
F POST-DEVELOPMENT STORMWATER MANAGEMENT SYSTEM
Section [Y]-12. Inspections to Ensure Plan Compliance During Construction.
Section [Y]-13. Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement.
DIVISION 6 - ONGOING INSPECTION AND MAINTENANCE STORMW
Section [Y]-15. Maintenance by Owner of Stormwater Management Systems Predating Current GSMM; Section [Y]-16. Inspection and Maintenance Agreements.
Section [Y]-17. Right of Entry for Maintenance Inspections.
N/A: should be part of local jurisdiction's maintenance agreement template?
Section [Y]-18. Owner's Failure to Maintain the Stormwater Management System.
G VIOLATIONS, ENFORCEMENT AND PENALTIES
Section [Y]-14. Violations and Enforcement.

City of Jonesboro	
2020 Jonesboro Ordinance	
Article V. Post-Construction Stormwater Management for New Development and Redevelopment.	Notes/Questions
N/A	deleted
34-301 General Provisions	revised
34-303 Applicability Criteria for Stormwater Management Standards; Exemptions from Stormwater Management Standards.	revised
34-304 Designation of Administrator	revised
34-305 Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.	revised
34-302 Definitions	revised
34-306(a) Application Requirements	revised
34-307 Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.	revised; combined
	34-308 deleted because incorporated elsewhere
34-314(b) Inspection and Maintenance Agreements	34-309 deleted because incorporated elsewhere
N/A	note, if delete, renumber 309-314
34-306(a) Application Requirements; 34-308 Compliance with the Approved Stormwater Management Plan	revised
34-306 (b) Application Fees	revised
	note, if delete renumber 311-314
SEMENT STANDARDS	
34-310(b) Section [Y]-7(b) Natural Resources Inventory	New
34-310 (d) Stormwater Runoff Quality/Reduction	revised; reordered
34-310(e) Stream Channel Protection	revised; reordered
34-310(f) Overbank Flood Protection	revised; reordered
34-310(g) Extreme Flood Protection	revised; reordered

304-310 (a) Design of Stormwater Management System	revised; reordered
34-310(c) Better Site Design Practices for Stormwater Management	revised; reordered
34-310 (a) Design of Stormwater Management System	deleted; duplicative
34-310(h) Downstream Analysis	New
34-310(i) Stormwater Management System Inspection and Maintenance	New
See 34-305(b) Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.	deleted; duplicative
34-312 (a) Inspections to Ensure Plan Compliance During Construction.	revised
34-312(b) Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement.	revised
WATER FACILITIES AND PRACTICES	
34-313(a) Maintenance by Owner of Stormwater Management Systems Predating Current GSMM; 33-314(b) Inspection and Maintenance Agreements.	revised
34-313(c) Right of Entry for Maintenance Inspections.	revised
	deleted
34-313(d) Owner's Failure to Maintain the Stormwater Management System.	revised
34-314. Violations and Enforcement.	revised; combined

1 **STATE OF GEORGIA**
 2 **COUNTY OF CLAYTON**
 3 **CITY OF JONESBORO**
 4

5 **ORDINANCE NO. 2020-____**
 6

7 **AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF**
 8 **JONESBORO, GEORGIA, BY REPEALING AND REPLACING ARTICLE**
 9 **VII (POST CONSTRUCTION STORMWATER MANAGEMENT FOR NEW**
 10 **DEVELOPMENT AND REDEVELOPMENT), WITHIN CHAPTER 34**
 11 **(ENVIRONMENT); TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR**
 12 **SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN**
 13 **ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER**
 14 **PURPOSES ALLOWED BY LAW.**

15 **WHEREAS**, the governing authority of the City of Jonesboro, Georgia (the “City”) are
 16 the Mayor and Council thereof; and

17 **WHEREAS**, the Mayor and Council desire to conform to the mandatory edits as applied
 18 to local jurisdictions in response to the changes made to Municipal Separate Storm Sewer Systems
 19 (MS4) by the Georgia Environmental Protection Division (EPD); and

20 **WHEREAS**, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to
 21 adopt ordinances relating to its property, affairs, and local government; and

22 **WHEREAS**, this ordinance serves a public purpose that protects the public health, safety,
 23 and general welfare of the City of Jonesboro and all its citizens.

24 **NOW THEREFORE**, be it and it is hereby ordained by the Mayor and Council of the
 25 City of Jonesboro:

26 **Section 1.** The Code of Ordinances of the City of Jonesboro, Georgia, is hereby amended
 27 by repealing and replacing, in its entirety, Article VII (Post Development Stormwater

28 Management for New Development and Redevelopment) to Chapter 34 (Environment), and
29 inserting the provisions set forth in Exhibit A attached hereto and made a part by reference.

30 **Section 2.**

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

34 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
35 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
36 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
37 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
38 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance
39 is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this
40 Ordinance.

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

50 **Section 3.** All ordinances and parts of ordinances in conflict herewith are hereby
51 expressly repealed.

52 **Section 4.** The effective date of this Ordinance shall be the date of its adoption by the
53 Mayor and Council unless otherwise stated herein.

54 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of
55 the State of Georgia and the City of Jonesboro.

Section 6. It is the intention of the governing body, and it is hereby ordained that the
provisions of this Ordinance shall become and be made part of the Code of Ordinances, City
of Jonesboro, Georgia and the sections of this Ordinance may be renumbered to accomplish
such intention.

56 **SO ORDAINED, this _____ day of _____, 2020.**

57
58
59
60
61
62
63
64
65
66
67
68
69
70

{SIGNATURES ON FOLLOWING PAGE}

Attachment: Post Development Stormwater Ordinance V4 (1723 : Article VII - Post Development Stormwater Management)

71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89

CITY OF JONESBORO, GEORGIA

Joy Day, Mayor

ATTEST:

Ricky L. Clark, Jr., City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: Post Development Stormwater Ordinance V4 (1723 : Article VII - Post Development Stormwater Management)

EXHIBIT A

(SEE ATTACHED)

90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114

Attachment: Post Development Stormwater Ordinance V4 (1723 : Article VII - Post Development Stormwater Management)

CHAPTER 34. – ENVIRONMENT
ARTICLE VII. – POST CONSTRUCTION STORMWATER
MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

Sec. 34-301. - General Provisions.

Purpose and intent. The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-construction stormwater runoff and nonpoint source pollution associated with new development and redevelopment. Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the City of Jonesboro is required to comply with several state and federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post-construction stormwater runoff.

Sec. 34-302. - Definitions.

For this Article, the terms below shall have the following meanings:

Administrator means the person appointed to administer and implement this Article on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with Section 34-305.

Applicant means a person submitting a land development application and plan for approval.

BMP or best management practice means both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

BMP landscaping plan means a design for vegetation and landscaping that is critical to the performance and function of the BMP, including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Channel means a natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

City means the City of Jonesboro, Georgia.

Detention means the temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

Detention facility means a structure designed for the storage and gradual release of stormwater runoff at controlled rates.

Development means new development or redevelopment.

Extended detention means the storage of stormwater runoff for an extended period of time.

153 *Extreme flood protection* means measures taken to prevent adverse impacts from large low-
154 frequency storm events with a return frequency of 100 years or more.

155 *Flooding* means a volume of surface water that exceeds the banks or walls of a BMP, or
156 channel, and overflows onto adjacent lands.

157 *GSMM* means the latest edition of the Georgia Stormwater Management Manual, Volume 2:
158 Technical Handbook, and its Appendices.

159 *Hotspot* means a land use or activity on a site that has the potential to produce higher than
160 normally found levels of pollutants in stormwater runoff. As defined by the administrator, hotspot
161 land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities
162 (both permitted under the Industrial Stormwater General Permit and others), material storage sites,
163 garbage transfer facilities, and commercial parking lots with high-intensity use.

164 *Impervious surface* means a surface composed of any material that significantly impedes or
165 prevents the natural infiltration of water into the soil.

166 *Industrial Stormwater General Permit* means the National Pollutant Discharge Elimination
167 System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for
168 stormwater discharges associated with industrial activity. The permit regulates pollutant levels
169 associated with industrial stormwater discharges or specifies on-site pollution control strategies
170 based on Standard Industrial Classification (SIC) Code.

171 *Infiltration* means the process of percolating stormwater runoff into the subsoil.

172 *Inspection and maintenance agreement* means a written agreement providing for the long-
173 term inspection, operation, and maintenance of the stormwater management system and its
174 components on a site.

175 *Land development application* means the application for a land development permit on a form
176 provided by the Community Development Department along with the supporting documentation
177 required in Section 34-307(a)(1).

178 *Land development permit* means the authorization necessary to begin construction-related,
179 land-disturbing activity

180 *Land disturbing activity* means any activity which may result in soil erosion from water or
181 wind and the movement of sediments into state water or onto lands within the state, including but
182 not limited to clearing, dredging, grading, excavating, and filling of land. Land disturbing activity
183 does not include agricultural practices as described O.C.G.A. 12-7-17(5) or silvicultural land
184 management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities.

185 *Linear feasibility program* means a feasibility program developed by Community
186 Development Department and submitted to the Georgia Environmental Protection Division, which
187 sets reasonable criteria for determining when implementation of stormwater management
188 standards for linear transportation projects being constructed by Public Works Department is
189 infeasible.

190 *Linear transportation projects* means construction projects on traveled ways including but
191 not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

192 *MS4 Permit* means the NPDES permit issued by Georgia Environmental Protection Division
193 for discharges from the City's separate storm sewer system.

194 *New development* means land disturbing activities, structural development (construction,
195 installation or expansion of a building or other structure), and/or creation of impervious surfaces
196 on a previously undeveloped site.

197 *Nonpoint source pollution* means a form of water pollution that does not originate from a
198 discrete point such as a wastewater treatment facility or industrial discharge, but involves the
199 transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria,
200 organic materials and other contaminants from land to surface water or groundwater via
201 mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is
202 a by-product of land use practices such as agricultural, silvicultural, mining, construction,
203 subsurface disposal and urban runoff sources.

204 *Overbank flood protection* means measures taken to prevent an increase in the frequency and
205 magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and
206 enter the floodplain).

207 *Owner* means the legal or beneficial owner of a site, including but not limited to, a mortgagee
208 or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in
209 control of the site.

210 *Person* means any individual, partnership, firm, association, joint venture, public or private
211 corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city,
212 county or other political subdivision of the state, any interstate body or any other legal entity.

213 *Post-construction stormwater management* means stormwater best management practices that
214 are used on a permanent basis to control and treat runoff once construction has been completed in
215 accordance with a stormwater management plan.

216 *Post-development* means the conditions anticipated to exist on site immediately after
217 completion of the proposed development.

218 *Practicability policy* means the latest edition of the Metropolitan North Georgia Water
219 Planning District's Policy on Practicability Analysis for Runoff Reduction.

220 *Pre-development* means the conditions that exist immediately before the implementation of
221 the proposed development. Where phased development or plan approval occurs (preliminary
222 grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being
223 approved or permitted shall establish pre-development conditions.

224 *Pre-development hydrology* means: (a) for new development, the runoff curve number
225 determined using natural conditions hydrologic analysis based on the natural, undisturbed
226 condition of the site immediately before implementation of the proposed development; and (b) for
227 redevelopment, the existing conditions hydrograph may take into account the existing
228 development when defining the runoff curve number and calculating existing runoff, unless the
229 existing development causes a negative impact on downstream property.

230 *Previously developed site* means a site that has been altered by paving, construction, and/or
231 land disturbing activity.

232 *Redevelopment* means. structural development (construction, installation, or expansion of a
 233 building or other structure), creation or addition of impervious surfaces, replacement of impervious
 234 surfaces not as part of routine maintenance, and land disturbing activities associated with structural
 235 or impervious development on a previously developed site. Redevelopment does not include such
 236 activities as exterior remodeling.

237 *Routine maintenance* means activities to keep an impervious surface as near as possible to its
 238 constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and
 239 exterior building changes or improvements which do not materially increase or concentrate
 240 stormwater runoff, or cause additional nonpoint source pollution.

241 *Runoff* means stormwater runoff.

242 *Site* means an area of land where development is planned, which may include all or portions
 243 of one or more parcels of land. For subdivisions and other common plans of development, the site
 244 includes all areas of land covered under an applicable land development permit.

245 *Stormwater concept plan* means an initial plan for post-construction stormwater management
 246 at the site that provides the groundwork for the stormwater management plan including the natural
 247 resources inventory, site layout concept, initial runoff characterization, and first round stormwater
 248 management system design.

249 *Stormwater management plan* means a plan for post-construction stormwater management at
 250 the site that meets the requirements of Section 34-308(d) and is included as part of the land
 251 development application.

252 *Stormwater management standards* means those standards set forth in Section 34-311.
 253 *Stormwater management system* means the entire set of non-structural site design features and
 254 structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of
 255 stormwater runoff in a manner designed to prevent increased flood damage, streambank channel
 256 erosion, habitat degradation and water quality degradation, and to enhance and promote the public
 257 health, safety and general welfare.

258 *Stormwater runoff* means flow on the surface of the ground, resulting from precipitation.

259 *Subdivision* means the division of a tract or parcel of land resulting in one or more new lots
 260 or building sites for the purpose, whether immediately or in the future, of sale, other transfer of
 261 ownership or land development, and includes divisions of land resulting from or made in
 262 connection with the layout or development of a new street or roadway or a change in an existing
 263 street or roadway.

264

265 Other terms used but not defined in this Article shall be interpreted based on how such terms are
 266 defined and used in the GSMM and the City's MS4 permit.

267

268 Sec. 34-303. – Applicability Criteria for Stormwater Management Standards

269 (a) This article applies to following activities:

270 (1) New development that creates or adds 5,000 square feet or greater of impervious surface
 271 area, or that involves land disturbing activity of one acre of land or greater;

- 272 (2) Redevelopment (excluding routine maintenance and exterior remodeling) that creates,
 273 adds, or replaces 5,000 square feet or greater of impervious surface area, or that involves
 274 land disturbing activity of one acre or more;
- 275 (3) New development and redevelopment if,
 276 (A) such new development or redevelopment is part of a subdivision or other common
 277 plan of development, and
 278 (B) the sum of all associated impervious surface area or land disturbing activities that are
 279 being developed as part of such subdivision or other common plan of development
 280 meets or exceeds the threshold in (1) and (2) above;
- 281 (4) Any commercial or industrial new development or redevelopment, regardless of size, that
 282 is a hotspot land use as defined in this Article; and
- 283 (5) Linear transportation projects that exceed the threshold in (1) or (2) above.
 284

285 Sec. 34-304. -Exemptions from Stormwater Management Standards.

286 This Article does not apply to the following activities:

- 287 (1) Land disturbing activity conducted by local, state, authority, or federal agencies, solely
 288 to respond to an emergency need to protect life, limb, or property or conduct emergency
 289 repairs;
 290
- 291 (2) Land disturbing activity that consists solely of cutting a trench for utility work and related
 292 pavement replacement;
 293
- 294 (3) Land disturbing activity conducted by local, state, authority, or federal agencies, whose
 295 sole purpose is to implement stormwater management or environmental restoration;
 296
- 297 (4) Repairs to any stormwater management system deemed necessary by the administrator;
 298
- 299 (5) Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these
 300 activities with the exception of buildings or permanent structures that exceed the
 301 threshold in (a)(1) or (a)(2) of this Section;
 302
- 303 (6) Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas
 304 zoned for these activities with the exception of buildings or permanent structures that
 305 exceed the threshold in (a)(1) or (a)(2) of this Section;
 306
- 307 (7) Installations or modifications to existing structures solely to implement Americans with
 308 Disabilities Act (ADA) requirements, including but not limited to elevator shafts,
 309 handicapped access ramps and parking, and enlarged entrances or exits; and
 310
- 311 (8) Linear transportation projects being constructed by the Public Works Department to the
 312 extent the administrator determines that the stormwater management standards may be
 313 infeasible to apply, all or in part, for any portion of the linear transportation project. For
 314 this exemption to apply, an infeasibility report that is compliant with the Public Works

315 Department linear feasibility program shall first be submitted to the administrator that
 316 contains adequate documentation to support the evaluation for the applicable portion(s)
 317 and any resulting infeasibility determination, if any, by the administrator.
 318

319 Sec. 34-305. - Designation of Administrator.

320 The City Manager may from time to time appoint someone to administer and implement this
 321 Article.

322 Sec. 34-306. - Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.

323 (a) In implementing this Article, the City shall use and require compliance with all relevant design
 324 standards, calculations, formulas, methods, and other guidance from the GSMM as well as all
 325 related appendices.
 326

327 (b) This Article is not intended to modify or repeal any other Article, ordinance, rule, regulation
 328 or other provision of law, including but not limited to any applicable stream buffers under state
 329 and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any
 330 conflict or inconsistency between any provision in the City's MS4 permit and this Article, the
 331 provision from the MS4 permit shall control. In the event of any conflict or inconsistency
 332 between any provision of this Article and the GSMM, the provision from this Article shall
 333 control. In the event of any other conflict or inconsistency between any provision of this Article
 334 and any other ordinance, rule, regulation or other provision of law, the provision that is more
 335 restrictive or imposes higher protective standards for human health or the environment shall
 336 control.
 337

338 (c) If any provision of this Article is invalidated by a court of competent jurisdiction, such
 339 judgment shall not affect or invalidate the remainder of this Article.
 340

341 Sec. 34-307. - Application Procedures; Application Fees.

342 (a) *Application Requirements*

343 Land development applications are handled as part of the process to obtain the land
 344 disturbance permit pursuant to Section 44-23 of the City's Code or building permit under Section
 345 44-56, as applicable. Before any person begins development on a site, the owner of the site shall
 346 first obtain approval in accordance with the following procedure:

347 (1) File a land development application with the Community Development Director on the
 348 Department's form of application with the following supporting materials:

349 (A) the stormwater management plan prepared in accordance with Section 34-308(d),

350 (B) a certification that the development will be performed in accordance with the
 351 stormwater management plan once approved,

- 352 (C) a Preliminary Determination of Infeasibility, as applicable, prepared in accordance
 353 with the practicability policy as provided by the Georgia Environmental Protection
 354 Division,
- 355 (D) an acknowledgement that applicant has reviewed the Department's form of
 356 inspection and maintenance agreement and that applicant agrees to sign and record
 357 such inspection and maintenance agreement before the final inspection.
- 358 (2) The administrator shall inform the applicant whether the application and supporting
 359 materials are approved or disapproved.
- 360 (3) If the application or supporting materials are disapproved, the administrator shall notify
 361 the applicant of such fact in writing. The applicant may then revise any item not meeting
 362 the requirements hereof and resubmit the same for the administrator to again consider
 363 and either approve or disapprove.
- 364 (4) If the application and supporting materials are approved, the Community Development
 365 Department may issue the associated land disturbance permit or building permit,
 366 provided all other legal requirements for the issuance of such permits have been met. The
 367 stormwater management plan included in such applications becomes the approved
 368 stormwater management plan.
- 369 (b) *Application fees.* The fee for review of any land development application shall be based on the
 370 fee structure which shall be established by the City, and payment shall be made before the
 371 issuance of any land disturbance permit or building permit for the development.

372

373 Sec. 34-308. - Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management
 374 Plan Requirements.

- 375 (a) Before a land development permit application is submitted, an applicant may request a pre-
 376 submittal meeting with the Community Development Director. The pre-submittal meeting
 377 should take place based on an early step in the development process such as before site analysis
 378 and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM Section
 379 2.4.2.5). The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and
 380 ideas for the stormwater management system before formal site design engineering. To the
 381 extent applicable, local and regional watershed plans, greenspace plans, trails and greenway
 382 plans, and other resource protection plans should be consulted in the pre-submittal meeting.
 383 Applicants must request a pre-submittal meeting with the Community Development Director
 384 when applying for a Determination of Infeasibility through the Practicability Policy.
- 385 (b) The stormwater concept plan shall be prepared using the minimum following steps:
- 386 (1) Develop the site layout using better site design techniques, as applicable (GSMM Section
 387 2.3).
- 388 (2) Calculate preliminary estimates of the unified stormwater sizing criteria requirements for
 389 stormwater runoff quality/reduction, channel protection, overbank flooding protection
 390 and extreme flood protection (GSMM Section 2.2).
- 391 (3) Perform screening and preliminary selection of appropriate best management practices
 392 and identification of potential siting locations (GSMM Section 4.1).

- 393 (c) The stormwater concept plan shall contain:
- 394 (1) Common address and legal description of the site,
- 395 (2) Vicinity map, and
- 396 (3) Existing conditions and proposed site layout mapping and plans (recommended scale of
397 1" = 50'), which illustrate at a minimum:
- 398 (A) Existing and proposed topography (minimum of 2-foot contours),
- 399 (B) Perennial and intermittent streams,
- 400 (C) Mapping of predominant soils from USDA soil surveys,
- 401 (D) Boundaries of existing predominant vegetation and proposed limits of clearing and
402 grading,
- 403 (E) Location and boundaries of other natural feature protection and conservation areas
404 such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g.,
405 drinking water well setbacks, septic setbacks, etc.),
- 406 (F) Location of existing and proposed roads, buildings, parking areas and other
407 impervious surfaces,
- 408 (G) Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements,
- 409 (H) Preliminary estimates of unified stormwater sizing criteria requirements,
- 410 (I) Preliminary selection and location, size, and limits of disturbance of proposed BMPs,
- 411 (J) Location of existing and proposed conveyance systems such as grass channels, swales,
412 and storm drains,
- 413 (K) Flow paths,
- 414 (L) Location of the boundaries of the base flood floodplain, future-conditions floodplain,
415 and the floodway (as applicable) and relationship of site to upstream and downstream
416 properties and drainage, and
- 417 (M) Preliminary location and dimensions of proposed channel modifications, such as
418 bridge or culvert crossings.
- 419 (d) The stormwater management plan shall contain the items listed in this part and be prepared
420 under the direct supervisory control of either a registered Professional Engineer or a registered
421 Landscape Architect licensed in the state of Georgia. Items (3), (4), 5), and (6) shall be sealed
422 and signed by a registered Professional Engineer licensed in the state of Georgia. The overall
423 site plan must be stamped by a design professional licensed in the state of Georgia for such
424 purpose. (GSMM Section 2.4.2.7)
- 425 (1) Natural Resources Inventory
- 426 (2) Stormwater Concept Plan
- 427 (3) Existing Conditions Hydrologic Analysis
- 428 (4) Post-Development Hydrologic Analysis

- 429 (5) Stormwater Management System
- 430 (6) Downstream Analysis
- 431 (7) Erosion and Sedimentation Control Plan
- 432 (8) BMP Landscaping Plan
- 433 (9) Inspection and Maintenance Agreement
- 434 (10) Evidence of Acquisition of Applicable Local and Non-Local Permits
- 435 (11) Determination of Infeasibility (if applicable)
- 436 (e) For redevelopment and to the extent existing stormwater management structures are being
- 437 used to meet stormwater management standards the following must also be included in the
- 438 stormwater management plan for existing stormwater management structures
- 439 (1) As-built Drawings
- 440 (2) Hydrology Reports
- 441 (3) Current inspection of existing stormwater management structures with deficiencies noted
- 442 (4) BMP Landscaping Plans

443

444 Sec. 34-309. - Compliance with the Approved Stormwater Management Plan.

445 All development shall be:

- 446 (a) consistent with the approved stormwater management plan and all applicable land disturbance
- 447 and building permits, and
- 448 (b) conducted only within the area specified in the approved stormwater management plan.

449 No changes may be made to an approved stormwater management plan without review and

450 advanced written approval by the administrator.

451

452 Sec. 34-310. - Performance and maintenance bonds.

453 The city and/or its designee may, at its discretion, require the submittal of a performance

454 security or bond prior to issuance of a permit in order to ensure that the stormwater practices are

455 installed by the permit holder as required by the approved stormwater management plan. The

456 amount of the installation performance security shall be the total estimated construction cost of the

457 stormwater management practices approved under the permit, plus 25%. The performance security

458 shall contain forfeiture provisions for failure to complete work specified in the stormwater

459 management plan. The installation performance security shall be released in full only upon

460 submission of "as built plans" and written certification by a registered professional engineer that

461 the stormwater practice has been installed in accordance with the approved plan and other

462 applicable provisions of this article. The city and/or its designee will make a final inspection of

463 the stormwater practice to ensure that it is in compliance with the approved plan and the provisions

464 of this article. Provisions for a partial pro-rata release of the performance security based on the
 465 completion of various development stages can be done at the discretion of the city and/or its
 466 designee.

467

468 Sec. 34-311. - Stormwater Management Standards.

469 Subject to the applicability criteria in Section 34-303 and exemptions in Section 34-304, the
 470 following stormwater management standards apply. Additional details for each standard can be
 471 found in GSMM Section 2.2.2.2:

472 (a) *Design of Stormwater Management System:*

473

474 The design of the stormwater management system shall be in accordance with the applicable
 475 sections of the GSMM as directed by the administrator. Any design which proposes a dam shall
 476 comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

477

478 (b) *Natural Resources Inventory:*

479 Site reconnaissance and surveying techniques shall be used to complete a thorough assessment
 480 of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be
 481 identified, mapped, and shown on the Stormwater Management Plan, shall include, at a minimum
 482 (as applicable):

- 483 (1) Topography (minimum of 2-foot contours) and Steep Slopes (i.e., Areas with Slopes
 484 Greater Than 15%),
- 485 (2) Natural Drainage Divides and Patterns,
- 486 (3) Natural Drainage Features (e.g., swales, basins, depressional areas),
- 487 (4) Natural feature protection and conservation areas such as wetlands, lakes, ponds,
 488 floodplains, stream buffers, drinking water wellhead protection areas and river corridors,
- 489 (5) Predominant soils (including erodible soils and karst areas), and
- 490 (6) Existing predominant vegetation including trees, high quality habitat and other existing
 491 vegetation.

492

493 (c) *Better Site Design Practices for Stormwater Management:*

494 Stormwater management plans shall preserve the natural drainage and natural treatment
 495 systems and reduce the generation of additional stormwater runoff and pollutants to the maximum
 496 extent practicable. Additional details can be found in the GSMM Section 2.3.

497

498 (d) *Stormwater Runoff Quality/Reduction:*

499 Stormwater Runoff Quality/Reduction shall be provided by using the following:

500

- 501 (1) For development with a stormwater management plan submitted before December 10,
 502 2020, the applicant may choose either (A) Runoff Reduction or (B) Water Quality.

503

504 (2) For development with a stormwater management plan submitted on or after December
 505 10, 2020, the applicant shall choose (A) Runoff Reduction and additional water quality
 506 shall not be required. To the extent (A) Runoff Reduction has been determined to be
 507 infeasible for all or a portion of the site using the Practicability Policy, then (B) Water
 508 Quality shall apply for the remaining runoff from a 1.2 inch rainfall event and must be
 509 treated to remove at least 80% of the calculated average annual post-development total
 510 suspended solids (TSS) load or equivalent as defined in the GSMM.

511
 512 (A) Runoff Reduction - The stormwater management system shall be designed to retain
 513 the first 1.0 inch of rainfall on the site using runoff reduction methods, to the
 514 maximum extent practicable.

515
 516 (B) Water Quality – The stormwater management system shall be designed to remove at
 517 least 80% of the calculated average annual post-development total suspended solids
 518 (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2-inch rainfall
 519 event.

520
 521 (3) If a site is determined to be a hotspot as detailed in Section 34-303, the Community
 522 Development Department or designee may require the use of specific or additional
 523 components for the stormwater management system to address pollutants of concern
 524 generated by that site.

525
 526 (e) *Stream Channel Protection:*

527 Stream channel protection shall be provided by using all of the following three approaches:

528 (1) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;

529 (2) Erosion prevention measures, such as energy dissipation and velocity control; and

530 (3) Preservation of any applicable stream buffer.

531 (f) *Overbank Flood Protection:*

532 Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event
 533 such that flooding is not exacerbated.

534 (g) *Extreme Flood Protection:*

535 Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event
 536 such that flooding is not exacerbated.

537 (h) *Downstream Analysis:*

538 Due to peak flow timing and runoff volume effects, some structural components of the
 539 stormwater management system fail to reduce discharge peaks to pre-development levels
 540 downstream from the site. A downstream peak flow analysis shall be provided to the point in the
 541 watershed downstream of the site or the stormwater management system where the area of the site
 542 comprises 10% of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is
 543 to help ensure that there are minimal downstream impacts from development on the site. The
 544 downstream analysis may result in the need to resize structural components of the stormwater
 545 management system.

546 (i) *Stormwater Management System Inspection and Maintenance:*

547 The components of the stormwater management system that will not be dedicated to and
 548 accepted by the Public Works Department or designee including all drainage facilities, best
 549 management practices, credited conservation spaces, and conveyance systems, shall have an
 550 inspection and maintenance agreement to ensure that they continue to function as designed. All
 551 new development and redevelopment sites are to prepare a comprehensive inspection and
 552 maintenance agreement for the on-site stormwater management system. This plan shall be written
 553 in accordance with the requirements in Section 34-314(b).

554

555 Sec. 34-312. - Modifications for Off-site Facilities.

556 (a) The stormwater management plan for each land development project shall provide for
 557 stormwater management measures located on the site of the project, unless provisions are
 558 made to manage stormwater by an off-site or regional facility. The off-site or regional facility
 559 must be located on property legally dedicated for the purpose, must be designed and
 560 adequately sized to provide a level of stormwater quantity and quality control that is equal to
 561 or greater than that which would be afforded by on-site practices and there must be a legally-
 562 obligated entity responsible for long-term operation and maintenance of the off-site or
 563 regional stormwater facility. In addition, on-site measures shall be implemented, where
 564 necessary, to protect upstream and downstream properties and drainage channels from the site
 565 to the off-site facility.

566 (b) A stormwater management plan must be submitted to the city and/or its designee which
 567 shows the adequacy of the off-site or regional facility.

568 (c) To be eligible for a modification, the applicant must demonstrate to the satisfaction of the
 569 city and/or its designee that the use of an off-site or regional facility will not result in the
 570 following impacts to upstream or downstream areas:

- 571 (1) Increased threat of flood damage to public health, life, and property;
- 572 (2) Deterioration of existing culverts, bridges, dams, and other structures;
- 573 (3) Accelerated streambank or streambed erosion or siltation;
- 574 (4) Degradation of in-stream biological functions or habitat; or
- 575 (5) Water quality impairment in violation of state water quality standards, and/or violation
 576 of any state or federal regulations.

577

578 Sec. 34-313. - Construction inspections of post-development stormwater management system.

579 (a) *Inspections to ensure plan compliance during construction.* Periodic inspections of the
 580 stormwater management system during construction shall be conducted by the staff of the
 581 Public Works Department or designee or conducted and certified by a professional engineer
 582 who has been approved by the Department. Inspections shall use the approved stormwater
 583 management plan for establishing compliance. All inspections shall be documented with
 584 written reports prepared that contain the following information:

- 585 (1) The date and location of the inspection;
- 586 (2) Whether the stormwater management system is in compliance with the approved
587 stormwater management plan;
- 588 (3) Variations from the approved stormwater management plan; and
- 589 (4) Any other variations or violations of the conditions of the approved stormwater plan.
- 590 (b) *Final inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement.*
- 591 Upon completion of the development, the applicant is responsible for:
- 592 (1) Certifying that the stormwater management system is functioning properly and was
593 constructed in conformance with the approved stormwater management plan and
594 associated hydrologic analysis,
- 595 (2) Submitting as-built drawings showing the final design specifications for all components
596 of the stormwater management system as certified by a professional engineer,
- 597 (3) Certifying that the landscaping is established and installed in conformance with the BMP
598 landscaping plan, and
- 599 (4) Delivering to the Public Works Department or designee a signed inspection and
600 maintenance agreement that has been recorded by the owner in the property record for
601 all parcel(s) that make up the site.

602 The required certification under part (a) shall include a certification of volume, or other
603 performance test applicable to the type of stormwater management system component, to ensure
604 each component is functioning as designed and built according to the design specifications in the
605 approved stormwater management plan. This certification and the required performance tests shall
606 be performed by a qualified person and submitted to the Public Works Department or designee
607 with the request for a final inspection. The Public Works Department or designee shall perform a
608 final inspection with applicant to confirm applicant has fulfilled these responsibilities.

609

610 Sec. 34-314. - Ongoing inspection and maintenance of stormwater facilities and practices.

611 (a) *Maintenance by Owner of Stormwater Management Systems Predating Current GSMM:*

612 For any stormwater management systems approved and built based on requirements
613 predating the current GSMM and that is not otherwise subject to an inspection and maintenance
614 agreement, such stormwater management systems shall be maintained by the owner so that the
615 stormwater management systems perform as they were originally designed.

616 (b) *Inspection and Maintenance Agreements:*

- 617 (1) The owner shall execute an inspection and maintenance agreement with the Public Works
618 Department or designee obligating the owner to inspect, clean, maintain, and repair the
619 stormwater management system; including vegetation in the final BMP landscaping plan.
620 The form of the inspection and maintenance agreement shall be the form provided by the
621 Department of Public Works. After the inspection and maintenance agreement has been
622 signed by the owner and the Public Works Department or designee, the owner shall

623 promptly record such agreement at the owner's cost in the property record for all parcel(s)
624 that make up the site.

625 (2) The inspection and maintenance agreement shall identify by name or official title the
626 person(s) serving as the point of contact for carrying out the owner's obligations under
627 the inspection and maintenance agreement. The owner shall update the point of contact
628 from time to time as needed and upon request by the Public Works Department or
629 designee. Upon any sale or transfer of the site, the new owner shall notify the Public
630 Works Department or designee in writing within 30 days of the name or official title of
631 new person(s) serving as the point of contact for the new owner. Any failure of an owner
632 to keep the point of contact up to date shall, following 30 days' notice, constitute a failure
633 to maintain the stormwater management system.

634 (3) The inspection and maintenance agreement shall run with the land and bind all future
635 successors-in-title of the site. If there is a future sale or transfer of only a portion of the
636 site, then:

637 (A) The parties to such sale or transfer may enter into and record an assignment
638 agreement designating the owner responsible for each portion of the site and
639 associated obligations under the inspection and maintenance agreement. The parties
640 shall record and provide written notice and a copy of such assignment agreement to
641 the Public Works Department or designee.

642 (B) In the absence of a recorded assignment agreement, all owners of the site shall be
643 jointly and severally liable for all obligations under the inspection and maintenance
644 agreement regardless of what portion of the site they own.

645 (c) *Right-of-entry for Maintenance Inspections.* The terms of the inspection and maintenance
646 agreement shall provide for the Public Works Department's or designee's right of entry for
647 maintenance inspections and other specified purposes. If a site was developed before the
648 requirement to have an inspection and maintenance agreement or an inspection and
649 maintenance agreement was for any reason not entered into, recorded, or has otherwise been
650 invalidated or deemed insufficient, then the Public Works Department or designee shall have
651 the right to enter and make inspections pursuant to the general provisions for property
652 maintenance inspections pursuant to Section 16-32 of the City's Code.

653 (d) *Owner's Failure to Maintain the Stormwater Management System.* The terms of the inspection
654 and maintenance agreement shall provide for what constitutes a failure to maintain a
655 stormwater management system and the enforcement options available to the City. If a site was
656 developed before the requirement to have an inspection and maintenance agreement or an
657 inspection and maintenance agreement was for any reason not entered into, recorded, or has
658 otherwise been invalidated or deemed insufficient, then:

659 (1) An owner's failure to maintain the stormwater management system so that it performs as
660 it was originally designed shall constitute and be addressed as a violation of, or failure to
661 comply with, owner's property maintenance obligations pursuant to Section 16-37 of the
662 City's Code, and

663 (2) To address such a failure to maintain the stormwater management system, the City or
664 designee shall have all the powers and remedies that are available to it for other violations

665 of an owner's property maintenance obligations, including without limitation
666 prosecution, penalties, abatement, and emergency measures.

667 Sec. 34-315. – Violations, enforcement and penalties.

668 Any violation of the approved stormwater management plan during construction, failure
669 to submit as-built drawings, failure to submit a final BMP landscaping plan, or failure of the final
670 inspection shall constitute and be addressed as violations of, or failures to comply with, the
671 underlying land disturbance permit pursuant to Article II of Chapter 44 or the underlying building
672 permit pursuant to Section 44-56. To address a violation of this Article, the City or designee shall
673 have all the powers and remedies that are available to it for other violations of building and land
674 disturbance permits, including without limitation the right to issue notices and orders to ensure
675 compliance, stop work orders, and penalties as set forth in the applicable ordinances for such
676 permits.

677 Secs. 34-316—34-330. - Reserved.

678



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.4

- 4

COUNCIL MEETING DATE

October 12, 2020

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 Conditional Use Permit Application 20-CU-012 for event rentals (inflatables), by Cyrel D. Foote, Jr. for property at 127 Jonesboro Road (Parcel No. 13240B E001), Jonesboro, Georgia 30236.

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

Section 86-105 O&I District Standards; Condit. Uses, Article VI Sec. 86-147, Additional Condit. Uses, Article XVII Sec. 86-532

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

Yes Economic Development, 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.)

Agency recommendation – **Denial of Conditional Use application**; 127 Jonesboro Road has been a commercial office building for many years, most recently hosting a construction company office. The 0.89-acre property is zoned O & I, Office-Institutional and is not in any Overlay District.

In July, the applicant completed a zoning verification form for an event center (children’s parties) and a place to store and clean large party inflatables (for rent). Per the letter of explanation, the event center will focus on children’s birthday parties for ages 1 through 12 years. A maximum of 25 people will be at any event, including 2 staff. Parties could occur from 12pm to 8pm Fridays, Saturdays, and Sundays and some holidays. Also, per the letter of explanation, the event center would provide two inflatable bounce houses in a fenced area. For the party rental business, the bounce houses would have to be laid out in the yards 2 hours each, every week, to be cleaned and dried.

The Table of Uses requires a conditional use permit for these particular kinds of uses, with the following conditions:

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. **While the letter of explanation states that’s no more than 15 cars will be allowed on the premises, there is only about 7 actual parking spaces and the rest would have to be in the driveway.**
- (2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages. **None planned.**
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking). **It is a standalone building.**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 12, 2020

09/14/20

City Council

TABLED

Next: 10/12/20

Signature

City Clerk’s Office

(4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property. **There are residences directly to the west of the proposed event center, but there is no room for a buffer. (There is a wood privacy fence there now, but the closest residence has a full view of the event center property.)**

In terms of parking, Section 86-410 (28) most closely applies:

(28) Theaters, auditoriums, places of worship, libraries, museums, art galleries, funeral homes, gymnasiums, stadiums and other places of assembly shall provide the larger of one space for each four fixed seats or one space for each 25 square feet of floor area available for the accommodation of moveable seats in the largest assembly room, whichever is greater, plus one space for each 150 square feet of ground area used for assembly.

The building is 2271 square feet = 91 parking spaces required. Only about 15 parking spaces can be provided.

In terms of storage of rental equipment onsite:

Sec. 86-147. - NAICS 532284 Consumer goods rental.

The following conditions are assigned in the O&I and C-1 districts:

(1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

No overnight storage would occur.

However:

Sec. 86-265. - Storage.

Exterior storage yards (excluding vehicles for sale or lease) shall be prohibited in any districts except the C-2 and M-1 districts. Exterior storage yards shall be enclosed by an opaque fence not less than six feet in height (except where otherwise stated and approved by the city manager) to provide visual screening. Such use shall not be located along an arterial roadway and shall be subject to the following:

(1) The regulations of the applicable zoning district.

(2) No open storage of wrecked or inoperable automobiles or trucks.

(3) No vehicle parts, equipment or waste materials shall be stored outside any building.

No storage yards, even with a fence, are allowed in O&I zoning.

This property is a high visibility parcel, located on one of Jonesboro's main thoroughfares, Jonesboro Road. The two accesses to the subject property both pose concerns – the one on Jonesboro Road requires a left turn on the property where traffic is usually heavy and exceeding the speed limit, and the one on West Mimosa is just a local, residential street. The proximity of residences to a busy weekend event center is also a concern. Storage and drying of inflatables on the property would be unsightly. Being a corner lot off of a busy road, staff does not believe that the event center could safely accommodate necessary parking and traffic orientation.

Update for October 12th City Council Meeting:

- **David Allen and Ricky Clark met the applicant on the subject property on September 24th to go over the proposed layout of the event center and general traffic circulation in more detail. Everyone agreed that two important pieces of information needed to be presented to the City Council at the next meeting: A detailed site plan of where the actual event center space will be on the property, as well as traffic / parking circulation, and a consent letter from resident at 109 West Mimosa Drive (if they are willing).**
- **The applicant stated that he has spoken with all of the nearby neighbors and that no one has a problem with kids' parties being hosted there.**

- As far as outdoor storage is concerned, the applicant stated that the inflatables will only be in the rear driveway to be cleaned for a few hours, and then they will be rolled up and stored in the detached garage building already on the property. Thus, there will be no outside storage yard to consider.
- There was some confusion in the wording of the application – there is proposed an event center on the property as well as a party rental center where people can use the inflatables offsite. Per the zoning verification enclosed, this use requires a conditional use as well, but the only approval condition is: “No overnight outdoor storage or display of merchandise or equipment shall be permitted.” This condition can be easily met, as the applicant will store everything overnight in the existing detached garage.
- On September 29, 2020, the applicant stated - *Is it possible for me to get Funflatablez approved as is, without the event center portion and come back in November or later to present the outdoor event play area? I would like to get established as a company in our new building legally and take care of all fees and licenses with the city, so I can get that out the way and focus solely on the event center which will take a lot of time, money, planning, and approvals. I have a vision and want to present it to the council appropriately.*

Therefore, for the October 12th Council meeting will focus solely on the event rentals (people picking up inflatables and using them elsewhere) and the using the property as a event center site (November). Per the zoning verification form, the only condition that would apply to this is – Sec. 86-147. - NAICS 532284 Consumer goods rental.

The following conditions are assigned in the O&I and C-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

The applicant has stated that there will be visible storage, with all items being placed in the detached garage.

Staff recommends approval of the party rental center at the subject property and will offer a separate analysis of the event center in November.

The public hearing has already been fulfilled.

Fiscal Impact

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

Private Owner

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

- Application
- Zoning Info
- Letter of Explanation
- Property Info1
- Property Info2
- Inflatables
- Site Pictures

- Conditional Use - 127 Jonesboro Road - Legal Notice
- Zoning Signs
- Acceptance Letter

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

Approval of Event Rentals Only



CITY OF JONESBORO
124 North Avenue
Jonesboro, Georgia 30236
City Hall: (770) 478-3800
Fax: (770) 478-3775
www.jonesboroga.com

CONDITIONAL USE PERMIT APPLICATION

ATTACH ADDITIONAL PAGES IF NECESSARY. ALL ATTACHMENTS MUST BE NUMBERED. INDICATE THE PAGE NUMBER OF ATTACHMENT IN THE SPACES PROVIDED FOR EACH RELEVANT ANSWER.

ANY MISSTATEMENT OR CONCEALMENT OF FACT IN THIS APPLICATION SHALL BE GROUNDS FOR REVOCATION OF THE LICENSE ISSUED AND SHALL MAKE THE APPLICANT LIABLE TO PROSECUTION FOR PERJURY. PLEASE DO NOT LEAVE ANY AREAS UNANSWERED.

APPLICATION FEE: \$700.00 (Non-Refundable).

Date of Application: 8/4/2020

Property Owner Authorization

I (We) Cyrel D. Foote Jr. the
owner(s) of the following property located at: 127 Jonesboro Rd.

Tax Parcel Number: 13240B E001 Size of Property: 1 acre

Located in Zoning District O#I do hereby request permission for a

conditional use for the above described property under the Zoning Ordinance zoned for the following purposes:

We are a party rental that wants permission to blow inflatables up on property for cleanings and also plans for a small private outdoor event center.

Property Owner Information

Name: Matthew A. McCray
Mailing Address: 11995 Plantation Pkwy
City: Fayetteville State: GA Zip: 30215
Phone: (Day) 404 207-0953 (Evening) 404 207-0953

Applicant's Information

(If Different from Owner's Information)
Name: Cyrel Fote Jr.
Mailing Address: 6908 Knollwood Dr.
City: Morrow State: GA Zip: 30260
Phone: (Day) 404-748-2055 (Evening)

Jonesboro Property Information

Existing Uses and Structures: Office and Institutional
Property address: 127 Jonesboro Rd
Surrounding Uses and Structures: (See Official Zoning Map): Commercial / Historic / Other
Surrounding Zoning:
North: O+1 South: O+1 East: RH West: RH
Details of Proposed Use: Party Rental office space / event center
Public Utilities: CCWA, GA POWER, AIR GAS LIGHTS
Access, Traffic and Parking: W. MIMOSA, JONESBORO RD.
Special Physical Characteristics: DOUBLE FRONTAGE LOT

Attachment: Application (1716 : 127 Jonesboro Road Events)

The City may require submission of additional information as may be useful in understanding the proposed use and development of the property.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION AND ALL ATTACHED INFORMATION IS TRUE AND CORRECT:

Date: 8/4/2020

Signed: April D. Wright

Notary: April Wright

SEAL

April Wright
NOTARY PUBLIC
Fulton County, GEORGIA
My Commission Expires 10/27/20

FOR OFFICE USE ONLY:

Date Received: 8/5/20 Received By: [Signature]

Fee Amount Enclosed: \$ 100.00

Public Notice Sign Posted (Date) _____

Legal Ad Submitted (Date) _____

Legal Ad Published (Date) _____

Date Approved: ___/___/20___

Date Denied ___/___/20___

Permit Issued ___/___/20___

Comment:

Attachment: Application (1716 : 127 Jonesboro Road Events)

PROPERTY OWNER'S AUTHORIZATION

The undersigned below, or as attached, is the owner of the property which is subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an amendment to the property.

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Clayton County, Georgia.

I hereby depose and say that all above statements and attached statements and/or exhibits submitted are true and correct, to the best of knowledge and belief.

PROPERTY OWNER:

Matthew A. McCrary
PRINT NAME

[Signature]
SIGNATURE/DATE

APPLICANT:

Cyrel D. Foote Jr.
PRINT NAME

[Signature]
SIGNATURE/DATE

NOTARY:

April Wright 8/4/2020
SIGNATURE/DATE

SEAL

April Wright
NOTARY PUBLIC
Fulton County, GEORGIA
My Commission Expires 10/27/2025

Attachment: Application (1716 : 127 Jonesboro Road Events)



CITY OF JONESBORO
124 North Avenue
Jonesboro, Georgia 30236
City Hall: (770) 478-3800
Fax: (770) 478-3775
www.jonesboroga.com

MARIA

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are STRONGLY ADVISED to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Cyrel Foote Jr.
Name of Business: FunPlatablez
Property's Address: 127 Jonesboro Rd
Email Address: foote cyrel@hotmail.com
Phone: (Day): 404 748 2055 (Evening): _____

Property Information

Current Use of Property: Office Space
Proposed Use of Property (Please provide in great detail the intended use of the property):
Office space for company, event rental, event space rental, storage for equipment, bounce houses outside

Applicant's Signature: Cyrel Foote Jr. Date: 7/29/20

FOR OFFICE USE ONLY:

Current Zoning: O+1 NAICS Code: 532284, 531120
Required Zoning: O+1, C2 Conditional Use Needed? Yes or No

APPROVED DENIED

Comments: NEEDS CONDITIONAL USE PERMIT. MUST COMPLY WITH SEC. 86-147 AND SEC. 86-532
Zoning Official Signature: [Signature] Date: 7/29/20

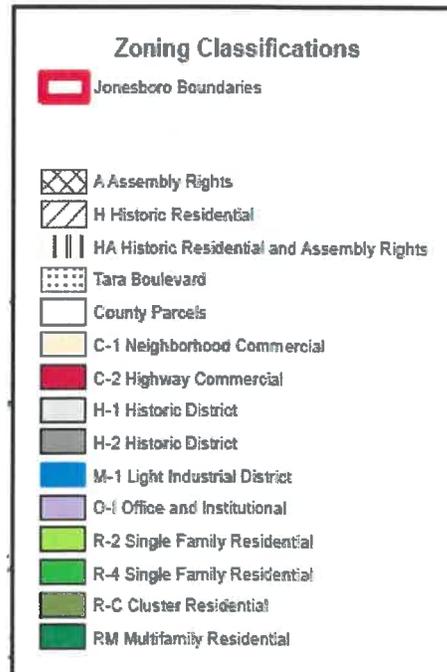
Attachment: Zoning Info (1716 : 127 Jonesboro Road Events)

**Applicant – Cyrel Foote, Jr.
 Name of Business – Funflatablez
 Address - 127 Jonesboro Road
 Zoning District – O&I
 NAICS – 532284, 531120**

Proposed Use: Event Rental Company, Event Space Rental

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N

NAICS Code	USES	R-2	R-4	R-C	R-A	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
532284	Consumer Goods Rental, including furniture rental, party supply rentals	N	N	N	N	N	N	N	C	N	C	P	N	Sec. 86-147
531120	Lessors of Nonresidential Building (except Miniwarehouses), including Event Centers (Excluding funerals and wakes)	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-532



Sec. 86-147. - NAICS 532284 Consumer goods rental.
 The following conditions are assigned in the O&I and C-1 districts:
 (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Attachment: Zoning Info (1716 : 127 Jonesboro Road Events)

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-265. - Storage.

Exterior storage yards (excluding vehicles for sale or lease) shall be prohibited in any districts except the C-2 and M-1 districts. Exterior storage yards shall be enclosed by an opaque fence not less than six feet in height (except where otherwise stated and approved by the city manager) to provide visual screening. Such use shall not be located along an arterial roadway and shall be subject to the following:

- (1) The regulations of the applicable zoning district.
- (2) No open storage of wrecked or inoperable automobiles or trucks.
- (3) No vehicle parts, equipment or waste materials shall be stored outside any building.



6908 Knollwood Dr. Morrow, GA 30260
 www.funflatablez.com
 404-748-2055

September 2, 2020

Funflatablez is the official premier bounce house company for the Southside of Atlanta, GA. We have successfully been in business for over 10+ years. We provide mobile bounce houses and party rental equipment delivery for children's parties. Currently, we have a staff of four: *myself and my 2 assistants both of whom will be working inside the building handling day to day operations; also a contracted driver who only reports to pickup/ drop off bounce house and rental equipment deliveries.* Our hours of operations are from Monday-Friday from 8:00 AM-8:00 P.M., and some weekends, depending on if any events/deliveries are scheduled.

The types of parties that Funflatablez normally service are community events, daycare events, children's birthday party's/celebrations, and baby showers. We also are a registered vendor for the Clayton County School system. Some of our clients include Lee Street Elementary, JW Arnold Elementary, and Jonesboro High School.

Our proposed plan for this location is to handle the day-to-day operations for Funflatablez, which includes:

1. Cleaning of bounce houses
 - a. Will have to inflate bounce house to properly sanitize, clean, and dry
 - b. Process takes approx. 2 hrs. per bounce house
 - i. Plan to clean behind residence out of the view of ongoing traffic
2. Client In-Person Pick Up/Drop Off
 - a. Clients who are able will come to headquarters to pick up and/or drop off party rental equipment (i.e. tables, chairs, concessions, etc.)
 - b. Make payments
 - c. Discuss bounce house and party rental equipment
 - d. Discuss and tour facility for possible booking
3. Rental Space/Facility Services
 - a. Will only service birthday parties/celebrations for children (ages 1-12 yrs.)
 - b. Will only permit no more than 20-25 people per event (10 adults; 15 children)
 - c. Hours of operation for parties will be from 12-8pm Friday-Sunday & holidays
 - d. Staff of 2 will always be on site during these events -1 outside and 1 inside to monitor children and facility safety
 - e. No more than 2 bounce houses will be allowed to be inflated in outside fenced play area – bounce houses will not be placed in front of property
 - f. Parking will be provided in the spaces designated outside of the building. We propose no more than 15 cars will be permitted on the premises.

We will be allowing the use of the following spaces:

Kitchen

Lobby Area
Large Room/Conference Area
Restrooms
Outside – Fenced in play area

Over the years our company has grown to the point where we are in need of new space to accommodate the growth of our company and our clients requests, which include having a place for them to hold their family celebrations and events. We are a company that is continuously growing that will bring excitement and energy to an already growing and thriving area. Funflatablez is the business that provides sustainable growth that will prove to be an asset to the City of Jonesboro.

We hope that we have provided all of the information that you requested; however, should you have any additional questions or concerns, please feel free to give me a call at (404) 748-2055

Regards,

Cyrel Foote, Jr.
President
Strongwill Enterprises Inc.
DBA Funflatablez
footecyrel@hotmaill.com

Real Property Records Search

[New Search](#) | [Current Year Assessment Notice](#) | [Sales Data](#) | [Previous Parcel](#) | [Next Parcel](#)

Clayton County Property Card For Year 2020

CHARLOTTE DAILEY CAPITAL LLC
1299 BATTLE CREEK RD
SUITE 110

PARCEL ID . . 13240B E001
LOCATION . . 127 JONESBORO RD

JONESBORO, GA 30236

LEGAL
DESC

DISTRICT 4 JONESBORO

LOT 4,5,6,7 &
PT 3

NBRHOOD JB023 JONESBORO 2NDRY
INT LOT

DESCRIPTION LEGION HEIGHTS - ALL UTILITIES

DESCRIPTION PAVED ROAD
ROAD FRONT . . . 290.9 206.9

RESIDENTIAL/OFFICE

PLAT BOOK/PAGE . . . 1 275

SALES HISTORY

DEED BOOK	PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMT	DEED NAME
9602	231	12/22/08	WARRANTY DEED	DOES NOT REFLEC	129,900	CHARLOTTE DAILEY CAPITAL LLC
1844	293	10/01/92	WARRANTY DEED	QUALIFIED	90,000	MOORE LEE

LAND SEGMENTS

LND#	ZONE	LAND TYPE/CODE	LAND QTY
1	C	SF 1	38,768.000
MAP ACRES890			

IMPROVEMENT # 1 MISC IMPR-Y

GROUND FLOOR AREA . .	ACT/EFF YR/AGE . . 1971 1992 28
	DESCRIPTION . . . LEE MOORE-COTTON STATE IN
	% COMP SQ FOOTAGE STORY
BUILDINGS	100 2271.00

IMPROVEMENT # 2 MISC IMPR-Y

GROUND FLOOR AREA . .	ACT/EFF YR/AGE . . 1983 37
	DESCRIPTION . . . UILITY BLDG
	% COMP SQ FOOTAGE STORY
BUILDINGS	100 720.00

TOTAL PARCEL VALUES LAND / OVR IMPROVEMENTS / OVR 2020 VALUE 2019 VALUE

Attachment: Property Info1 (1716 : 127 Jonesboro Road Events)

Clayton County GIS





HOME PRICE LIST PACKAGES AI

PRICE



(PICTURES AND PRICES IN ORDER NOW SE

ALL PRICES INCLUDE DELIVERY AND
DELIVERY CHARGE IF OUT SIDE OUR DELI
(VISIT HOMEPAGE FOR MAI



RENTAL PERIOD IS 4-6 HOURS (NO
\$50 OVERNIGHT FEE
FEE ADDED AFTER 8PM PICKUP DE
PICK UP FOLLOWING DAY BETWEEN 1

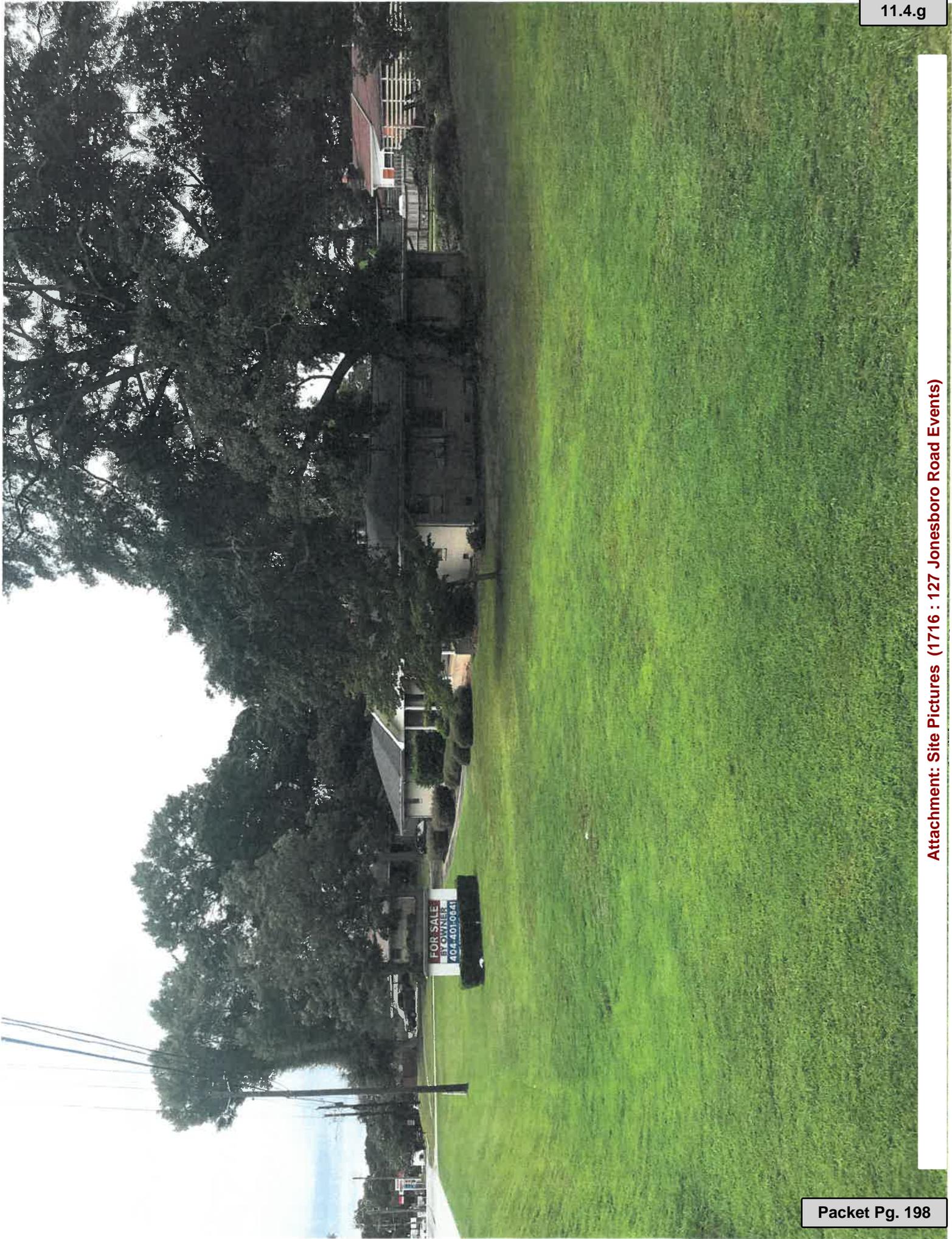


\$50 DEPOSIT REQUIRED
(DEDUCTED FROM BALANCE, SECUR
PAYMENT DUE AT DELIVER'

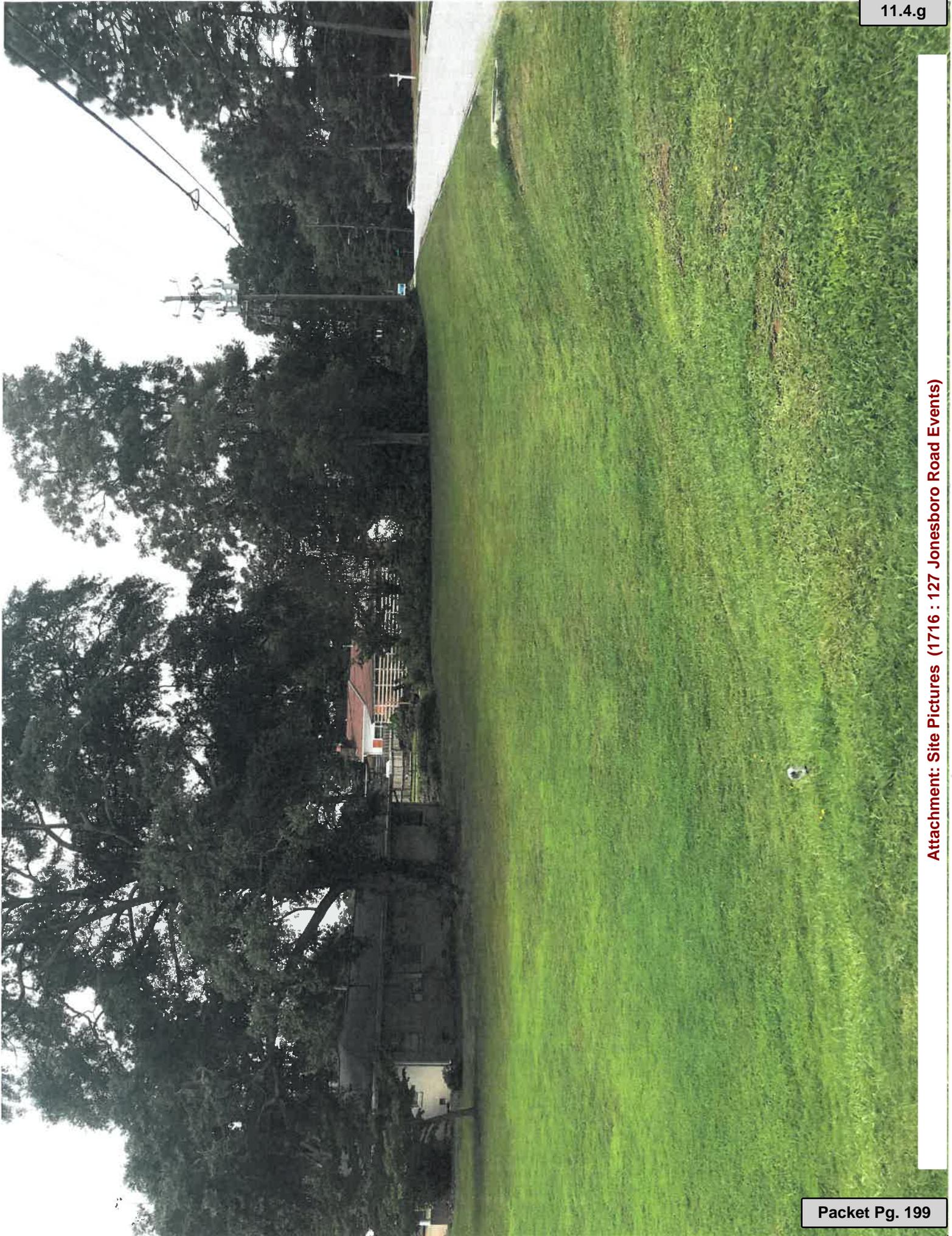
BOUNCE - HOUSES

COMBOS HAVE SLIDE ATTACHED & HOOP I
CUSTOMER PROVIDES A SOURCE FOR ELECTRICITY - NORMAL
WE PROVIDE EXTENSION CHORDS

Attachment: Inflatables (1716 : 127 Jonesboro Road Events)



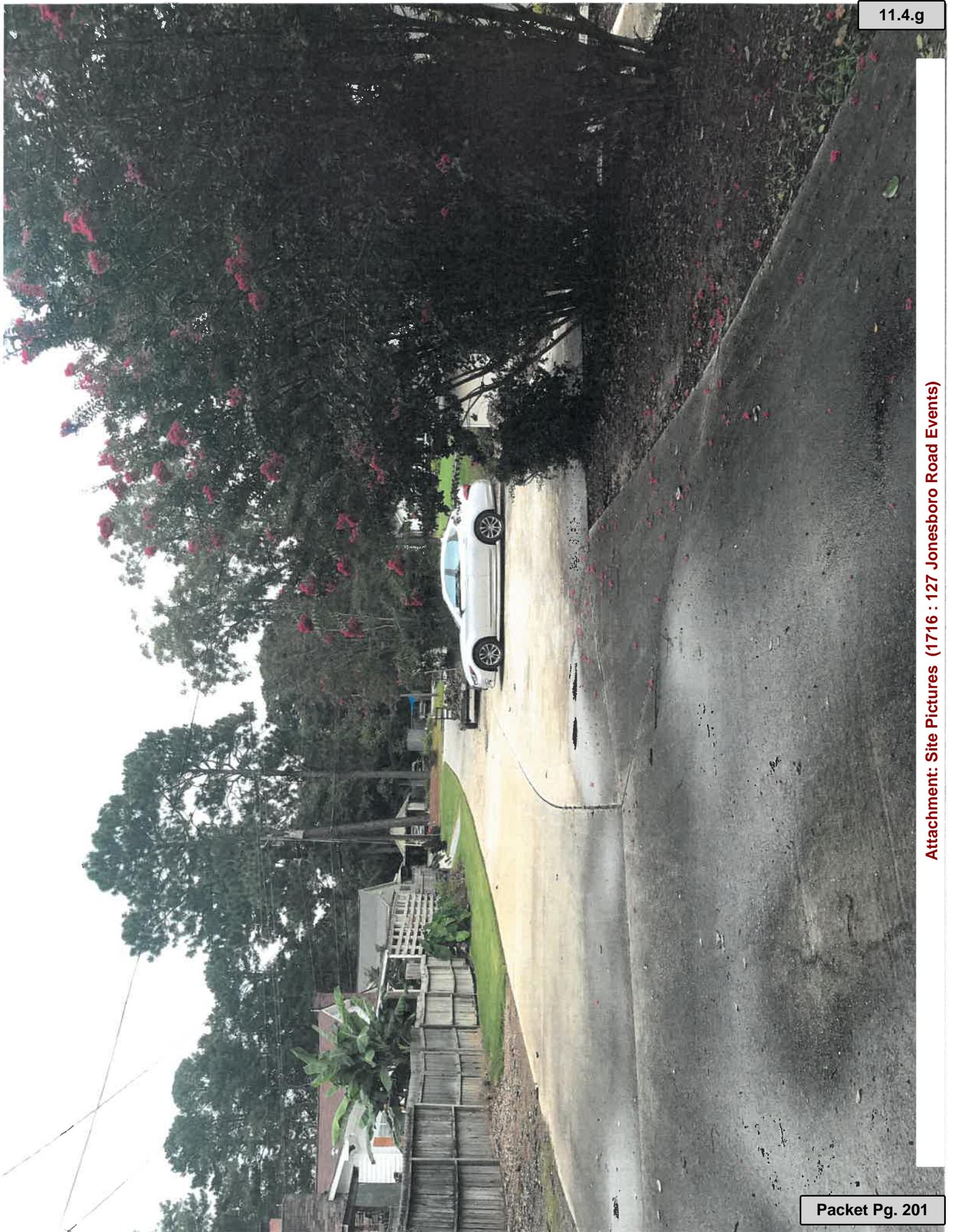
Attachment: Site Pictures (1716 : 127 Jonesboro Road Events)



Attachment: Site Pictures (1716 : 127 Jonesboro Road Events)



Attachment: Site Pictures (1716 : 127 Jonesboro Road Events)



Attachment: Site Pictures (1716 : 127 Jonesboro Road Events)



Attachment: Site Pictures (1716 : 127 Jonesboro Road Events)



Attachment: Site Pictures (1716 : 127 Jonesboro Road Events)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on September 14, 2020 in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, GA, to consider a Conditional Use Permit Application for an outdoor event center and outdoor storage yard for party inflatables, by Cyrel D. Foote, Jr. for property at 127 Jonesboro Road (Parcel No. 13240B E001), Jonesboro, Georgia 30236. Mayor & Council will first discuss the item at their Work Session, also to be held on September 14, 2020 at 6 pm.

David Allen
Community Development Director

Publish 8/19/20



CITY OF JONESBORO, GEORGIA
 PUBLIC HEARING FOR:
 CONDITIONAL USE PERMIT FOR OUTDOOR EVENT
 CENTER AND STORAGE YARD FOR PARTY INFLATABLES
 BY CYREL D. FOOTE, JR. FOR PROPERTY AT 127 JONESBORO
 ROAD (PARCEL No. 13246B E001) JONESBORO, GA. 30236
 LOCATION
 170 SOUTH MAIN STREET, JONESBORO, GEORGIA 30236
 DATE 9-14-20 TIME: 6:00 PM
 FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800

FOR SALE
 BY OWNER
 404-401-0641

Attachment: Zoning Signs (1716 : 127 Jonesboro Road Events)

CITY OF JONESBORO, GEORGIA

PUBLIC HEARING FOR:

CONDITIONAL USE PERMIT FOR OUTDOOR EVENT

CENTER AND STORAGE YARD FOR PARTY INFLATABLES

BY CYREL D. FORTS, JR. FOR PROPERTY AT 127 JONESBORO
ROAD (PARCEL No. 13240B E001) JONESBORO, GA. 30236

LOCATION

170 SOUTH MAIN STREET, JONESBORO, GEORGIA 30236

DATE: 9-14-20

TIME: 6:00 PM

FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800



MEMORANDUM

To: Cyrel D. Foote, Jr.
6908 Knollwood Drive
Morrow, GA 30260

From: David D. Allen
City of Jonesboro
124 North Avenue
Jonesboro, GA 30236

Date: August 24, 2020

Re: Notification of Request for Conditional Use – Event Center / Party Rental Office and Storage, 127 Jonesboro Road; Tax Map Parcel No. 13240B E001

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for the following requested conditional use for the above referenced property:

- Event Center / Party Rental Office and Storage

A combined Work Session / Public Hearing has been scheduled for Monday, September 14, 2020 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The meeting will be conducted in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, Ga. If you have any questions, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

12.1

- 1

COUNCIL MEETING DATE

October 12, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

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

Council to consider selection of General Contractor for the Jonesboro City Center project.

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

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

Yes Economic Development, 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.)

In partnership with Public-Private Partnership Project Management, Inc. (4PM), the City of Jonesboro (City) undertook a process to identify and select a qualified, responsible and responsive contractor with whom the City could enter into negotiations for a Guaranteed Fixed Price Contract for the construction of the City Center and surrounding site development.

This process allowed the City to qualify contractors first and then from those qualified contractors receive competitive price proposals for the proposed work. To be qualified, contractors had to demonstrate significant experience in municipal facilities, in construction activities associated with such projects, in site development and the ability to provide adequate insurance and assurance of financial capacity to complete the work with a history of on-time on-budget project delivery.

The City advertised the potential project through a number of sources, including a notice advertised in the local legal organ, a notice on the City’s website, and direct contact with contractors that had completed similar projects in the past. A Contractor Qualification Form was prepared and made available for contractor review and ultimate submittal.

The following time line was set up as part of this process:

- August 20, 2020 – submittal of Qualification Questionnaires by contractors
- August 25, 2020 – scoring of Qualification Questionnaires
- September 4, 2020 – mandatory walk through with all qualified contractors wishing to submit pricing proposals
- September 25, 2020 – submittal of pricing proposals from qualified contractors

Nine contractors met the August 20, 2020 deadline for submittal of their Qualification Questionnaires. Those contractors were: Swofford Construction, Rycon Construction, Cooper & Company, Hogan Construction Group, Carmon Construction, Winter Johnson Construction, Reeves Young Construction and Swinerton Construction.

On August 25, 2020, City Manager Ricky Clark, Mayor Joy Day, Councilwoman Donya Sartor, David Allen

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 12, 2020

Signature

City Clerk’s Office

and Joe Nettleton, representing the City of Jonesboro, along with Eric Peek of Nelson of Nelson World the architects, met and individually scored each of the submitted questionnaires. The results from each scorer were totaled and averaged to determine the final score for each contractor. The results showed that four of the nine contractors met the minimum qualification requirements and were eligible to submit pricing proposals. Those were: Cooper, Hogan, Winter, and Reeves.

On September 4, 2020, representatives of each of those four firms, along with Ricky Clark, David Allen, Eric Peek, Kirby Glaze, Tom Draffin and Steve Watson from 4PM, met on site for a walk through of the property. Each contractor had received the proposed Scope of Work and was able to ask questions regarding the project.

Each contractor was also told that 4PM and Nelson would be open for any questions or comments they might have prior to their submittal. We also explained that the cost numbers they would be submitting were proposals and not firm bids since the process we were using allowed some flexibility before setting the ultimate Guaranteed Fixed Price to be included in the contract they would sign with the City to complete the work.

On September 25, 2020, pricing proposals were received from each contractor. The proposals were reviewed. The results of the proposals were as follows:

Cooper:	Hogan:	Winter:	Reeves:
\$11,591,000.00	\$12,912,250.00	\$13,209,549.00	\$14,152,728.00

The proposals were scored based on allocating a full 40 points to the lowest pricing proposal and then a percentage of 40 points to each of the other proposals based on the amount of increase. When added to the original qualifications scores the results were as follows:

Cooper:	Hogan:	Winter:	Reeves:
94	94.91	88.30	88.76

4PM felt that the close scores between Cooper and Hogan warranted further interviews and questions of these two contractors, regarding their pricing methodology. On October 5, 2020 Kirby Glaze, Steve Watson and Tom Draffin, from 4PM, along with David Allen, Ricky Clark and Mayor Day from the City, and Eric Peek and Karen Sicner or Nelson, conducted individual interviews with representative of each of the contractors. After the interviews the contractors were advised that they would have until noon October 7, 2020 to adjust their proposals. Each of these two contractors submitted a revised pricing proposal. The revised pricing proposals were as follows:

Cooper:	Hogan:
\$11,497,000.00	\$12,004,006.00

The total scores were then adjusted to reflect the revised pricing:

Cooper:	Hogan:	Winter:	Reeves:
94	97.31	88.01	88.49

While 4PM and the City believe that both contractors are capable of completing the work at a fair price to the City, we believe that Hogan Construction Group separated itself from Cooper with the revised pricing proposal. Hogan Construction Group demonstrated not only that they understood the project and its importance to the City, but also illustrated their willingness to find savings that could reduce the overall cost of the project.

Therefore, even though Hogan did not have lowest pricing proposal, we recommend that the City select Hogan Construction Group based on their higher overall score in qualifications and pricing. Should the City accept this recommendation, 4PM will begin immediately working with the contractor and the architect to value engineer this project in an effort to find further potential savings to reduce the construction cost.

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.)*

- Hogan Post Interview SOV - Pricing Proposal
- Revised Cooper Co Schedule of Values for Jonesboro City Center
- CityCenter

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval of Hogan Construction**

JONESBORO CITY CENTER PROJECT SCHEDULE OF VALUES			
SCOPE OF WORK ITEMS	Original SOV	Post Interview SOV	Comments
GENERAL REQUIREMENTS			
1. Project Management & Superintendent	\$ 261,807.00	\$ 261,807.00	
Specify Personnel & Associated Costs with Each			
Assistant PM and Superintendent	\$ 166,800.00	\$ 34,750.00	
Safety Officer	\$ 8,410.00	\$ 8,410.00	
Project Accounting	\$ 36,696.00	\$ 36,696.00	
2. Construction Facilities & Temporary Utilities	\$ 49,424.00	\$ 49,424.00	
3. Progress Cleaning	\$ 10,356.00	\$ 10,356.00	
4. Final Cleaning	\$ 12,851.00	\$ 12,851.00	
5. Construction Waste	\$ 21,186.00	\$ 21,186.00	
6. Payment & Performance Bonds	\$ 151,522.00	\$ 86,144.00	
7. Permits & Licenses	\$ 90,351.00	\$ 71,995.00	
8. Other General Conditions	\$ 16,292.00	\$ 16,292.00	Includes Small Tools, Travel Expense, and Misc. Rentals
Specify Unlisted Condition as Subcategory			
DEMOLITION			
Specify Any Items of Demo	\$ 132,335.00	\$ 132,335.00	Includes Demo of Structures and all sitework demo
SITE WORK			
1. Traffic Control	\$ -	\$ -	Included
2. Clearing & Grubbing	\$ 10,375.00	\$ 10,375.00	
3. Testing	\$ 25,000.00	\$ 25,000.00	
4. Erosion Control	\$ 62,510.00	\$ 62,510.00	Allowance
5. Grading	\$ 258,339.00	\$ 258,339.00	
6. Sanitary Sewer	\$ 43,700.00	\$ 43,700.00	
7. Storm Drainage	\$ 337,650.00	\$ 337,650.00	
8. Domestic Water	\$ 56,304.00	\$ 56,304.00	
9. Fire Water	\$ 64,502.00	\$ 64,502.00	
10. Vault Structures	\$ 46,500.00	\$ 46,500.00	
11. Connections	\$ 21,000.00	\$ 21,000.00	
12. Curb & Gutter	\$ 55,248.00	\$ 55,248.00	
13. Concrete Stairs	\$ 30,811.00	\$ 30,811.00	
14. Concrete Retaining Walls	\$ 492,646.00	\$ 429,996.00	
15. Concrete Sidewalks	\$ 143,503.00	\$ 143,503.00	
16. Concrete Paving	\$ 9,465.00	\$ 9,465.00	
17. Asphalt Paving	\$ 218,717.00	\$ 214,280.00	
18. ADA	\$ -	\$ -	Included
19. Handrails	\$ 90,957.00	\$ 90,957.00	
20. Signage	\$ 15,000.00	\$ 15,000.00	Monument Sign Allowance
21. Markings	\$ 7,430.00	\$ 5,430.00	
22. Temporary Drainage			
23. Tree Safety			
24. Landscape	\$ 95,710.00	\$ 95,710.00	
Specify Subcategories			
25. Irrigation	\$ 28,000.00	\$ 28,000.00	
26. Lighting	\$ 100,000.00	\$ 100,000.00	Allowance
27. Other - Specify Subcategories	\$ 92,372.00	\$ 92,372.00	Includes Fencing, Termite Protection, Misc. Site Items
CONCRETE			
1. Foundation Repair & Slabs	\$ 212,805.00	\$ 212,805.00	
2. Foundation Reinforcement	\$ 28,107.00	\$ 28,107.00	
3. Termite Treatment	\$ 1,670.00	\$ 1,670.00	
4. Other - Specify Subcategories			
MASONRY			
1. Brick Masonry	\$ 1,530,466.00	\$ 1,184,400.00	Line item includes the Precast Skin.
2. CMU	\$ 117,548.00	\$ 102,036.00	
3. Other - Specify Subcategories			
METALS			
1. Light Gauge Metal Stud Framing	\$ -	\$ -	Included in Drywall

Attachment: Hogan Post Interview SOV - Pricing Proposal (1733 : Jonesboro City Center - General Contractor Selection)

2. Heavy Gauge Metal Stud Framing	\$ -	\$ -	Included in Drywall
3. Structural Steel Framing	\$ 786,738.00	\$ 742,738.00	
4. Ladders	\$ 883.00	\$ 883.00	
5. Railings	\$ 40,250.00	\$ 40,250.00	
6. Stairs	\$ 61,000.00	\$ 61,000.00	
7. Bollards	\$ 4,680.00	\$ 4,680.00	
8. Other - Specify Subcategories			
WOOD & PLASTICS			
1. Rough Carpentry	\$ 32,123.00	\$ 32,123.00	
2. Trusses, etc.	\$ -	\$ -	
3. Millwork & Trim	\$ 103,116.00	\$ 103,116.00	Includes a \$35k allowance for courtroom
4. Cabinets	\$ -	\$ -	Included in Line Above
5. Solid Surface	\$ 48,875.00	\$ 48,875.00	
6. Countertops	\$ -	\$ -	Included in Millwork
7. Other - Specify Subcategories			
THERMAL & MOISTURE PROTECTION			
1. Insulation	\$ 65,605.00	\$ 65,605.00	Includes Roof Insulation. Wall Insulation included in Drywall
2. Roofing	\$ 175,918.00	\$ 175,918.00	
3. Roof Accessories	\$ 8,872.00	\$ 8,872.00	
4. Siding - Specify Subcategories	\$ -	\$ -	
5. Metal Flashing & Trim	\$ 37,615.00	\$ 37,615.00	
6. Weatherproofing	\$ 279,396.00	\$ 225,734.00	
7. Other - Specify Subcategories	\$ -	\$ -	
DOORS & WINDOWS			
1. Metal Doors & Frames	\$ 32,556.00	\$ 32,556.00	
2. Wood Doors & Frames	\$ 36,744.00	\$ 36,744.00	
3. Door Hardware	\$ 88,540.00	\$ 88,540.00	
4. Specialty Door Hardware	\$ 10,464.00	\$ 10,464.00	
5. Storefront			Included in Glass and Glazing
6. Glass & Glazing	\$ 480,074.00	\$ 480,074.00	
7. Overhead & Specialty Doors	\$ 27,176.00	\$ 27,176.00	
8. Other - Specify Subcategories			
FINISHES			
1. Gypsum Board Assemblies	\$ 805,481.00	\$ 745,481.00	
2. Acoustical Ceilings	\$ 205,309.00	\$ 205,309.00	
3. Stucco	\$ -	\$ -	
4. Tile	\$ 114,361.00	\$ 114,361.00	
5. Carpet	\$ 103,754.00	\$ 103,754.00	
6. Sealed Concrete	\$ 4,988.00	\$ 4,988.00	
7. Specialty Flooring	\$ 148,855.00	\$ 148,855.00	Includes \$20k Allowance for Medallions
8. Base	\$ 13,038.00	\$ 13,038.00	
9. Painting – Interior	\$ 73,687.00	\$ 73,687.00	
10. Painting – Exterior	\$ 42,483.00	\$ 33,000.00	Includes Elastomeric Coating on Precast Skin
11. Other - Specify Subcategories			
SPECIALITIES & EQUIPMENT			
1. Toilet Accessories	\$ 16,388.00	\$ 16,388.00	
2. Toilet Partitions	\$ 11,204.00	\$ 11,204.00	
3. Canopies	\$ 50,400.00	\$ 50,400.00	
4. Signage	\$ 13,096.00	\$ 13,096.00	
5. Kitchen Equipment	\$ 1,373.00	\$ 1,373.00	
6. Special Equipment - Specify Subcategories	\$ 36,591.00	\$ 36,591.00	Includes Architectural Louvers
7. Fire Extinguishers	\$ 1,900.00	\$ 1,900.00	
8. Other - Specify Categories	\$ 42,797.00	\$ 42,797.00	Includes Lockers and Misc. Hardware
SPECIAL CONSTRUCTION			
1. Fire Suppression Sprinkler Systems	\$ 142,550.00	\$ 142,550.00	
2. Detection & Alarms	\$ 49,736.00	\$ 49,736.00	
3. Access Control	\$ 32,579.00	\$ 32,579.00	
4. Cameras	\$ 53,222.00	\$ 53,222.00	
5. Audio/Visual	\$ 311,808.00	\$ 311,808.00	
6. Other - Specify Subcategories	\$ 70,850.00	\$ 70,850.00	Includes Elevators
MECHANICAL			
1. Plumbing	\$ 446,675.00	\$ 446,675.00	
2. Kitchen Plumbing Rough-in & Connection	\$ -	\$ -	Included in Plumbing
3. Grease Traps	\$ 28,000.00	\$ 28,000.00	
4. HVAC	\$ 761,491.00	\$ 761,491.00	
5. Other - Specify Subcategories			
ELECTRICAL			

Attachment: Hogan Post Interview SOV - Pricing Proposal (1733 : Jonesboro City Center - General Contractor Selection)

1. Electrical	\$ 889,660.00	\$ 889,660.00	
2. Kitchen Electrical Rough-in & Connection			Included In Electrical
3. Low Voltage	\$ 89,329.00	\$ 89,329.00	
4. Communication & Data			Included in Low Voltage
5. Other - Specify Subcategories			
GENERATOR	\$ 80,000.00	\$ 80,000.00	
Specify Subcategories of Scope			
TAXES & INSURANCE (BUILDER'S RISK, etc.)	\$ 161,568.00	\$ 150,199.00	
OVERHEAD & PROFIT	\$ 375,941.00	\$ 292,660.00	
CONTINGENCY	\$ 258,146.00	\$ 258,146.00	
Sub Total of Value Engineering			
TOTAL ESTIMATE	\$ 12,912,250.00	\$ 12,004,006.00	

Attachment: Hogan Post Interview SOV - Pricing Proposal (1733 : Jonesboro City Center - General Contractor Selection)

**JONESBORO CITY CENTER PROJECT
SCHEDULE OF VALUES**

Cooper & Company General Contractors, Inc.

SCOPE OF WORK ITEMS	Price	Comments
GENERAL REQUIREMENTS		
1a. Supervision	\$139,460.00	
1b. Project Manager	\$73,800.00	
2. Construction Facilities & Temporary Utilities	\$50,516.00	
3. Progress Cleaning	\$15,000.00	
4. Final Cleaning	\$14,457.00	
5. Construction Waste	\$32,000.00	
6. Payment & Performance Bonds	\$78,050.00	
7. Permits & Licenses	\$62,260.00	
8. Plans	\$1,600.00	
9. Safety	\$3,500.00	
10. Temporary Roads	\$18,000.00	
11. Photo Documentation	\$11,200.00	
12. Scheduling	\$500.00	
13. Small Tools	\$5,000.00	
14. Equipment	\$15,000.00	
DEMOLITION		
1. Structures	\$79,360.00	
2. Site	\$56,000.00	
SITE WORK		
1. Traffic Control	\$5,000.00	
2. Clearing & Grubbing	Incl.	Included in Site Demo
3. Testing	\$39,200.00	
4. Erosion Control	\$45,000.00	
5. Grading	\$214,000.00	
6. Sanitary Sewer	\$46,000.00	
7. Storm Drainage	\$305,800.00	Including Roof Drains
8. Domestic Water	\$137,000.00	
9. Fire Water	Incl.	Included in Dom Water
10. Vault Structures	Incl.	Included in Dom Water
11. Connections	\$3,625.00	Irrigation Meter (CCWA No Other Charges)
12. Curb & Gutter	\$61,726.00	
13. Concrete Stairs	\$41,520.00	
14. Concrete Retaining Walls	\$204,607.00	
15. Concrete Sidewalks	\$114,157.00	
16. Concrete Paving	\$4,160.00	
17. Asphalt Paving	\$200,000.00	
18. ADA	\$3,200.00	
19. Handrails	Incl.	See Metals
20. Signage	\$5,200.00	
21. Markings	\$4,100.00	
22. Temporary Drainage	\$8,000.00	
23. Tree Safety	\$2,000.00	
24a. Landscape Trees & Plants	\$86,676.00	
24b. Bermuda SOD	\$21,964.00	
25. Irrigation	\$11,360.00	
26. Lighting	\$49,000.00	Refence C-3 For 9 Ea Street Lights
27. Harvesting Pecan Tress	\$20,000.00	Allowance

Attachment: Revised Cooper Co Schedule of Values for Jonesboro City Center (1733 : Jonesboro City Center - General Contractor Selection)

28. Fencing	\$67,000.00	Includes Gate Operators
29. Decorative Brick Pavers	\$11,000.00	Along South Sidewalk per drawing C-1
30. Survey & As-Builts	\$15,000.00	

CONCRETE

1. Foundation Repair & Slabs	\$306,305.00	
2. Foundation Reinforcement	\$14,325.00	
3. Termite Treatment	\$1,950.00	
4. Precast Wall Panels	\$1,166,550.00	

MASONRY

1. Brick Masonry	\$15,000.00	Assumed Brick Only at Dumpsters
2. CMU	\$97,837.00	
3. Stone Walls at Amphitheater	\$61,866.00	18" and 20" Seating Walls per C-1

METALS

1. Light Gauge Metal Stud Framing	Incl	Included In Gypsum Board
2. Heavy Gauge Metal Stud Framing	Incl	Included In Gypsum Board
3. Structural Steel Framing	\$980,000.00	Streamlined Cost
4. Ladders	Incl	Included in Structural Steel Framing
5. Railings	Incl	Included in Structural Steel Framing
6. Stairs	Incl	Included in Structural Steel Framing
7. Bollards	Incl	Included in Structural Steel Framing
8. Other - Specify Subcategories	N/A	

WOOD & PLASTICS

1. Rough Carpentry	\$25,000.00	
2. Trusses, etc.	N/A	
3. Millwork & Trim	Incl	Included in Cabinets
4. Cabinets	\$118,000.00	
5. Solid Surface	Incl	Included in Cabinets
6. Countertops	Incl	Included in Cabinets
7. Other - Specify Subcategories		

THERMAL & MOISTURE PROTECTION

1. Insulation	\$37,440.00	Rigid Behind Precast Walls
2. Roofing	\$271,220.00	
3. Roof Accessories	Incl	Included in Roofing
4. Siding - Fiber Cement Siding at Precast Inset	\$59,303.00	Inset areas per wall sections
5. Metal Flashing & Trim	Incl	Included in Roofing
6. Weatherproofing	\$100,750.00	Waterproofing & Air Barriers
7. Caulking	\$44,550.00	

DOORS & WINDOWS

1. Metal Doors & Frames	\$46,682.00	
2. Wood Doors & Frames	\$47,494.00	
3. Door Hardware	\$102,738.00	
4. Specialty Door Hardware	Incl	Included in Door Hardware
5. Storefront	Incl	Included in Glass & Glazing
6. Glass & Glazing	\$460,000.00	
7. Overhead & Specialty Doors	\$20,000.00	
8. Other - Specify Subcategories	N/A	

FINISHES

1. Gypsum Board Assemblies	\$809,250.00	
2. Acoustical Ceilings	Incl	Included in Gypsum Board Assemblies
3. Stucco	N/A	

4. Tile	\$80,800.00	
5. Carpet	\$60,040.00	
6. Sealed Concrete	\$6,000.00	
7. Specialty Flooring - Entrance Mat	\$3,000.00	
8. Base	\$58,725.00	Includes Base, LVT Flooring & VCT Flooring
9. Painting – Interior	\$72,000.00	
10. Painting – Exterior	Incl	Included in Interior Paint
11. Terrazzo	\$113,120.00	Includes Terrazzo Stair Treads & Landing
12. Epoxy Floor	\$5,235.00	
SPECIALITIES & EQUIPMENT		
1. Toilet Accessories	\$13,200.00	
2. Toilet Partitions	\$13,800.00	
3. Canopies	\$45,000.00	
4. Signage	\$45,000.00	Utilize Allowance For This Line Item
5. Kitchen Equipment	\$15,000.00	Residential Type Equipment
6. Special Equipment - Window Louvers	\$42,368.00	"ML-1" per elevation drawings
7. Fire Extinguishers	\$2,920.00	
8. Lockers	\$12,705.00	Men & Womens Locker (Rms 191 & 192)
9. Evidence Lockers	\$15,000.00	Evidence Lobby Room 188.1
10. Clocks	\$10,000.00	Per Elevation drawings
11. Flagpoles	\$5,000.00	Assumed 1 each flagpole
12. Visual Display Boards	\$10,000.00	Assumed MB & TB at select rooms
SPECIAL CONSTRUCTION		
1. Fire Suppression Sprinkler Systems	\$74,959.00	
2. Detection & Alarms	\$37,609.00	Fire Alarm System
3. Access Control	\$117,456.00	CCTV, Intusion System & Access Control
4. Cameras	Incl	Included in Access Control
5. Audio/Visual	\$192,873.00	
6. Detention Equipment	\$50,000.00	Holding Cell Accessories, Hardware, Glass
7. Security Rated Sealants	\$18,500.00	At security locations (holding cells, interview)
8. Window Treatments	\$10,000.00	Manual Shades at exterior office windows
9. Elevator	\$84,790.00	
MECHANICAL		
1. Plumbing	\$290,000.00	
2. Kitchen Plumbing Rough-in & Connection	Incl	Included in Plumbing
3. Grease Traps	Incl	Included in Plumbing
4. HVAC	\$682,000.00	
5. Other - Specify Subcategories	N/A	
ELECTRICAL		
1. Electrical	\$816,650.00	
2. Kitchen Electrical Rough-in & Connection	Incl	Included In Electrical Price
3. Low Voltage	Incl	RI Included In Electrical Price
4. Communication & Data	\$93,965.00	
5. Lightning Protection System	\$17,200.00	
GENERATOR		
1. Generator System	\$74,965.00	Includes Fuel For Start-Up Only
TAXES & INSURANCE (BUILDER'S RISK, etc.)	\$20,376.00	
OVERHEAD & PROFIT	\$571,009.00	
CONTINGENCY	\$547,477.00	Five Percent Contingency Utilized
TOTAL ESTIMATE	\$11,497,000.00	

Alternates

1. Add Cross Access Drive	\$192,159.00	Per Small Scale Drawing on C-1
2. Add Retaining Wall North of Police Parking	\$47,215.00	Per Design Narrative
3. Add ERRC System	\$54,749.00	
4. Add Site Bollard Lights	\$31,969.00	16 each proposed
5. Add Site Ground Flood Lights	\$31,235.00	22 each proposed
6. Add 25' Parking Lot Pole Lights	\$92,200.00	18 each proposed Including Concrete Bases
7. Add Site Step Lights	\$51,099.00	48 each proposed
8. Add Flagpole Lights	\$6,938.00	4 each proposed at ground level
9. Planning & Review Fee	\$27,500.00	This cost is in addition to Building Permit
10. Utilize 4' Ornamental Fence at Ret Wall in lieu of 4' black vinyl chain link fence	\$17,424.00	

Value Engineering

1. Utilize Aluminum Feeders In Lieu of Copper	-\$10,000.00	
2. Utilize Brick In Lieu of Precast Wall Panels	-\$435,000.00	Using moderately priced brick.
3. Eliminate Clock Tower Portion of Building	-\$90,000.00	The clock can be placed elsewhere on building
4. Eliminate fiber cement board niche at top of walls	-\$60,000.00	
5. Utilize Vertical Picket Rails in lieu of ornamental	-\$50,000.00	Change horiz cable & st steel rails



CITY CENTER AT THE CITY OF JONESBORO SMITH STREET JONESBORO, GA 30236

GENERAL NOTES

Legend table with symbols for materials like concrete, masonry, insulation, etc.

ABBREVIATIONS

Table of abbreviations for materials and construction terms, including AC, AD, AL, etc.

- 1. DO NOT SCALE DRAWINGS... 2. UNLESS NOTED OTHERWISE... 3. UNLESS NOTED OTHERWISE... 4. UNLESS NOTED OTHERWISE... 5. UNLESS NOTED OTHERWISE... 6. UNLESS NOTED OTHERWISE... 7. UNLESS NOTED OTHERWISE... 8. UNLESS NOTED OTHERWISE... 9. UNLESS NOTED OTHERWISE... 10. UNLESS NOTED OTHERWISE... 11. UNLESS NOTED OTHERWISE... 12. UNLESS NOTED OTHERWISE... 13. UNLESS NOTED OTHERWISE... 14. UNLESS NOTED OTHERWISE... 15. UNLESS NOTED OTHERWISE... 16. UNLESS NOTED OTHERWISE... 17. UNLESS NOTED OTHERWISE... 18. UNLESS NOTED OTHERWISE... 19. UNLESS NOTED OTHERWISE... 20. UNLESS NOTED OTHERWISE... 21. UNLESS NOTED OTHERWISE... 22. UNLESS NOTED OTHERWISE... 23. UNLESS NOTED OTHERWISE... 24. UNLESS NOTED OTHERWISE... 25. UNLESS NOTED OTHERWISE... 26. UNLESS NOTED OTHERWISE... 27. UNLESS NOTED OTHERWISE... 28. UNLESS NOTED OTHERWISE... 29. UNLESS NOTED OTHERWISE... 30. UNLESS NOTED OTHERWISE... 31. UNLESS NOTED OTHERWISE... 32. UNLESS NOTED OTHERWISE... 33. UNLESS NOTED OTHERWISE... 34. UNLESS NOTED OTHERWISE... 35. UNLESS NOTED OTHERWISE... 36. UNLESS NOTED OTHERWISE... 37. UNLESS NOTED OTHERWISE... 38. UNLESS NOTED OTHERWISE... 39. UNLESS NOTED OTHERWISE... 40. UNLESS NOTED OTHERWISE... 41. UNLESS NOTED OTHERWISE... 42. UNLESS NOTED OTHERWISE... 43. UNLESS NOTED OTHERWISE... 44. UNLESS NOTED OTHERWISE... 45. UNLESS NOTED OTHERWISE... 46. UNLESS NOTED OTHERWISE... 47. UNLESS NOTED OTHERWISE... 48. UNLESS NOTED OTHERWISE... 49. UNLESS NOTED OTHERWISE... 50. UNLESS NOTED OTHERWISE...



PROJECT DIRECTORY

Project directory listing architects (NELSON, FORESITE, SHEAR), structural engineers (SHEAR), and mechanical/electrical/plumbing engineers (CONWAY & OWEN).

REVISION LOG



NELSC 5200 AVALON BLVD. ALPHARETTA, GA 30009 Phone: (770) 239-4900 www.nelsc.com



CITY OF JONESBORO 124 NORTH AVENUE JONESBORO, GA 30236

Project Number: 1733 Date: 10/11/11

Drawn By: [Name] Checked By: [Name]

Scale: [Scale]

Sheet: [Sheet]

Revision: [Revision]

Attachment: CityCenter (1733 : Jonesboro City Center - General Contractor Selection)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

12.2

- 2

COUNCIL MEETING DATE

October 12, 2020

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

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

Council to consider approval of mid-year Budget Amendments.

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

Budget Amendments Require Boards Approval

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

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.)

Sandra Meyers, Finance Officer has prepared the attached mid-year budget amendments.

Budget Amendment Changes

General Fund Revenue line items that have increased:

Property Tax Collection that includes public utilities

Motor Vehicle TAVT Tax

Alcohol Beverage Excise Tax

Received CDBG Grants – Broad Street – Still awaiting funds in the amount of \$159,595

Received the Cares Act – Applied to PD Salaries

Admin Budget

Increase in Professional Service \$46,00

Contract Services decreased \$65,770

Supplies increased \$4,150

Intergovernmental Services basically decreased \$17,000- the other \$650,000 has offsetting revenues

Debt service increase – payment was originally estimated during budget process

Court Services

Decrease of \$1,700

Training and Travel cancelled during COVID

Police Department

Decreased overall by \$262,573 mainly due to the staffing level

Public Works

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 12, 2020

09/14/20

City Council

TABLED

Next: 10/12/20

Signature

City Clerk's Office

Increase of \$443,110 due to CDBG

Code Enforcement

Increase \$910 due to Vehicle Lease amount

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.)*

- 2020 General Fund Budget Amendments - October - FINAL
- Mid-Year Budget Amendments - Sandra (original presentation)
- 2020 General Fund Budget Amendments 091220 (original presentation)

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

A

	A	B	C	E	F
1	General Fund Revenue				
2					
3	Acct#	Account Name	2020 Budget	Amended 2020	YTD September
4	31.1000	General Property Taxes			
5	31.1100	Real Property - Current Year	311,000.00	\$325,193.00	319,629.54
6	31.1110	Public Utility	13,000.00	17,900.00	17,973.17
7	31.1200	Real Property Prior Years	0.00	0.00	
8	12.1300	Personal Propert -Current	40,000.00	59,000.00	58,593.09
9	31.1310	Motor Vehicle	11,000.00	4,000.00	3,569.71
10	31.1315	TAVT Tax	70,000.00	110,000.00	106,411.19
11	31.1390	Tax Sales - Other	0.00	0	
12	31.1400	Personal Property Tax Prior Years	0.00	0.00	
13	31.1600	Real Estate Intangible	2,500.00	1,200.00	1,073.75
14	31.1610	Recording Transfer Tax	500.00	500.00	478.81
15	31.1710	ElectricFranchise	244,083.00	244,083.00	244,083.44
16	31.1730	Gas Franchise	20,000.00	22,000.00	20,621.97
17	31.1750	Television Cable	40,000.00	40,000.00	23,526.45
18	31.1760	Telephone Franchise	30,000.00	30,000.00	25,198.59
19	31.3100	Local Option Sales & Use Taxes	1,500,000.00	1,500,000.00	921,638.27
20	31.3190	Vacant Property Fees	130.00	150.00	150.00
21	31.4200	Alcoholic Beverage Excise Tax	85,000.00	100,000.00	86,317.18
22	31.4301	Alcohol Beverage Tax	40,000.00	16,000.00	15,981.04
23	31.6100	Business License Occupation Tax	325,000.00	354,000.00	352,408.32
24	31.6200	Insurance Premium	350,000.00	360,000.00	0.00
25	31.6300	Financial Institution Tax	45,000.00	48,972.00	48,972.90
26	31.9110	Real Property	\$1,000.00	2,502.00	2,502.57
27	31.9120	Personal Property-	100.00	300.00	285.78
28	31.9500	FiFa	100.00	100.00	0.00
29	31.9600	Fee For Tax Advertising	500.00	500.00	0.00
30	32.1101	Alcohol Application Fee	2,500.00	500.00	500.00
31	32.1102	Alcohol Background Check Fee	1,000.00	1,000.00	990.00
32	32.1103	Alcohol Indentification Fee	7,000.00	7,000.00	6,600.00
33	32.1110	Beer/Wine License	32,000.00	27,150.00	27,150.00
34	32.1130	Alcohol Pouring License Fee	21,000.00	23,000.00	23,050.00
35	32.1140	Alcohol - Temp Consumption License	1,500.00	400.00	400.00
36	32.2210	Zoning and Land Use Fees	8,000.00	10,500.00	10,588.40
37	32.2230	Sign Permits	5000.00	6,000.00	5,560.00
38	32.3110	Certificate of Occupancy	7,000.00	3,000.00	2,625.00
39	32.3120	Building Permits	55,000.00	45,000.00	42,985.50
40	,226.	Plumbing Permit	1,500.00	8,000.00	7,276.00
41	32.3140	Electrical Permits	5,000.00	8,000.00	6,888.49
42	32.3150	Demolition Permit	200.00	600.00	600.00

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719) : Mid Year - Budget

	A	B	C	E	F
43	32.3160	Heating and Air Permits	3,000.00	7,500.00	7,078.25
44	32.3170	Certificate of Appropriateness	500.00	625.00	625.00
45	32.3201	Filming Fees	500.00	100.00	100.00
46	32.3900	Other	100.00	150.00	150.00
47	32.3901	Tree Removal Permit	0.00	100.00	100.00
48	32.3910	Yard Sales	\$200.00	100.00	85.00
49		Total of Tax, License & Fees	3,279,913.00	3,385,125.00	2,392,767.41
50					
51	33.4110	Cares Act 2020	\$0.00	259,749.00	259,749.22
52	33.4350	CDBG State Grant	500,000.00	957,136.00	797,540.80
53	33.0000	CDBG Grant- Small Business	\$0.00	200,000.00	0.00
54	33.4352	CDBG Grant-	0.00	200,000.00	0.00
55		Total Intergovernmental	500,000.00	1,616,885.00	1,057,290.02
56					
57	34.1120	Probation Fees	900,000.00	367,000.00	258,126.45
58	34.1910	Election Qualifying Fee	0.00		
59	34.1930	Plan Review Fees	11,000.00	25,000.00	25,016.25
60	34.2120	Accident Reports - Misc Other	16,000.00	9,000.00	8,760.06
61	34.2902	DEA Overtime Reimbursement	17,500.00	34,000.00	33,842.10
62	34.5410	Parking Fee (A T & T)	14,400.00	14,400.00	9,150.00
63	34.6910	Sale of Cemetery Lots	3,000.00	3,200.00	3,200.00
64	34.6920	Bural Fees	500.00	500.00	350.00
65	34.9300	Return Check Fee	100.00	100.00	0
66	34.9500	Convenience Fee	\$1,000.00	1,200.00	1,142.00
67		Charge For Services	963,500.00	454,400.00	339,586.86
68					
69	35.1170	Municipal Court Fee	500,000.00	417,000.00	285,515.77
70		Total Fines & Forfeitures			
71		Investment Income			
72	36.1020	Interest Revenues-Cemetery	100.00	0.00	0.00
73	36.1030	Interest Ga. One Fund	15,000.00	6,000.00	4,692.79
74	36.1050	Interest Revenues-Payroll	30.00	0.00	0.00
75	36.1070	Interest Revenues-General Fund	12,000.00	5,500.00	5,052.02
76	36.1080	Interest Revenues-Municipal	300.00	0.00	0.00
77	38.1090	Interest Revenue- Firehouse Museum	0.00	0.00	0.00
78		Total Investment Income	27,430.00	11,500.00	9,744.81
79					
80	37.1025	Concert Sponsors	40,000.00	0.00	0.00
81	37.1025	Contributions to Veteran Markers	200.00	115.00	115.00
82	37.1027	Contribution Frm CCWA	0.00	250,000.00	250,000.00
83		Total Contributions & Donations	40,200.00	250,115.00	250,115.00
84					

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget

	A	B	C	E	F
85					
86		Miscellaneous Revenue			
87	38.1010	Park Pavillion Rental	2,010.00	1,000.00	740.00
88	38.1011	Lee Street Park Rental	13,000.00	3,000.00	2,725.00
89	38.1020	Fire Station Rental	74,000.00	74,000.00	74,000.00
90	38.1030	Event Vendors	10,000.00	0.00	0.00
91	38.1100	Rental Property (Cloud Street)	9,000.00	9,000.00	6,750.00
92	38.2001	Disposal Fees	1,500.00	1,000.00	950.00
93	38.2003	Golf Cart Fee	200.00	200.00	87.50
94	38.3100	Re-imbusement Damage Property	10,000.00	13,632.00	13,632.53
95	38.9000	Miscellaneous Revenue	2,000.00	2,300.00	2,240.28
96	38.9100	Transfer of Reserves	0.00	0.00	0.00
97	38.9300	Towing Fees	\$24,000.00	15,000.00	11,400.00
98	38.9500	Transfer For Ga. One Account	0.00	0.00	
99		Total Miscellaneous Revenue	145,710.00	119,132.00	112,525.31
100		Revenue - Capital Projects			
101	39.2100	Sale of Assets	195,000.00	195,000.00	0.00
102	39.3200	Capital Lease (GMA Revenue)	\$0.00	0.00	
103					
104		Othe Financing Sources	\$195,000.00	\$195,000.00	\$0.00
105					
106		Total Revenues	5,651,753.00	6,449,157.00	4,447,545.18
107					

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget

	A	B	C	E	G
1	Dept 1500	Administration Department			
2					
3	Acct#	Account Name	2020 Budget	Amended 2020	YTD September
4	51.1000	Personal Services - Salaries & Wages			
5	51.1100	Regular Employees	414,000.00	414,000.00	300,218.9
6	51.1300	Overtime	6,000.00	3,000.00	1,758.5
7	51.2000				
8	51.2100	Group Insurance	79,500.00	79,500.00	64,666.5
9	51.2200	Social Security (FICA) Contributions	24,500.00	24,500.00	16,673.5
10	51.2300	Medicare	5,900.00	5,900.00	3,904.4
11	51.2400	Retirement Contributions	30,000.00	30,000.00	30,000.0
12	51.2600	Unemployment Insurance	1,000.00	1,000.00	769.3
13	51.2700	Worker's Compensation	8,000.00	8,000.00	4,425.0
14					
15	Total Personal Services and Employee Benefits		568,900.00	565,900.00	422,416.4
16					
17	52.1000	Purchased Professional & Tech Services			
18	52.1200	Professional			
19	52.1210	Legal Expense	70,000.00	100,000.00	83,749.2
20	52.1220	Audit	45,000.00	38,000.00	38,000.0
21	52.1230	Engineering & Planning	38,000.00	10,000.00	3,582.0
22	52.1240	Inspections	10,000.00	60,000.00	48,862.3
23	52.1290	Other Professional Services	30,000.00	30,000.00	38,731.9
24	52.1300	IT Services	32,300.00	32,300.00	23,902.6
25	52.1310	Payroll Processing	16,000.00	16,000.00	10,738.3
26	52.1320	Bank Fees for Credit Cards	2,000.00	3,000.00	2,047.9
27	52.1330	Software Support	17,000.00	17,000.00	16,030.2
28	Total Professional Services		260,300.00	306,300.00	265,644.7
29					
30	52.2200				
31	52.2250	Pest Control	1,800.00	1,800.00	670.0
32	52.2300				
33	52.2310	Rental of Land	3,100.00	4,800.00	4,778.1
34	52.2321	City Events	64,000.00	10,000.00	2,483.1
35					
36	52.2330	Rental of Copiers/Maintenance	8,000.00	10,000.00	7,964.8
37	52.3000				
38	52.3100	Insurance, other than employee benefits	50,470.00	52,000.00	51,897.0
39	52.3200				
40	52.3210	Telephone	5,000.00	5,000.00	1,501.6
41	52.3211	Telephone Firehouse Museum	0.00	0.00	
42	52.3230	Cellular Phones	3,500.00	3,500.00	3,489.5
43	52.3260	Postage	4,000.00	5,000.00	3,205.0
44	52.3290	Other	0.00	0.00	
45	52.3300	Advertising			
46	52.3310	Legal Notices	5,000.00	6,000.00	4,870.0
47	52.3330	Advertising	15,000.00	10,000.00	2,863.1
48	52.3400	Printing & Binding			
49	52.3410	Elections	0.00	0.00	0.0
50	52.3420	Newletter	0.00	0.00	0.0
51	52.3500	Travel	6,000.00	3,000.00	1,271.1
52	52.3600	Dues and Fees	12,000.00	10,000.00	7,550.0
53	52.3700	Education & Training	8,000.00	3,000.00	1,633.0
54	52.3701	Wellness Program	1,000.00	1,000.00	0.0

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	E	G
55	52.3851	Poll Workers	0.00	0.00	0.0
56	52.3905	Special Events	14,000.00	10,000.00	2,114.1
57	Total Purchased/Contracted Services		200,870.00	135,100.00	96,290.7
58					
59	53.1000	Supplies			
60	53.1100	General Supplies & Material			
61	53.1110	Office and Building Supplies	15,000.00	18,000.00	14,081.9
62	53.1111	Supplies for Firehouse Museum	0.00	150.00	148.7
63	53.1150	Supplies for Neighborhood Watch	0.00	0.00	0.0
64	53.1171	Building Manintenance	5,000.00	7,000.00	4,990.0
65	53.1200				
66	53.1210	Water/Sewerage	1,000.00	1,000.00	529.7
67	53.1211	Water/Sewerage Firehouse Museum	0.00	0.00	0.0
68	53.1212	Water/Sewerage Cloud Street	700.00	700.00	-48.0
69	53.1220	Natural Gas	3,500.00	3,500.00	1,332.2
70	53.1230	Electricity	6,000.00	5,000.00	3,786.4
71	53.1231	Electricity Firehouse Museum	0.00	1,000.00	
72	53.1232	Natural Gas Firehouse Museum	0.00	500.00	75.7
73					
74	53.1610	Computer Equip/Maint (less than \$5000)	8,000.00	8,000.00	3,939.4
75	53.1620	Furniture/Fixtures	1,000.00	0.00	0.0
76	53.1620	Beautification Commission	2,500.00	2,000.00	292.4
77	53.1700	Other Supplies/Lee St Park	0.00	0.00	0.0
78	Total Supplies/Energy/Small Equipment		42,700.00	46,850.00	29,128.7
79	54.1101	Property Purchased - Taxes	0.00	1,000.00	0.0
80	54.1300	Property Purchased	0.00	0.00	0.0
81	54.2301	Furniture/Fixtures	0.00	0.00	0.0
82	54.2200	Vehicle Purchase	0.00	0.00	0.0
83		Total Capital Outlay		1,000.00	0.0
84		Intergovernmental			
85					
86	57.2100	Payments to Downtown Develop. Authority	10,000.00	10,000.00	10,000.0
87	57.2200	Small Business Grant - CDBG	0.00	200,000.00	190,500.0
88	57.2300	CDBG Grant	0.00	200,000.00	0.0
89	57.3100	Georgia One Fund -	0.00	250,000.00	0.0
90	57.4001	Returned Checks	500.00	500.00	111.9
91	57.9000	Contingencies	25,000.00	18,000.00	0.0
92	57.9100	Tuition Reimbursement	10,000.00	0.00	0.0
93	Total		45,500.00	678,500.00	200,611.9
94					
95	58.1000	Debt Service Principal			
96	58.1200	Capital Lease - Principle			
97	58.1212	Vehicle Lease Enterprise	8,700.00	10,677.00	10,676.3
98	58.1301	Lee Street Park URD payment	0.00	0.00	
99	58.2301	Interest Lee Street Park URD	0.00	0.00	
100	Total Debt Service		8,700.00	10,677.00	10,676.3
101					
102	Total Expenditures		\$1,126,970.00	1,744,627.00	\$1,024,768.9

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	E	G
1	Dept 2500	Court Services			
2					
3	Acct#	Account Name	2020 Budget	Amended 2020	YTD September
4	51.1000	Personal Services - Salaries & Wages			
5	51.1100	Regular Employees	65,000.00	65,000.00	48,694.8
6	51.2100	Group Insurance	0.00	0.00	
7	51.2200	Social Security (FICA) Contributions	4,000.00	4,000.00	2,990.3
8	51.2300	Medicare	100.00	950.00	700.1
9	51.2400	Retirement Contributions			
10	Total Personal Services and Employee Benefits		69,100.00	69,950.00	52,385.4
11					
12	52.1000	Purchased Professional & Tech Services			
13	52.1200	Professional			
14	52.1290	Judge Salary	40,114.00	40,114.00	25,524.8
15	52.1291	Solicitor Salary	34,813.00	34,813.00	20,435.9
16	52.1320	Court Reporter/Interpreter	2,000.00	2,000.00	945
17	Total Professional Services		76,927.00	76,927.00	46,905.9
18					
19					
20	52.3310	Legal Notices	200.00	0.00	0.0
21	52.3500	Travel	750.00	0.00	0.0
22	52.3600	Dues and Fees	750.00	450.00	450.0
23	52.3700	Education & Training	400.00	0.00	0.0
24	Total Services		2,100.00	450.00	450.0
25					
26	53.1100	Office Supplies	1,900.00	1,000.00	789.9
27	53.1610	Computer Equipment	1,000.00	1,000.00	0.0
28	Total Budget		151,027.00	149,327.00	100,531.3

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	E	G
1	Dept 3200	Police Dept.			
2					
3	Acct#	Account Name	2020 Budget	Amended 2020	YTD September
4	51.1000	Personal Services - Salaries & Wages			
5	51.1100	Regular Employees	1,550,000.00	1,407,357.00	1,033,102.2
6	51.1300	Overtime	25,000.00	28,000.00	25,516.8
7	51.1310	Overtime (DEA)	17,500.00	25,000.00	23,478.1
8	51.2000				
9	51.2100	Group Insurance	401,000.00	300,000.00	240,665.9
10	51.2200	Social Security (FICA) Contributions	112,000.00	100,000.00	65,462.1
11	51.2300	Medicare	26,000.00	21,000.00	15,314.8
12	51.2400	Retirement Contributions	62,000.00	62,000.00	62,000.0
13	51.2600	Unemployment Insurance	3,000.00	3,000.00	2,142.3
14	51.2700	Worker's Compensation	54,000.00	54,000.00	44,652.8
15	Total Personal Services and Employee Benefits		2,250,500.00	2,000,357.00	1,512,335.4
16					
17	52.1000	Purchased Professional & Tech Services			
18	52.1200	Professional			
19	52.1330	Software Support	22,000.00	22,000.00	14,370.9
20	52.1340	Drug Testing	5,000.00	1,000.00	678.8
21	52.1350	Background Investigation(s)	4,000.00	4,000.00	3,272.3
22	52.2000	Purchased-Property Services			
23	52.2200	Repairs & Maintenance			
24	52.2230	Computer	1,000.00	1,000.00	0.0
25	52.2250	Pest Control	1,000.00	1,000.00	300.0
26	52.2300				
27	52.2330	Rental of copiers/maintenance	4,200.00	4,200.00	2,492.1
28	52.3000	Other Purchased Services			
29	52.3100	Insurance, other than employee benefits	80,000.00	81,800.00	81,751.0
30	52.3200	Communications			
31	52.3210	Telephone	6,000.00	6,000.00	2,990.6
32	52.3230	Cellular Telephones	15,000.00	20,000.00	15,028.0
33	52.3260	Postage	2,500.00	1,500.00	500.0
34	52.3310	Legal Notices	0.00	0.00	0.0
35	52.3500	Travel	5,000.00	\$0.00	0.0
36	52.3600	Dues and Fees	3,000.00	1,000.00	380.3
37	52.3700	Education & Training	3,000.00	1,000.00	535.0
38	Total Purchased/Contracted Services		151,700.00	\$144,500.00	\$122,298.8
39					
40	53.1000	Supplies			
41	53.1110	Office and Building Supplies	18,320.00	18,320.00	10,196.6
42	53.1120	Inmates Lunches	16,800.00	450.00	412.4
43	53.1130	Uniforms	13,000.00	13,000.00	9,293.9
44	53.1140	Vehicles/Equipment Parts	25,000.00	25,000.00	21,447.1
45	53.1141	Equipment Parts	4,000.00	4,000.00	3,200.2
46	53.1151	Community Outreach	3,000.00	0.00	0.0
47	53.1171	Building Maintenance	10,000.00	10,000.00	731.0
48	Total Supplies		90,120.00	70,770.00	45,280.8
49					
50	53.1200	Energy			
51	53.1210	Water/Sewerage	2,000.00	3,000.00	2,319.2
52	53.1220	Natural Gas	3,000.00	3,000.00	1,591.8
53	53.1230	Electricity	16,000.00	16,000.00	14,402.4
54	53.1270	Gasoline/Diesel	64,300.00	64,300.00	22,529.8

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	E	G
55	Total Energy		85,300.00	86,300.00	40,843.5
56					
57		Small Equipment			
58	53.1610	Computer Equip/Maint (less than \$5000)	5,000.00	5,000.00	1,308.6
59	53.1620	Furniture & Fixtures (less than \$5000)	2,000.00	0.00	0.0
60	53.1690	Other Small Equipment (less than \$5000)	20,000.00	20,000.00	5,520.0
61	Total Small Equipment		27,000.00	25,000.00	6,828.6
62					
63	54.1000	Property			
64	54.1200	Site Improvements	1,000.00	1,000.00	0.0
65	54.2000	Equipment	2,000.00	2,000.00	0.0
66	54.2200	Capital Outlay Vehicle	0.00	0.00	0.0
67	54.2201	Vehicle Equipment	0.00	0.00	0.0
68	54.2400	Computers	15,000.00	15,000.00	8,804.0
69	54.2410	Hardware	48,002.00	48,002.00	17,546.9
70	Total Capital Outlay		66,002.00	66,002.00	26,350.9
71					
72	58.1000	Principal			
73	58.1200				
74	58.1210	Lease - Machinery			
75	58.1220	Lease Vehicles - Enterprise	70,000.00	70,000.00	23,247.6
76	58.2220	Other Debt -Vehicle Interest	1,979.00	1,979.00	1,979.0
77	58.1230	Lease Vehicles - GMA	24,112.00	24,112.00	24,110.9
78					
79					
80	Total Debt Service		96,091.00	96,091.00	49,337.5
81					
82	Total Expenditures		2,751,593.00	2,489,020.00	1,803,275.6

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	E	G
1	Dept 4100	Public Works			
2					
3	Acct#	Account Name	2020 Budget	Amended 2020	YTD September
4	51.1000	Personal Services - Salaries & Wages			
5	51.1100	Regular Employees	335,737.00	335,737.00	233,435.00
6	51.1300	Overtime	10,000.00	2,000.00	941.00
7	51.2000				*
8	51.2100	Group Insurance	107,700.00	107,700.00	77,447.00
9	51.2200	Social Security (FICA) Contributions	21,435.00	21,435.00	13,831.00
10	51.2300	Medicare	5,013.00	5,013.00	3,234.00
11	51.2400	Retirement Contributions	28,754.00	28,754.00	28,754.00
12	51.2600	Unemployment Insurance	1,000.00	1,000.00	576.00
13	51.2700	Worker's Compensation	23,613.00	23,613.00	17,487.00
14	Total Personal Services and Employee Benefits		453,437.00	525,252.00	375,707.00
15				1	
16	52.1000	Purchased Professional & Tech Services			
17	52.1200	Professional			
18	52.1300	Technical			
19	52.2000	Purchased-Property Services			
20	52.2100	Cleaning Services			
21	52.2100	Disposal	9,000.00	9,000.00	6,991.00
22	52.2160	Tree Removal	7,000.00	7,000.00	3,607.00
23	52.2200				
24	52.2210	Street Maintenance	5,000.00	2,000.00	480.00
25	52.3000				
26	52.3100	Insurance, other than employees	35,000.00	35,000.00	35,000.00
27	52.3200				
28	52.3210	Telephone & Internet	1,400.00	1,400.00	698.00
29	52.3230	Cellular Phones	1,400.00	1,400.00	744.00
30	52.3500	Travel	1,000.00	0.00	0.00
31	52.3600	Dues and Fees	0.00	0.00	0.00
32	52.3700	Education & Training	1,300.00	0.00	0.00
33	Total Purchased/Contracted Services		57,400.00	55,800.00	47,522.00
34					
35	53.1000	Supplies			
36	53.1100	General Supplies & Materials			
37	53.1110	Office	1,000.00	1,000.00	170.00
38	53.1111	Tools	1,500.00	1,500.00	150.00
39	53.1130	Uniforms	5,000.00	5,000.00	2,331.00
40	53.1140	Vehicle/Equipment Parts	16,500.00	16,500.00	8,045.00
41	53.1141	Equipment Parts	6,000.00	6,000.00	4,162.00
42	53.1142	Safety Equipment	2,000.00	2,000.00	238.00
43	53.1143	Signs & Banners	15,000.00	15,000.00	1,538.00
44	53.1144	Christmas Supplies	5,000.00	5,000.00	0.00
45	53.1150	Landscapping	6,000.00	6,000.00	4,849.00
46	53.1160	Park Supplies	7,500.00	7,500.00	3,525.00
47	53.1171	Building Improvements	5,000.00	5,000.00	1,287.00
48	53.1180	Cemetery Equipment	0.00	0.00	0.00
49	53.1190	Other Supplies	12,500.00	12,500.00	2,896.00
50	53.1200	Energy			
51	53.1210	Water/Sewerage	7,500.00	9,000.00	8,011.00
52	53.1220	Natural Gas	4,500.00	4,500.00	2,762.00
53	53.1230	Electricity	9,000.00	9,000.00	5,675.00
54	53.1231	Street Lights-Signals-etc	119,700.00	120,000.00	100,781.00
55	53.1270	Gasoline/Diesel	10,000.00	10,000.00	5,885.00
56	53.1600	Small Equipment			
57	53.1610	Computer Equip/Maint (Less than \$5000)	0.00	1,500.00	0.00

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	E	G
58	53.1690	Other Small Equipment (Less than \$5000)	3,500.00	3,500.00	231.4
59	Total Supplies		233,700.00	240,500.00	152,545.4
60					
61	54.1000	Property			
62	54.1101	CDBG Engineering Fees	0.00	0.00	0.0
63	54.1200	Site Improvements	0.00	731,880.00	731,879.9
64	54.1401	Infrastructure (Curb-cuts)	0.00	0.00	0.0
65	54.1405	CDBG Other Direct Expense	500,000.00	221,230.00	221,226.7
66	54.2102	Cemetery Equipment	0.00	0.00	
67	Total Capital Outlay		500,000.00	953,110.00	953,106.4
68					
69	57.1000	Intergovernmental			
70	57.2000	Payments to Other Agencies			
71					
72	Total Other Cost			0.00	0.0
73					
74		Debt Service			
75	58.1000	Principal			
76	58.1200	Capital Lease - Principle			
77	58.1210	Lease - Machinery	0.00	0	0.0
78	58.1220	Lease - Vehicles	6,160.00	6,160.00	6,157.4
79	58.2000	Interest	765.00	765.00	765.0
80	Total Debt Service		6,925.00	6,925.00	6,922.4
81					
82	Total Expenditures		\$1,338,477.00	\$1,781,587.00	\$1,535,804.4

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	E	F	H	I
1	DEPT 1300 City Council		Approved 2020	Amended 2020	YTD September	
2	Account Number					
3	51.1100	Salaries	74,000.00	74,000.00	55,380.00	
4	51.2200	Social Security	4,588.00	4,588.00	3,437.28	
5	51.2300	Medicare	1,073.00	1,073.00	804.15	
6		Personnel Services	79,661.00	79,661.00	59,621.43	0.00
7						
8	52.3420	Newsletter	15,000.00	15,000.00	6,137.77	
9	52.3500	Travel Mayor Day	2,500.00	2,500.00	79.18	
10	52.3501	Travel D Sartor	2,000.00	2,000.00	570.05	
11	52.3502	Travel T. Messick	2,000.00	2,000.00	378.00	
12	52.3503	Travel B Lester	2,000.00	2,000.00	121.81	
13	52.3504	Travel N Powell	2,000.00	2,000.00	0.00	
14	52.3505	Travel P Sebo-Hand	2,000.00	2,000.00	0.00	
15	52.3506	Travel E Wise	2,000.00	2,000.00	0.00	
16	52.3600	Dues & Fees	3,000.00	3,000.00	3,387.44	
17	52.3700	Mayor - Training	2,500.00	2,500.00	0.00	
18	52.3701	D Sartor Training	2,500.00	2,500.00	0.00	
19	52.3702	T Messick Training	2,500.00	2,500.00	0.00	
20	52.3703	B Lester- Training	2,500.00	2,500.00	0.00	
21	52.3704	B Powell -Training	2,500.00	2,500.00	0.00	
22	52.3705	P Sebo-Hand Training	2,500.00	2,500.00	0.00	
23	52.3706	W Wise- Training	2,500.00	2,500.00	0.00	
24		Contract Services	50,000.00	50,000.00	10,674.25	0.00
25						
26	53.1110	Office Supplies	2,000.00	2,000.00	700.69	
27	53.1111	Misc Supplies	2,000.00	2,000.00	20.00	
28	53.1130	Uniforms	600.00	600.00	0.00	
29	53.2000	Special Initiative Lester	250.00	250.00	0.00	
30	53.2001	Special Initiative Messick	250.00	250.00	250.00	Applied to Ms. Sartor
31	53.2002	Special Initiative Powell	250.00	250.00	0.00	
32	53.2003	Special Initiative Sartor	250.00	250.00	1,001.91	
33	53.2004	Special Initiative Sebo-Ha	250.00	250.00	250.00	Applied to Ms Sartor
34	53.2005	Special Initiative Wise	250.00	250.00	250.00	Used by Ms. Sartor
35		Total Supplies	6,100.00	6,100.00	2,472.60	0.00
36						
37		Total Mayor & Council	135,761.00	135,761.00	72,768.28	0.00

	A	B	C	E	G	H
1	Dept 7450	Code Enforcement				
2						
3	Acct#	Account Name	2020 Budget	Amended 2020	YTD September	
4	51.1000	Personal Services - Salaries & Wages				
5	51.1100	Regular Employees	87,000.00	87,000.00	59,180.00	
6	51.2100	Group Insurance	26,000.00	26,000.00	19,096.15	
7	51.2200	Social Security (FICA) Contributions	5,355.00	5,355.00	3,859.60	
8	51.2300	Medicare	1,300.00	1,300.00	902.65	
9	51.2400	Retirement Contributions	3,000.00	3,000.00	3,000.00	
10	51.2700	Workers Compensation	4,000.00	4,000.00	885.42	
11	Total Personal Services and Employee Benefits		\$126,655.00	\$126,655.00	\$86,923.82	\$0.00
12						
13		Services				
14	52.2200	Repairs & Demolitions	2,500.00	1,500.00	0.00	
15	52.3260	Cellular Telephone	1,920.00	1,920.00	1084.02	
16	52.3500	Travel	1,000.00	1,000.00	945.20	
17	52.3600	Dues and Fees	550.00	550.00	0.00	
18	52.3700	Education & Training	1,000.00	1,000.00	475.00	
19	Total Services		\$6,970.00	\$5,970.00	\$2,504.22	\$0.00
20						
21	53.1130	Uniforms	1,000.00	1,000.00	98.00	
22	53.1131	Computer & Equipment	4,800.00	4,800.00	4,402.00	
23	53.1140	Vehicle/Equipment Parts	0.00	1,000.00	558.79	
24	53.1270	Gasoline	3,000.00	3,000.00	1,491.93	
25	58.1200	Vehicle Lease - Purchase	5,500.00	6,410.00	6,402.13	
26			\$14,300.00	\$16,210.00	\$12,952.85	\$0.00
27						
28	Total Budget		\$139,125.00	\$148,835.00	\$102,380.89	\$0.00

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget Amendments)

	A	B	C	D	E
1		Solid Waste Revenue			
2					
3	Acct#	Account Name	2020 Approved	Amended 2020	YTD August 2020
4		Sanitation Revenues			
5	34.4110	Refuse Collection Fees	193,919.00		
6	34.4190	Return Cart Fee	0.00		
7		Transfer From Reserves	0.00		
8					
9					
10	Total Personal Services and Employee Benefits		193,919.00	0.00	0.00

Attachment: 2020 General Fund Budget Amendments - October - FINAL (1719 : Mid Year - Budget

	A	B	C	D	E
1	Dept 1500	Solid Waste			
2					
3	Acct#	Account Name	2020 Approved	Amended 2020	YTD August2020
4	51.1000	Personal Services - Salaries & Wages			
5	51.1100	Regular Employees	53,015.00		
6	51.2200	Social Security (FICA) Contributions	3,286.00		
7	51.2300	Medicare	768.00		
8	51.2400	Retirement Contribution	1,000.00		
9	51.2700	Workers Compensation	11,000.00		
10	Total Personal Services and Employee Benefits		69,069.00	0.00	0.00
11					
12		Other Costs			
13	52.2110	Disposal Landfill Fees	90,000.00		
14	52.3100	Insurance (NonBenefit)	9,000.00		
15	53.1100	Supplies/Materials	6,355.00		
16	53.1130	Uniforms	650.00		
17	53.1140	Vehicle/Equipment Parts	13,845.00		
18	53.1270	Gasoline	5,000.00		
19	54.2200	Vehicle Purchase	0.00		
20	Total Other Costs		124,850.00	0.00	0.00
21					
22	Total Budget		69,069.00	0.00	0.00

**CITY OF JONESBORO
FY 2020 BUDGET AMENDMENT**

Amendment Number
—

DEPARTMENT: Public Works Budget Amendment - CDBG **DATE:** 08/31/20
FUND: 100

Revenues	Account Number	Account Name	Original Budget	Amended Budget	Net Change
100	33.4350	CDBG State Grant	\$500,000.00	\$953,106.00	\$453,106.00
					\$453,106.00

Expense	Account Number	Account Name	Original Budget	Amended Budget	Total Change
4100	54.1200	Site Improvements	\$0.00	\$731,879.00	\$731,879.00
4100	54.1405	CDBG Other Direct Expense	\$500,000.00	\$221,227.00	\$278,773.00
					\$453,106.00

Revenues	Account Number	Account Name	Original Budget	Amended Budget	Net Change
					\$0.00

Revenues	Account Number	Account Name	Original Budget	Amended Budget	Net Change
					\$0.00

JUSTIFICATION: Fund amounts increased with CDBG-Broad Street Project

Department Director: Ricky L. Clark, Jr. Date:	City Manager Recommend Approval: Yes / No Date:	Mayor Yes / No	City Council Meeting Date: Action: Staff:
--	---	-----------------------	--

--------------	--------------

Attachment: Mid-Year Budget Amendments - Sandra (original presentation) (1719 : Mid Year - Budget

**CITY OF JONESBORO
FY 2020 BUDGET AMENDMENT**

Amendment Number

DEPARTMENT: Mayor & Council
FUND: 100

DATE: 08/31/20

BUDGET AMENDMENT

Dept.	Account Number	Account Name	Original Budget	Amended Budget	Net Change	Remaining Budget
1300	53.2001	Special Initiatives-Messick	\$250.00	\$0.00		\$0.00
1300	53.2004	Special Initiatives- Sebo-Hand	\$250.00	\$0.00		\$0.00
TOTAL						
			\$500.00	\$0.00		\$0.00

TRANSFER TO:

Dept.	Account Number	Account Name	Original Budget	Amended Budget	Expenses to Date	Current Balance	Amended Balance
1300	53.2003	Special Initiatives - Sartor	\$250.00	\$750.00	\$673.35	-\$269.34	\$76.65
			\$250.00		\$673.35	-\$269.34	

JUSTIFICATION:

Department Director: Ricky L. Clark, Jr. Date:	City Clerk Recommend Approval: Yes / No Date:	Mayor Recommend Approval: Yes / No Date:	City Council Meeting Date: _____ Action: _____ City Clerk: _____
--	---	--	---

Attachment: Mid-Year Budget Amendments - Sandra (original presentation) (1719 : Mid Year - Budget

**CITY OF JONESBORO
FY 2020 BUDGET AMENDMENT**

Amendment Number _____

DEPARTMENT: Code Enforcement
FUND: 100

DATE: 08/31/20

BUDGET AMENDMENT RECOMMENDATION

Dept.	Account Number	Account Name	Original Budget	Amended Budget	Net Change Budget	Remaining Budget		
7450	52.2200	Repairs & Demolitions	\$2,500.00	\$1,500.00	\$1,000.00	\$1,500.00		
TOTAL								

TRANSFER TO:

Dept.	Account Number	Account Name	Transfer Amount	Original Budget	Amended Budget	Expenses to Date	Current Balance	Amended Balance
7450	53.1140	Vehicle/Equipment	\$1,000.00	\$0.00	\$1,000.00	\$558.79	-\$558.79	\$441.21
				\$0.00		\$558.79	-\$558.79	

JUSTIFICATION: To cover cost on equipment on truck purchased during 2020

Department Director: Date:	City Clerk Recommend Approval: Yes / No Date:	Mayor Recommend Approval: Yes / No Date:	City Council Meeting Date: _____ Action: _____ City Clerk: _____
-----------------------------------	---	--	--

Attachment: Mid-Year Budget Amendments - Sandra (original presentation) (1719 : Mid Year - Budget

**CITY OF JONESBORO
FY 2020 REVENUE BUDGET AMENDMENT**

Amendment Number _____

DEPARTMENT: _____ General Fund Revenue/Expense
FUND: 100+

DATE: _____ 08/31/20

Dept.	Account Number	Account Name	Original Budget	Amended Budget	Net Change			
0.0000	33.4110	Cares Act-Covid 19	\$0.00	\$259,749.00	\$259,749.00			
		Contribution From CCWA	\$0.00	\$250,000.00	\$250,000.00			
TOTAL								

Dept.	Account Number	Account Name	Original Budget	Amended Budget	Net Change			
3200	51.1100	Salaries - Police Department	1,550,000.00	\$1,809,749.00	\$259,749.00			
100	11.1122	Georgia One Fund	\$0.00	\$250,000.00	\$250,000.00			
						\$0.00	\$0.00	

JUSTIFICATION: Amendment to the General Fund Budget for the funds received through the Cares Act - Covid 19. The funds received from the Clayton County Water Authority will be transferred to the Georgia One Fund Account.

Department Director:	City Clerk	Mayor	City Council
Date:	Recommend Approval: Yes / No Date:	Recommend Approval: Yes / No Date:	Meeting Date: _____ Action: _____ City Clerk:

Attachment: Mid-Year Budget Amendments - Sandra (original presentation) (1719 : Mid Year - Budget

**CITY OF JONESBORO
FY 2020 BUDGET AMENDMENT**

Amendment Number

DEPARTMENT: General Fund Revenue/Expenses
FUND: 100

DATE: 08/31/20

Budget Amendment Revenue

Dept.	Account Number	Account Name	Transfer Amount	Original Budget	Amended Budget	Expenses to Date	Current Balance	Amended Balance
	33.4351	CDBG Special Grant		\$0.00	\$200,000.00	\$0.00		\$200,000.0
	33.5352	CDBG Small Business Grant		\$0.00	\$200,000.00	\$0.00		\$200,000.0
TOTAL								

Budget Amendment Expense

Dept.	Account Number	Account Name	Transfer Amount	Original Budget	Amended Budget	Expenses to Date	Current Balance	Amended Balance
1500	63.1100	Special Grant - CDBG	\$0.00	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.0
1500	63.1210	Small Business Grant	\$0.00	\$0.00	\$200,000.00	\$0.00	\$0.00	\$200,000.0

JUSTIFICATION: This budget amendment allows for the recently acquired CDBG Funds to be amended to the General Fund Budget as a revenue and expense.

Department Director:	City Clerk	Mayor	City Council
Date:	Recommend Approval: Yes / No Date:	Recommend Approval: Yes / No Date:	Meeting Date: _____ Action: _____ City Clerk:

Attachment: Mid-Year Budget Amendments - Sandra (original presentation) (1719 : Mid Year - Budget

	A	B	C	E	F
1	General Fund Revenue				
2					
3	Acct#	Account Name	2020 Budget	Amended 2020	
4	31.1000	General Property Taxes			
5	31.1100	Real Property - Current Year	311,000.00	\$400,900.00	
6	31.1110	Public Utility	13,000.00	17,900.00	
7	31.1200	Real Property Prior Years	0.00	0.00	
8	12.1300	Personal Propert -Current	40,000.00	59,000.00	
9	31.1310	Motor Vehicle	11,000.00	4,000.00	
10	31.1315	TAVT Tax	70,000.00	110,000.00	
11	31.1390	Tax Sales - Other	0.00	0	
12	31.1400	Personal Property Tax Prior Years	0.00	0.00	
13	31.1600	Real Estate Intangible	2,500.00	1,500.00	
14	31.1610	Recording Transfer Tax	500.00	500.00	
15	31.1710	ElectricFranchise	244,083.00	244,083.00	*
16	31.1730	Gas Franchise	20,000.00	20,000.00	*
17	31.1750	Television Cable	40,000.00	40,000.00	*
18	31.1760	Telephone Franchise	30,000.00	30,000.00	*
19	31.3100	Local Option Sales & Use Taxes	1,500,000.00	1,500,000.00	*
20	31.3190	Vacant Property Fees	130.00	130.00	*
21	31.4200	Alcoholic Beverage Excise Tax	85,000.00	85,000.00	*
22	31.4301	Alcohol Beverage Tax	40,000.00	40,000.00	*
23	31.6100	Business License Occupation Tax	325,000.00	350,000.00	
24	31.6200	Insurance Premium	350,000.00	350,000.00	
25	31.6300	Financial Institution Tax	45,000.00	48,000.00	
26	31.9110	Real Property	\$1,000.00	2,000.00	
27	31.9120	Personal Property-	100.00	300.00	
28	31.9500	FiFa	100.00	100.00	*
29	31.9600	Fee For Tax Advertising	500.00	500.00	*
30	32.1101	Alcohol Application Fee	2,500.00	500.00	
31	32.1102	Alcohol Background Check Fee	1,000.00	1,000.00	*
32	32.1103	Alcohol Identification Fee	7,000.00	7,000.00	*
33	32.1110	Beer/Wine License	32,000.00	27,000.00	
34	32.1130	Alcohol Pouring License Fee	21,000.00	23,000.00	
35	32.1140	Alcohol - Temp Consumption License	1,500.00	0.00	
36	32.2210	Zoning and Land Use Fees	8,000.00	9,000.00	
37	32.2230	Sign Permits	5000.00	6,000.00	
38	32.3110	Certificate of Occupancy	7,000.00	5,000.00	
39	32.3120	Building Permits	55,000.00	55,000.00	*
40	32.3130	Plumbing Permits	1,500.00	8,000.00	
41	32.3140	Electrical Permits	5,000.00	7,000.00	
42	32.3150	Demolition Permit	200.00	400.00	
43	32.3160	Heating and Air Permits	3,000.00	7,000.00	
44	32.3170	Certificate of Appropriateness	500.00	500.00	*
45	32.3201	Filming Fees	500.00	0.00	
46	32.3900	Other	100.00	100.00	*
47	32.3910	Yard Sales	\$200.00	100.00	
48		Total of Tax, License & Fees	3,279,913.00	3,460,513.00	
49					
50	33.4110	Cares Act 2020	\$0.00	259,747.00	
51	33.4350	CDBG State Grant	500,000.00	797,540.00	
52	33.0000	CDBG Grant- Small Business	\$0.00	200,000.00	
53			0.00		
54		Total Intergovernmental	500,000.00	1,257,287.00	
55					
56	34.1120	Probation Fees	900,000.00	200,000.00	

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

	A	B	C	E	F
57	34.1910	Election Qualifying Fee	0.00	0.00	
58	34.1930	Plan Review Fees	11,000.00	23,000.00	
59	34.2120	Accident Reports - Misc Other	16,000.00	10,000.00	
60	34.2902	DEA Overtime Reimbursement	17,500.00	27,000.00	
61	34.4110	Refuse Collection Charge	0.00	0.00	
62	34.5410	Parking Fee (A T & T)	14,400.00	14,400.00	*
63	34.6910	Sale of Cemetery Lots	3,000.00	3,000.00	*
64	34.6920	Bural Fees	\$500.00	300.00	
65	34.9300	Return Check Fee	100.00	100.00	*
66	34.9500	Convenience Fee	\$1,000.00	1,000.00	*
67		Charge For Services	63,500.00	78,800.00	
68					
69	35.1170	Municipal Court Fee	500,000.00	700,000.00	
70		Total Fines & Forfeitures			
71		Investment Income			
72	36.1020	Interest Revenues-Cemetery	100.00	0.00	
73	36.1030	Interest Ga. One Fund	15,000.00	10,000.00	
74	36.1050	Interest Revenues-Payroll	30.00	0.00	
75	36.1070	Interest Revenues-General Fund	12,000.00	5,100.00	
76	36.1080	Interest Revenues-Municipal	300.00	0.00	
77	38.1090	Interest Revenue- Firehouse Museum	\$0.00	0	
78		Total Investment Income	27,430.00	15,100.00	
79					
80	37.1025	Concert Sponsors	40,000.00	0.00	
81	37.1025	Contributions to Veteran Markers	200.00	100.00	
82		Contribution Frm CCWA	0.00	250,000.00	
83		Total Contributions & Donations	40,200.00	250,100.00	
84					
85					
86		Miscellaneous Revenue			
87	38.1010	Park Pavillion Rental	2,010.00	1,000.00	
88	38.1011	Lee Street Park Rental	13,000.00	2,000.00	
89	38.1020	Fire Station Rental	74,000.00	74,000.00	*
90	38.1030	Event Vendors	10,000.00	0.00	
91	38.1100	Rental Property (Cloud Street)	9,000.00	9,000.00	*
92	38.2001	Disposal Fees	1,500.00	1,000.00	
93	38.2003	Golf Cart Fee	200.00	200.00	*
94	38.3100	Re-imbusement Damage Property	10,000.00	13,000.00	
95	38.9000	Miscellaneous Revenue	2,000.00	2,000.00	*
96	38.9100	Transfer of Reserves	0.00	0.00	
97	38.9300	Towing Fees	\$24,000.00	15,000.00	
98	38.9500	Transfer For Ga. One Account	0.00	0.00	
99		Total Miscellaneous Revenue	145,710.00	117,200.00	
100		Revenue - Capital Projects			
101	39.2100	Sale of Assets	195,000.00	195,000.00	
102	39.3200	Capital Lease (GMA Revenue)	\$0.00	0.00	
103					
104		Othe Financing Sources	\$195,000.00	\$195,000.00	
105					
106		Total Revenues	5,651,753.00	6,274,000.00	
107					
108					
109		* Denotes No Change In Line Item			

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

Dept 1500 Administration Department

Acct#	Account Name	2020 Budget	Amended 2020
51.1000	Personal Services - Salaries & Wages		
51.1100	Regular Employees	414,000.00	414,000.00 *
51.1300	Overtime	6,000.00	2,000.00
51.2000			
51.2100	Group Insurance	79,500.00	79,500.00 *
51.2200	Social Security (FICA) Contributions	24,500.00	24,500.00 *
51.2300	Medicare	5,900.00	5,900.00 *
51.2400	Retirement Contributions	30,000.00	30,000.00 *
51.2600	Unemployment Insurance	1,000.00	1,000.00 *
51.2700	Worker's Compensation	8,000.00	8,000.00 *
Total Personal Services and Employee Benefits		568,900.00	564,900.00

52.1000	Purchased Professional & Tech Services		
52.1200	Professional		
52.1210	Legal Expense	70,000.00	90,000.00
52.1220	Audit	45,000.00	45,000.00 *
52.1230	Engineering & Planning	38,000.00	10,000.00
52.1240	Inspections	10,000.00	40,000.00
52.1290	Other Professional Services	30,000.00	30,000.00 *
52.1300	IT Services	32,300.00	32,300.00 *
52.1310	Payroll Processing	16,000.00	16,000.00 *
52.1320	Bank Fees for Credit Cards	2,000.00	3,000.00
52.1330	Software Support	17,000.00	17,000.00 *
Total Professional Services		260,300.00	283,300.00

52.2200			
52.2250	Pest Control	1,800.00	1,800.00 *
52.2300			
52.2310	Rental of Land	3,100.00	4,800.00

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

52.2321	City Events	64,000.00	10,000.00
52.2330	Rental of Copiers/Maintenance	8,000.00	8,000.00
52.3000			
52.3100	Insurance, other than employee benefits	50,470.00	52,000.00
52.3200			
52.3210	Telephone	5,000.00	5,000.00
52.3211	Telehone Firehouse Museum	0.00	0.00
52.3230	Cellular Phones	3,500.00	3,500.00
52.3260	Postage	4,000.00	5,000.00
52.3290	Other	0.00	0.00
52.3300	Advertising		
52.3310	Legal Notices	5,000.00	5,000.00
52.3330	Advertising	15,000.00	10,000.00
52.3400	Printing & Binding		
52.3410	Elections	0.00	0.00
52.3420	Newletter	0.00	0.00
52.3500	Travel	6,000.00	3,000.00
52.3600	Dues and Fees	12,000.00	10,000.00
52.3700	Education & Training	8,000.00	3,000.00
52.3701	Wellness Program	1,000.00	1,000.00
52.3851	Poll Workers	0.00	0.00
52.3905	Special Events	14,000.00	7,000.00
Total Purchased/Contracted Services		200,870.00	129,100.00
53.1000	Supplies		
53.1100	General Supplies & Material		
53.1110	Office and Building Supplies	15,000.00	17,000.00
53.1111	Supplies for Firehouse Museum	0.00	150.00
53.1150	Supplies for Neighborhood Watch	0.00	0
53.1171	Building Manintenance	5,000.00	5,000.00
53.1200			
53.1210	Water/Sewerage	1,000.00	1,000.00

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

53.1211	Water/Sewerage Firehouse Museum	0.00	0.00
53.1212	Water/Sewerage Cloud Street	700.00	1,000.00
53.1220	Natural Gas	3,500.00	3,500.00
53.1230	Electricity	6,000.00	5,000.00
53.1231	Electricity Firehouse Museum	0.00	1,000.00
53.1232	Natural Gas Firehouse Museum	0.00	500.00
53.1610 Computer Equip/Maint (less than \$5000)			
53.1620	Furniture/Fixtures	1,000.00	0.00
53.1620	Beautification Commission	2,500.00	2,000.00
53.1700	Other Supplies/Lee St Park	0.00	0.00
Total Supplies/Energy/Small Equipment		42,700.00	42,150.00
54.1101	Property Purchased - Taxes	0.00	1,000.00
54.1300	Property Purchased	0.00	0.00
54.2301	Furniture/Fixtures	0.00	0.00
54.2200	Vehicle Purchase	0.00	0.00
Total Capital Outlay			1,000.00
Intergovernmental			
57.2100	Payments to Downtown Develop. Authority	10,000.00	10,000.00
57.2200	Small Business Grant - CDBG	0.00	200,000.00
57.3100	Georgia One Fund -	0.00	250,000.00
57.4001	Returned Checks	500.00	101.00
57.9000	Contingencies	25,000.00	18,800.00
57.9100	Tuition Reimbursement	10,000.00	0.00
Total		45,500.00	478,801.00
58.1000	Debt Service Principal		
58.1200	Capital Lease - Principle		
58.1212	Vehicle Lease Enterprise	8,700.00	10,677.00
58.1230	Other Debt - Fire Station	0.00	0.00
58.1301	Lee Street Park URD payment	0.00	0.00

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

58.2301	Interest Lee Street Park URD	0.00	0
Total Debt Service		8,700.00	10,677.00
Total Expenditures		\$1,126,970.00	1,510,027.00

* Denotes No Change In Line Item

Dept 2500 Court Services

Acct#	Account Name	2020 Budget	Amended 2020
51.1000	Personal Services - Salaries & Wages		
51.1100	Regular Employees	65,000.00	65,000.00 *
51.2100	Group Insurance	0.00	0.00
51.2200	Social Security (FICA) Contributions	4,000.00	4,000.00 *
51.2300	Medicare	100.00	950.00
51.2400	Retirement Contributions		
Total Personal Services and Employee Benefits		69,100.00	69,950.00
52.1000	Purchased Professional & Tech Services		
52.1200	Professional		
52.1290	Judge Salary	40,114.00	40,114.00 *
52.1291	Solicitor Salary	34,813.00	34,813.00 *
52.1320	Court Reporter/Interpreter	2,000.00	2,000.00 *
Total Professional Services		76,927.00	76,927.00
52.3310	Legal Notices	200.00	0.00
52.3500	Travel	750.00	0.00
52.3600	Dues and Fees	750.00	0.00
52.3700	Education & Training	400.00	0.00
Total Services		2,100.00	0.00
53.1100	Office Supplies	1,900.00	1,000.00
53.1610	Computer Equipment	1,000.00	1,000.00
Total Budget		151,027.00	148,877.00

* Denotes No Change In Line Item

Dept 3200 Police Dept.

Acct#	Account Name	2020 Budget	Amended 2020
51.1000	Personal Services - Salaries & Wages		
51.1100	Regular Employees	1,550,000.00	1,407,357.00
51.1300	Overtime	25,000.00	25,000.00
51.1310	Overtime (DEA)	17,500.00	25,000.00
51.2000			
51.2100	Group Insurance	401,000.00	281,000.00
51.2200	Social Security (FICA) Contributions	112,000.00	112,000.00
51.2300	Medicare	26,000.00	26,000.00 *
51.2400	Retirement Contributions	62,000.00	62,000.00 *
51.2600	Unemployment Insurance	3,000.00	3,000.00 *
51.2700	Worker's Compensation	54,000.00	54,000.00 *
Total Personal Services and Employee Benefits		2,250,500.00	1,995,357.00

52.1000	Purchased Professional & Tech Services		
52.1200	Professional		
52.1330	Software Support	22,000.00	22,000.00 *
52.1340	Drug Testing	5,000.00	1,000.00
52.1350	Background Investigation(s)	4,000.00	4,000.00 *
52.2000	Purchased-Property Services		
52.2200	Repairs & Maintenance		
52.2230	Computer	1,000.00	1,000.00 *
52.2250	Pest Control	1,000.00	1,000.00 *
52.2300			
52.2330	Rental of copiers/maintenance	4,200.00	4,200.00 *
52.3000	Other Purchased Services		
52.3100	Insurance, other than employee benefits	80,000.00	80,000.00 *
52.3200	Communications		
52.3210	Telephone	6,000.00	6,000.00 *
52.3230	Cellular Telephones	15,000.00	20,000.00
52.3260	Postage	2,500.00	1,500.00

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

52.3310	Legal Notices	0.00	0.00	*
52.3500	Travel	5,000.00	\$0.00	
52.3600	Dues and Fees	3,000.00	1,000.00	
52.3700	Education & Training	3,000.00	1,000.00	
Total Purchased/Contracted Services		\$151,700.00	\$142,700.00	

53.1000	Supplies			
53.1110	Office and Building Supplies	18,320.00	18,320.00	*
53.1120	Inmates Lunches	16,800.00	450.00	
53.1130	Uniforms	13,000.00	13,000.00	*
53.1140	Vehicles/Equipment Parts	25,000.00	25,000.00	*
53.1141	Equipment Parts	4,000.00	4,000.00	*
53.1151	Community Outreach	3,000.00	0.00	
53.1171	Building Maintenance	10,000.00	10,000.00	*
Total Supplies		90,120.00	70,770.00	

53.1200	Energy			
53.1210	Water/Sewerage	2,000.00	3,000.00	
53.1220	Natural Gas	3,000.00	3,000.00	*
53.1230	Electricity	16,000.00	16,000.00	*
53.1270	Gasoline/Diesel	64,300.00	64,300.00	*
Total Energy		85,300.00	86,300.00	

	Small Equipment			
53.1610	Computer Equip/Maint (less than \$5000)	5,000.00	5,000.00	*
53.1620	Furniture & Fixtures (less than \$5000)	2,000.00	0.00	
53.1690	Other Small Equipment (less than \$5000)	20,000.00	20,000.00	*
Total Small Equipment		27,000.00	25,000.00	

54.1000	Property			
54.1200	Site Improvements	1,000.00	0.00	
54.2000	Equipment	2,000.00	2,000.00	*
54.2200	Capital Outlay Vehicle	0.00	0.00	*

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

54.2201	Vehicle Equipment	0.00	0 *
54.2400	Computers	15,000.00	15,000.00 *
54.2410	Hardware	48,002.00	48,002.00 *
Total Capital Outlay		66,002.00	66,002.00

58.1000	Principal		
58.1200			
58.1210	Lease - Machinery		
58.1220	Lease Vehicles - Enterprise	70,000.00	70,000.00
58.2220	Other Debt -Vehicle Interest	1,979.00	1,979.00
58.1230	Lease Vehicles - GMA	24,112.00	24,112.00
Total Debt Service		96,091.00	96,091.00

Total Expenditures		2,751,593.00	2,482,220.00
---------------------------	--	---------------------	---------------------

* Denotes No Change In Line Item

Dept 4100 Public Works

Acct#	Account Name	2020 Budget	Amended 2020
51.1000	Personal Services - Salaries & Wages		
51.1100	Regular Employees	335,737.00	335,737.00 *
51.1300	Overtime	10,000.00	2,000.00
51.2000			
51.2100	Group Insurance	107,700.00	107,700.00 *
51.2200	Social Security (FICA) Contributions	21,435.00	21,435.00 *
51.2300	Medicare	5,013.00	5,013.00 *
51.2400	Retirement Contributions	28,754.00	28,754.00 *
51.2600	Unemployment Insurance	1,000.00	1,000.00 *
51.2700	Worker's Compensation	23,613.00	23,613.00 *
Total Personal Services and Employee Benefits		533,252.00	525,252.00

1

52.1000	Purchased Professional & Tech Services		
52.1200	Professional		
52.1300	Technical		
52.2000	Purchased-Property Services		
52.2100	Cleaning Services		
52.2100	Disposal	9,000.00	10,000.00
52.2160	Tree Removal	7,000.00	8,000.00
52.2200			
52.2210	Street Maintenance	5,000.00	5,000.00 *
52.3000			
52.3100	Insurance, other than employees	35,000.00	35,000.00 *
52.3200			
52.3210	Telephone & Internet	1,400.00	1,500.00
52.3230	Cellular Phones	1,400.00	1,500.00
52.3500	Travel	1,000.00	0.00
52.3600	Dues and Fees	0.00	0.00
52.3700	Education & Training	1,300.00	0.00
Total Purchased/Contracted Services		61,100.00	61,000.00

Attachment: 2020 General Fund Budget Amendments 091220 (original presentation) (1719 : Mid Year -

53.1000	Supplies		
53.1100	General Supplies & Materials		
53.1110	Office	1,000.00	1,000.00 *
53.1111	Tools	1,500.00	1,500.00 *
53.1130	Uniforms	5,000.00	5,000.00 *
53.1140	Vehicle/Equipment Parts	16,500.00	18,000.00
53.1141	Equipment Parts	6,000.00	7,000.00
53.1142	Safety Equipment	2,000.00	2,000.00 *
53.1143	Signs & Banners	15,000.00	15,000.00 *
53.1144	Christmas Supplies	5,000.00	5,000.00 *
53.1150	Landscapping	6,000.00	8,000.00
53.1160	Park Supplies	7,500.00	8,000.00
53.1171	Building Improvements	5,000.00	5,000.00 *
53.1180	Cemetery Equipment	0.00	0.00
53.1190	Other Supplies	12,500.00	12,500.00 *
53.1200	Energy		
53.1210	Water/Sewerage	7,500.00	10,000.00
53.1220	Natural Gas	4,500.00	5,000.00
53.1230	Electricity	9,000.00	9,000.00 *
53.1231	Street Lights-Signals-etc	119,700.00	205,000.00
53.1270	Gasoline/Diesel	10,000.00	10,000.00 *
53.1600	Small Equipment		
53.1610	Computer Equip/Maint (Less than \$5000)	0.00	
53.1690	Other Small Equipment (Less than \$5000)	3,500.00	3,500.00 *
Total Supplies		237,200.00	331,500.00

54.1000	Property		
54.1101	CDBG Engineering Fees	0.00	0.00
54.1200	Site Improvements	0.00	731,880.00
54.1401	Infrastructure (Curb-cuts)	0.00	0.00
54.1405	CDBG Other Direct Expense	500,000.00	221,230.00
54.2102	Cemetery Equipment	0.00	0.00

Total Capital Outlay		500,000.00	953,110.00
57.1000	Intergovernmental		
57.2000	Payments to Other Agencies		
Total Other Cost		0.00	0
Debt Service			
58.1000	Principal		
58.1200	Capital Lease - Principle		
58.1210	Lease - Machinery	0.00	0
58.1220	Lease - Vehicles	6,160.00	6,160.00 *
58.2000	Interest	765.00	765.00 *
Total Debt Service		6,925.00	6,925.00
Total Expenditures		\$1,338,477.00	1,877,787.00

* Denotes No Change in Line Item

	A	B	C	D	G	H
1			DEPT 1300 City Council		Approved 2020	Amended 2020
2			Account Number			
3			51.1100	Salaries	74,000.00	74,000.00
4			51.2200	Social Security	4,588.00	4,588.00
5			51.2300	Medicare	1,073.00	1,073.00
6				Personnel Services	79,661.00	79,661.00
7						
8			52.3420	Newsletter	15,000.00	15,000.00
9			52.3500	Travel Mayor Day	2,500.00	100.00
10			52.3501	Travel D Sartor	2,000.00	570.00
11			52.3502	Travel T. Messick	2,000.00	378.00
12			52.3503	Travel B Lester	2,000.00	121.00
13			52.3504	Travel N Powell	2,000.00	570.00
14			52.3505	Travel P Sebo-Hand	2,000.00	0.00
15			52.3506	Travel E Wise	2,000.00	0.00
16			52.3600	Dues & Fees	3,000.00	3,400.00
17			52.3700	Mayor - Training	3,500.00	0.00
18			52.3701	D Sartor Training	2,500.00	0.00
19			52.3702	T Messick Training	2,500.00	0.00
20			52.3703	B Lester- Training	2,500.00	0.00
21			52.3704	B Powell -Training	2,500.00	530.00
22			52.3705	P Sebo-Hand Training	2,500.00	0.00
23			52.3706	W Wise- Training	2,500.00	0.00
24				Contract Services	50,000.00	20,669.00
25						
26			53.1110	Office Supplies	2,000.00	2,000.00
27			53.1111	Misc Supplies	2,000.00	2,000.00
28			53.1130	Uniforms	600.00	0.00
29			53.2000	Special Initiative Lester	250.00	250.00
30			53.2001	Special Initiative Messick	250.00	250.00
31			53.2002	Special Initiative Powell	250.00	250.00
32			53.2003	Special Initiative Sartor	250.00	674.00
33			53.2004	Special Initiative Sebo-Ha	250.00	250.00

	A	B	C	D	G	H
34			53.2005	Special Initiative Wise	250.00	250.00
35				Total Supplies	6,100.00	5,924.00
36						
37				Total Mayor & Council	135,761.00	106,254.00

Dept 7450 Code Enforcement

Acct#	Account Name	2020 Budget	Amended 2020
51.1000	Personal Services - Salaries & Wages		
51.1100	Regular Employees	87,000.00	87,000.00 *
51.2100	Group Insurance	26,000.00	26,000.00 *
51.2200	Social Security (FICA) Contributions	5,355.00	5,355.00 *
51.2300	Medicare	1,300.00	1,300.00 *
51.2400	Retirement Contributions	3,000.00	3,000.00 *
51.2700	Workers Compensation	4,000.00	4,000.00 *
Total Personal Services and Employee Benefits		\$126,655.00	126,655.00
Services			
52.2200	Repairs & Demolitions	2,500.00	1,500.00
52.3260	Cellular Telephone	1,920.00	1,920.00 *
52.3500	Travel	1,000.00	1,000.00 *
52.3600	Dues and Fees	550.00	550.00 *
52.3700	Education & Training	1,000.00	1,000.00 *
Total Services		\$6,970.00	5,970.00
53.1130	Uniforms	1,000.00	1,000.00
53.1131	Computer & Equipment	4,800.00	4,800.00
53.1140	Vehicle/Equipment Parts	0.00	1,000.00
53.1270	Gasoline	3,000.00	3,000.00
58.1200	Vehicle Lease - Purchase	5,500.00	6,410.00
		\$14,300.00	\$16,210.00
Total Budget		\$147,925.00	\$148,835.00

* Denotes No Change In Line Item

Solid Waste Revenue

Acct#	Account Name	2020 Approved	Amended 2020	
	Sanitation Revenues			
34.4110	Refuse Collection Fees	193,919.00		
34.4190	Return Cart Fee	0.00	0	
	Transfer From Reserves	0.00		
Total Personal Services and Employee Benefits		193,919.00	\$0.00	

Dept 1500 Solid Waste

Acct#	Account Name	2020 Approved	Amended 2020	
51.1000	Personal Services - Salaries & Wages			
51.1100	Regular Employees	53,015.00		
51.2200	Social Security (FICA) Contributions	3,286.00		
51.2300	Medicare	768.00		
51.2400	Retirement Contribution	1,000.00		
51.2700	Workers Compensation	11,000.00		
Total Personal Services and Employee Benefits		69,069.00		

Other Costs				
52.2110	Disposal Landfill Fees	90,000.00		
52.3100	Insurance (NonBenefit)	9,000.00		
53.1100	Supplies/Materials	6,355.00		
53.1130	Uniforms	650.00		
53.1140	Vehicle/Equipment Parts	13,845.00		
53.1270	Gasoline	5,000.00		
54.2200	Vehicle Purchase	0.00		
Total Other Costs		124,850.00		

Total Budget		193,919.00		
---------------------	--	-------------------	--	--