

## **A G E N D A**

### **REGULAR MEETING OF MAYOR AND COUNCIL May 15, 2017**

6:00 P.M. Work Session

- Interim City Managers Report Chief Hobbs
- Discussion of 5<sup>th</sup> Annual Career Job Fair and granting usage of the Forest Park Gymnasium Rep. Stovall
- Discussion of Forest Park Library Services Roland Welmaker
- Discussion of Enterprise Bid for Police Vehicles Chief Hobbs
- Executive Session to discuss Personnel Issues

I. Call to Order – 6:10 p.m. Mayor Lockhart

II. Invocation

III. Pledge of Allegiance

IV. Roll Call

V. Comment Period

VI. Approval of Minutes

1. Work Session of Mayor and Council of May 1, 2017
2. Regular Meeting of Mayor and Council of May 1, 2017

VII. Agenda Items

1. An Ordinance by the City Council for the City of Forest Park, Georgia, to amend the 2016-2017 Operating Budget to appropriate funds to cover workers' compensation costs for the Support Services Department; to repeal all ordinances and parts of ordinances in conflict herewith; to provide an effective date; and for other purposes.

**BACKGROUND AND SUMMARY:** A budget amount is requested to cover additional Workers' Compensation claims incurred by the Support Services Department. The total amount of the costs could not be reasonably projected or budgeted prior to being incurred.

2. Selection of Voting Delegate at the Georgia Municipal Association Convention in Savannah June 23 – 27, 2017.

3. Consider an Ordinance to amend the Code of Ordinances, City of Forest Park, Georgia, by repealing, in its entirety, the current text in Chapter 14 ("Commercial Parking Lots") of Title 9 ("Licensing and Regulation") and enacting new regulations in lieu thereof; to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other lawful purposes.

**BACKGROUND AND SUMMARY:** The current ordinance contains definitions that are not clear, does not properly define what represents a "commercial parking lot" and contains other technically incorrect information. The proposed revision corrects and clarifies these definitions and technical information and further outlines the required application process for obtaining a Commercial Parking Lot Permit.

4. Consider an Ordinance to amend Article K ("Property Maintenance") of Chapter 2 ("Building Regulations and Code Enforcement") in Title 8 ("Planning and Development") of the Code of Ordinances, City of Forest Park, by revising Section 8-2-103 ("Definitions") and Section 8-2-104 ("Prohibited Conditions"); to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other lawful purposes.

**BACKGROUND AND SUMMARY:** The current ordinance requires driveways to be 760 Square feet or less for all properties and limits all households to four vehicles or less. Limiting driveways to a certain size regardless of the size/configuration of the lot is not a standard that will meet the needs of all citizens. Limiting all households to four vehicles or less is not a reasonable standard either. The proposed revision regulates the size of driveways commensurate with lot size and the allowable impervious surface and also removes the restrictions on the maximum amount of vehicles allowed.

VIII. Legal Matters

IX. Comments by Governing Body

X. Adjournment

## MINUTES

### WORK SESSION OF MAYOR AND COUNCIL OF MAY 1, 2017

Call to Order: The Work Session of Mayor and Council of May 1, 2017, was called to order by Mayor David Lockhart at 6:00 p.m.

Present: Mayor David Lockhart, Councilmembers Dabouze Antoine, Tommy Smith, Sandra Bagley, Latresa Wells and Allan Mears.

Also present were Chief Dwayne Hobbs, Interim City Manager; Mike Blandenburg, Director Finance; Jonathan Jones, Director PB & Z; Terry Allgood, Deputy Director Public Works; Angela Redding, Management Analyst; Christine Terrell, Director Support Services; Chief Eddie Buckholts, Fire; Darren Duke, Director Technology Services; Major Jamie Reynolds, Police Department, and City Attorney, Eugene Smith.

City Managers Report: Chief Hobbs stated that we are in the final stages of the budget and suggested one budget meeting be held between the governing body and the Directors.

Concerning the approval of minutes, Councilwoman Bagley stated that there is a typographical error on page 2 of the Work Session minutes under Freight Mobility Plan Grant. The word *dispersed* should be *disbursed*.

Agenda Items: *Public Hearing to receive comments with regard to a petition for rezoning of two parcels of property located at 4467 Hwy. 42 and 4443 Hwy. 42, Conley, GA, from the RS110SF Residential (Clayton County) to GZ Gillem District.*

Mayor Lockhart stated that the Public Hearing with respect to the Annexation of the property at Hwy. 42, due to the County's objection, our attorney is working with the Department of Community Affairs who will establish an arbitration panel. Our attorneys have asked us to table the hearing and the action on the annexation as it moves through arbitration.

*Mayor Lockhart stated that we just received a proposed Resolution with respect to the purchase of Chevy Tahoes for the Police Department.*

Councilwoman Wells made a motion to amend the agenda to discuss this proposed Resolution. Councilwoman Bagley seconded the motion. Motion carries unanimously.

*Resolution authorizing the Mayor to enter into a contract with Combined Services for restroom renovations of City Hall Council Chambers. No discussion.*

*Ordinance by the City Council for the City of Forest Park, Georgia, to amend the 2016-2017 Operating Budget to appropriate funds to cover workers' compensation costs for the Support Services Department.*

Ms. Terrell stated that Support Services has never had a line item for workers' compensation claims due to the fact that are so few employees in the department. Ms. Terrell stated that worker's compensation costs have always been covered by the City Hall line item budget and now due to the fact that there was an interdepartmental accident, we need to have a line item put in our Support Services budget.

Mayor Lockhart stated that the active part of the Ordinance reads awkwardly. Mayor Lockhart stated that the amount needs to be inserted and needs to read *in the amount of \$77,000, (Section 1 of Page 2).*

Legal Matters: None

Adjournment: Councilman Smith made a motion to adjourn the Work Session. Councilwoman Wells seconded the motion. Voting was unanimous.

## MINUTES

### REGULAR MEETING OF MAYOR AND COUNCIL OF MAY 1, 2017

Call to Order: The Regular Meeting of Mayor and Council of May 1, 2017, was called to order by Mayor David Lockhart at 6:10 p.m.

Invocation: The invocation was given followed by the Pledge of Allegiance to the American Flag.

Roll Call: Mayor David Lockhart, Councilmembers Dabouze Antoine, Tommy Smith, Sandra Bagley, Latresa Wells, and Allan Mears.

Also present were Chief Dwayne Hobbs, Interim City Manager; Mike Blandenburg, Director Finance; Jonathan Jones, Director PB & Z; Terry Allgood, Deputy Director Public Works; Angela Redding, Management Analyst; Christine Terrell, Director Support Services; Chief Eddie Buckholts, Fire; Darren Duke, Director Technology Services; Major Jamie Reynolds, Police Dept.; and City Attorney, Eugene Smith.

Comment Period: Carol Williams, New Pleasant Grove Baptist Church, Springdale Rd., Forest Park, discussed the problem of run off of water and what is the procedure to follow to resolve the problem.

Dianne Lunsford, 5585 Skyland Drive, discussed the city's South-side clean-up and the great job done by Public Works and Cindy Mears.

Approval of Minutes: Councilwoman Wells made a motion to accept and approve the minutes together of April 17, 2017, with the corrected typo *dispersed* to *disbursed*. Councilman Smith seconded the motion. Voting was unanimous.

Resolution: Resolution by the City Council of the City of Forest Park authorizing the City Manager to use SPLOST funding to purchase five (5) 2017 Chevy Tahoe Police Performance vehicles through Enterprise Fleet Management in the amount of \$160,200.95 for general police purposes; to provide an effective date; and for other purposes.

Councilwoman Wells made a motion to amend the agenda to add the proposed Resolution with respect to the purchase of Chevy Tahoes for discussion. Councilwoman Bagley seconded the motion. Motion carries unanimously.

Councilwoman Wells made a motion to adopt the Resolution authorizing the City Manager to use SPLOST funding to purchase five (5) vehicles through Enterprise Fleet Management. Councilman Smith seconded the motion. Motion carries unanimously.

Public Hearing and Annexation: Councilman Smith made a motion to table the Public Hearing and the Ordinance to annex and rezone certain properties. Councilwoman Wells seconded the motion. Motion carries unanimously.

Resolution: Resolution authorizing the Mayor to enter into a contract with Combined Services for restroom renovations of City Hall Council Chambers.

Councilman Smith made a motion to adopt the Resolution. Councilman Mears seconded the motion. Motion carries unanimously.

Ordinance: Ordinance by the City Council for the City of Forest Park, Georgia, to amend the 2016-2017 Operating Budget to appropriate funds to cover workers' compensation costs for the Support Services Department.

Councilwoman Bagley made a motion to approve the Ordinance with the corrected language on page 2, instead of *workers' compensation claims in the amount*, should read *in the amount of \$77,000*. Councilman Smith seconded the motion. Motion carries unanimously.

Legal Matters: None

Adjournment: Councilwoman Wells made a motion to adjourn. Seconded by Councilman Smith. Voting was unanimous.

**STATE OF GEORGIA**

**CITY OF FOREST PARK**

**ORDINANCE NO. 17 - \_\_\_\_\_**

**AN ORDINANCE BY THE CITY COUNCIL FOR THE CITY OF FOREST PARK, GEORGIA, TO AMEND THE 2016-2017 OPERATING BUDGET TO APPROPRIATE FUNDS TO COVER WORKERS' COMPENSATION COSTS FOR THE SUPPORT SERVICES DEPARTMENT; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 6.33 of the City Charter ("the City Charter") for the City of Forest Park, Georgia ("the City") provides that the City Council "shall by ordinance adopt the final operating budget" for the City for each fiscal year, and a final operating budget has been adopted for the current fiscal year; and

**WHEREAS**, Section 6.35 of the City Charter provides that the City Council "may make changes in the appropriations contained in the current operating budget" with the limitations provided for therein; and

**WHEREAS**, an amount is requested to be appropriated to the Workers' Compensation expense line item for the Support Services Department. The appropriation is needed to cover the total unexpected claim costs incurred by the Department; and

**WHEREAS**, the increase to the Workers' Compensation line item will require an appropriation to the operating budget in the amount of \$23,000.00.

**NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA, as follows:**

**Section 1.** The sum of \$23,000.00 is hereby appropriated from line item number 100-22-1510-57-9000, Reserve For Contingencies, to line item 100-25-1540-51-2702, Workers' Compensation Claims, for the 2016-2017 annual budget for the City of Forest Park, Georgia;

**Section 2.** That the changes to the ordinances set forth above shall not be included in the City of Forest Park Code of Ordinances.

**Section 3.** Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional for any reason by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which such portions shall remain in full force and effect.

**Section 4.** Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 5.** Effective Date. This Ordinance shall be in full force and effect immediately upon and after its final passage.

**SO ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF FOREST PARK, GEORGIA**

\_\_\_\_\_  
David Lockhart, Mayor

\_\_\_\_\_  
Dabouze Antoine  
Mayor Pro-tempore, Ward Two

\_\_\_\_\_  
Tommy Smith  
Councilmember, Ward One

\_\_\_\_\_  
Sandra Bagley  
Councilmember, Ward Three

\_\_\_\_\_  
Latresa Wells  
Councilmember, Ward Four

\_\_\_\_\_  
Allan Mears  
Councilmember, Ward Five

ATTEST:

\_\_\_\_\_  
City Clerk

(THE SEAL OF THE CITY OF  
FOREST PARK, GEORGIA)

Approved as to form:

\_\_\_\_\_  
City Attorney

# VOTING DELEGATE FORM

**Annual Membership Business Meeting  
2017 GMA Annual Convention**

**Sunday, June 25, 2017 – 3:15 pm  
Savannah International Trade and Convention Center  
Chatham Ballroom  
Savannah, Georgia**

City: \_\_\_\_\_

Voting Delegate: \_\_\_\_\_ Title: \_\_\_\_\_

Proxy \_\_\_\_\_ Title \_\_\_\_\_

*(Each member city may designate in writing an elected official from any other member city in the state to vote as their proxy at the membership business meeting. Often, cities designate the GMA President or one of the Vice Presidents as their proxy for the membership business meeting.)*

**Please return by June 2 to:**

**Georgia Municipal Association  
P.O. Box 105377  
Atlanta, Georgia 30348  
Attention: Donna Carrington**

**or scan and email to [dcarrington@gmanet.com](mailto:dcarrington@gmanet.com)**

**STATE OF GEORGIA**

**CITY OF FOREST PARK**

**ORDINANCE 17 - \_\_\_\_\_**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA BY REPEALING, IN ITS ENTIRETY, THE CURRENT TEXT IN CHAPTER 14 (“COMMERCIAL PARKING LOTS”) OF TITLE 9 (“LICENSING AND REGULATION”) AND ENACTING NEW REGULATIONS IN LIEU THEREOF; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

**WHEREAS**, the duly elected governing body of the City of Forest Park, Georgia (the “City”) is the Mayor and Council thereof; and

**WHEREAS**, the City previously adopted a comprehensive code governing the manner in which commercial parking lots are developed and operated within its municipal limits and setting the procedures and standards by which permits are obtained for such operation and use, said regulations presently being codified in Chapter 14 (“Commercial Parking Lots”) of Title 9 (“License and Regulation”) in the Code of Ordinances, City of Forest Park, Georgia (the “Code”); and

**WHEREAS**, the City desires to amend said regulations by repealing, in its entirety, the current text in Chapter 14 (“Commercial Parking Lots”) of Title 9 (“License and Regulation”) in the Code and by enacting new regulations to be contained in said Chapter; and

**WHEREAS**, the governing body of the City finds that the adoption of the regulations contained herein will promote the health, safety and general welfare of the citizens of the City.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA,** and by the authority thereof:

**Section 1.** The Code of Ordinances, City of Forest Park, Georgia is hereby amended by repealing, in its entirety, the text presently found in Chapter 14 (“Commercial Parking Lots”) of Title 9 (“License and Regulation”) in the Code of Ordinances, City of Forest Park, Georgia and inserting, in lieu thereof, the provisions set forth in Exhibit “A”, which is attached hereto and incorporated herein by reference.

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

**Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

**Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

**Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 6.** The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

**ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF FOREST PARK, GEORGIA,**

\_\_\_\_\_  
**David Lockhart**, Mayor

\_\_\_\_\_  
**Tommy Smith**  
Councilmember, Ward One

\_\_\_\_\_  
**Dabouze Antoine**  
Councilmember, Ward Two

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**Sandra Bagley**  
Councilmember, Ward Three

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**Latresa Wells**  
Councilmember, Ward Four

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**Allan Mears**  
Councilmember, Ward Five

**ATTEST:**

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**Mike Blandenburg**, City Clerk

**APPROVED BY:**

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**City Attorney**

## EXHIBIT A

### Title 9 – Licensing and Regulation

#### CHAPTER 14 – COMMERCIAL PARKING LOTS

##### Sec. 9-14-1. - Title.

This chapter shall be known as the "City of Forest Park Commercial Parking Lot Ordinance."

##### Sec. 9-14-2. - Purposes.

The regulation of the location, size, placement and certain features of Commercial Parking Lots is necessary to enable the public to utilize such facilities in the City of Forest Park without difficulty, confusion, or fear of one's safety, to improve the general attractiveness of the community, and to protect property and property values therein. Commercial Parking Lots are recognized as a development standard in keeping with other developmental standards such as uses permitted, building setbacks, minimum lot size, maximum lot coverage, minimum landscaping, etc. It is therefore the intention of the Governing Body for the City of Forest Park to establish regulations governing the location, size, placement, and features of Commercial Parking Lots that will:

- (1) Promote and protect the public health, safety, general welfare, and property values;
- (2) Enhance the economy, business and industry of the City of Forest Park by promoting safe, reasonable and orderly Commercial Parking Lots;
- (3) Restrict Commercial Parking Lots which do not provide for the safety of their patrons and their vehicles;
- (4) Promote Commercial Parking Lots which are compatible with their surroundings in terms of zoning, existing land use, and architectural guidelines;
- (5) Balance the rights of enterprises to engage in business and the right of the public to be protected against the unrestricted proliferation of Commercial Parking Lots;
- (6) Protect property values by minimizing the possible adverse effects and potential visual blight caused by Commercial Parking Lots; and
- (7) Ensure fair and consistent enforcement of Commercial Parking Lot regulations.

##### Sec. 9-14-3. - Compliance with chapter.

It shall be unlawful for any Person to own or operate any Commercial Parking Lot in the municipal limits of the City without complying with the provisions of this chapter.

##### Sec. 9-14-4. - Definitions.

Except as specifically defined herein, all words used in this chapter shall have their customary dictionary definition, and shall be interpreted within the context of the sentence, section, and article in which they occur. Words used in the singular include the plural and words used in the plural include the singular. Words used in the present tense include the future tense as the context may require. Words used in the future tense include the present tense as the context requires. For purposes of this chapter, the following words or terms shall be defined as follows:

*Attendant* means a person on duty at any Commercial Parking Lot employed by or an agent of the owner or operator thereof.

*Building* includes the word “structure” and means any structure of every kind regardless of its similarity to a building.

*Commercial Parking Lot* means any facility for the parking of motorized vehicles, for which service or facility the operator charges a fee.

*Commercial Parking Lot Reservoir* means an area located immediately inside the facility entrance and is to be used for the temporary storage of entering vehicles when the arrival rate exceeds the storage rate.

*Commercial Parking Lot Operator* means any person, association, corporation, partnership, joint venture, or any other business arrangement or joint venture who is the owner of or is responsible for the operation of a Commercial Parking Lot, notwithstanding whether such operator is in fact the legal owner of record of the premises itself.

*Department* means the City of Forest Park Department of Planning, Building and Zoning.

*Environmental Barriers* means such barricades, chains, walls, gates, wheel stops or other like structures around the perimeter of any Commercial Parking Lot as may be required to reasonably regulate and control the ingress to and egress from any such lot and to eliminate the encroachment of any vehicles parked on a Commercial Parking Lot onto or over adjacent properties, including sidewalks, streets, alleys, etc.

*Erected* includes the words “constructed”, “moved”, “located”, or “relocated.”

*Primary establishment(s)* refers to the business entity or entities whose parking lot is being shared during non-business hours, with a Commercial Parking Lot Operator for the purpose of shared-use paid parking operations.

*Self-parking* means the patron parks his/her own vehicle, retains the keys to the vehicle, and pays the attendant or drop box upon exiting the Commercial Parking Lot.

*Shared-use Lot* refers to the operation of a Commercial Parking Lot by an operator on property of which a portion is otherwise required of an establishment for the purpose of parking vehicles during that establishment's business hours.

*Special events* includes, but is not limited to, conventions, sporting events, concerts or any other event that generates a large volume of vehicles near the Commercial Parking Lot at times other than normal business hours.

*Ticket* means a distinctive piece of paper, which shall have printed thereon a ticket number and the full name, address, and contact number for the operator or owner of the Commercial Parking Lot.

*Use fee* means a fee paid by permit holders to operate as a Commercial Parking Lot.

*Valet parking* means the attendant parks the vehicle and retains the key to the vehicle. Payment may be rendered upon entrance to a Commercial Parking Lot or upon regaining the keys prior to exiting a Commercial Parking Lot.

Sec. 9-14-5. - Occupational tax certificate and commercial parking lot permit required.

It shall be unlawful for any Person to own or to operate or cause to be operated, any Commercial Parking Lot within the corporate limits of the City without first having obtained: (1) an occupational tax certificate as required by Title 9, Chapter 1, Sections 9-1-1 et seq. and Title 3, Chapter 3, Sections 3-3-1 et seq. of the City's Code of Ordinances; and (2) a Commercial Parking Lot permit as required by this chapter.

Sec. 9-14-6. - Required application.

Before any lot or building may be used for a Commercial Parking Lot, and before any Commercial Parking Lot may be expanded, the owner of the lot or building or the operator of the Commercial Parking Lot shall obtain a permit for that use or that expansion from the Department.

- (1) An application for a permit to operate, or to cause to be operated, a Commercial Parking Lot shall be made on a form or forms provided by the Department and shall contain the following information:
  - a. The street address and the tax parcel identification number of the parcel upon which the proposed Commercial Parking Lot is to be located;
  - b. The number of vehicular parking spaces the proposed Commercial Parking Lot would contain and the maximum number of vehicles that could be parked in the Commercial Parking Lot at one time;
  - c. A designation as to whether the use of the proposed Commercial Parking Lot would be solely for such purpose or whether the proposed Commercial Parking Lot would be operated as a Shared-use Lot;
  - d. If the proposed Commercial Parking Lot would be operated as a Shared-use Lot, the name, square footage, and business hours of the primary establishment(s); and
  - e. The name, address, and contact telephone number of the applicant.
- (2) Two (2) site plans shall be attached to the application form and filed with the Department. The plans shall be drawn to an engineer's scale such that the following information is readily identifiable:
  - a. The proposed location of the entrances and exits to the proposed Commercial Parking Lot;
  - b. The widths of access streets;
  - c. The capacity and location of any Commercial Parking Lot Reservoir to be located in the proposed Commercial Parking Lot;
  - d. Information showing the intended flow of traffic within the Commercial Parking Lot;
  - e. Information showing the size and location of each vehicular parking space and each aisle of parking spaces of the proposed Commercial Parking Lot;
  - f. If the proposed Commercial Parking Lot would be a structure or contain structures, the location, width, and general design of ramps or elevators to be used inside any such structure;
  - g. If the proposed Commercial Parking Lot would be operated as a Shared-use Lot, the location and the number of the vehicular parking spaces to be used during the primary establishment's business hours;
  - h. Any other information required to enable the City to make a fair and complete appraisal of the operation of the proposed parking facility; and
  - i. All landscaping features, which shall comprise a minimum of five (5) percent of the parking area.
- (3) If the proposed Commercial Parking Lot would contain multiple levels, the application shall include plans for such multiple levels showing:
  - i. The ramp or elevator design for each level;
  - ii. The intended flow of traffic for each level; and
  - iii. Information showing the size and location of each vehicular parking space and each aisle of parking spaces for each level.

- (4) A copy of (i) the duly recorded warranty deed for the parcel upon which the proposed Commercial Parking Lot is to be located if the applicant is the title holder of such parcel; or (ii) the lease agreement or management contract for the parcel upon which the proposed Commercial Parking Lot is to be located if the applicant is not the title holder of such parcel and any such lease agreement or management contract shall contain the current names, addresses, and phone numbers of the owner, leaseholder or property manager of said parcel.
- (5) A certified geological survey shall be attached to the application that demonstrates the proposed lot can be safely constructed for use as Commercial Parking Lot.

Sec. 9-14-7. - Required permit fee and use fee.

- (1) An applicant for a Commercial Parking Lot permit shall remit an application fee to the Department. No such application shall be deemed to be complete until the full amount of such application fee has been paid. This application fee shall consist of a fixed amount as set from time-to-time by the Governing Body.
- (2) The application fee shall be non-refundable if the permit is rejected by the Department or due to circumstances that are not under the control of the City. If the applicant chooses to re-apply for the permit, the applicant will have to pay another application fee.
- (3) A Commercial Parking Lot Operator shall pay a quarterly use fee for each Commercial Parking Lot that he operates within the City. Such use fee shall be in a fixed amount as set from time-to-time by the Governing Body to cover the costs of enforcement of this chapter, and said use fee must be paid when due in order for the continued operation of the parking facility.
- (4) A Commercial Parking Lot permit shall be valid until the last day of the calendar year in which it is issued. No earlier than forty (40) days prior to and no later than thirty (30) days from the expiration date, each Commercial Parking Lot Operator must renew its permit.
- (5) Any expired Commercial Parking Lot permit which is not renewed within three (3) months after the expiration date thereof, shall be considered void, requiring the operation of such facility to immediately cease. The operation of the Commercial Parking Lot shall not resume until a new application is submitted to and approved by the Department.
- (6) If the quarterly use fee remains unpaid for a period of thirty (30) days or more after the due date thereof, the City may order the permittee of the Commercial Parking Lot to cease operations until the unpaid use fee has been paid in full.

Sec. 9-14-8. - Investigation of application; decision on application; appeal from denial.

- (a) Upon receipt of an application that contains all information required by Section 9-14-6, the Department shall perform a full and thorough investigation on the request, considering such factors as:
  - (1) The size of the proposed facility, especially in relation to the vehicular capacity of streets of ingress and egress;
  - (2) The physical arrangements for ingress and egress;
  - (3) The Commercial Parking Lot Reservoir for incoming and outgoing vehicles;
  - (4) The effect of any plan for traffic improvement;
  - (5) If the proposed Commercial Parking Lot is to be operated as a Shared-use Lot, the minimum number of parking stalls required of the primary establishment during business hours; and

- (6) Any and all other factors required by this chapter or any other provision in the City's Code of Ordinances.
- (b) Following the examination required under subsection (a) of this Section and a determination that the proposed Commercial Parking Lot would comply with all requirements of this Chapter and all requirements of any other applicable provision of the Code of Ordinances, the Department shall have the authority to grant any application for a Commercial Parking Lot permit. The decision to grant or to deny an application for a Commercial Parking Lot permit shall be made within thirty (30) calendar days after the Department receives a completed application. In the event the Department denies an application for a Commercial Parking Lot permit, it shall provide written notice of such denial to the applicant by mailing such notice, return receipt requested, to the address of the applicant as listed in the application.
- (c) An applicant may appeal the denial of an application for a Commercial Parking Lot permit to the Governing Body by filing a written appeal with the City Manager within ten (10) business days after the receipt of the notice of denial. The Governing Body shall hold a hearing on such appeal within thirty (30) calendar days following receipt of the notice of appeal and shall render a final decision on the appeal within thirty (30) calendar days following the date of that hearing.
- (d) An appeal from any decision by the Governing Body under this section shall be by a petition for a writ of certiorari to the superior court as provided by law.

Sec. 9-14-9. - Facility standards.

- (a) *Environmental Barriers.* All Commercial Parking Lots shall contain Environmental Barriers in sufficient number and location as determined by the Department. The permittee of such Commercial Parking Lot shall maintain any Environmental Barrier located upon the property.
- (b) *Tickets.*
- (1) A ticket is to be issued upon the Valet Parking of any vehicle on a Commercial Parking Lot if the attendant parks the vehicle and retains the key. This section shall not preclude the issuance of a monthly permit in lieu of a ticket.
- (2) A ticket is to be issued for the Self-Parking of any vehicle on a Commercial Parking Lot. Any such ticket shall be issued upon the entrance of the vehicle into the Commercial Parking Lot.
- (3) Commercial Parking Operators shall take digitally time and date stamped pictures of the vehicle in the parking space and the non-payment in the meter box before booting or towing a vehicle which is said to be in violation of any off street parking meter.
- (4) A receipt is to be issued upon request.
- (c) *Attendant.* This chapter shall not require the operator of a Commercial Parking Lot to employ an attendant. However, at any facility where any such attendant is provided, the attendant must be dressed in proper and professional attire. Said attire shall be designated by the operator and shall readily identify such attendant as an employee of the operator of the Commercial Parking Lot.
- (d) *Lighting.* All areas of a paid parking facility licensed hereunder shall be fully lighted at all times patrons are allowed on the premises. Full lighting shall mean illumination equal to 3.5 foot candles per square foot.

- (e) *Security.* The parking lot operator shall provide and maintain appropriate security measures, such as monitored cameras, with adequate resolution and lighting, and security officers.
- (f) *Inspection of licensed premises.* The fire marshal and the city building code inspector shall have the authority to regularly inspect public parking facilities to determine compliance with and enforce all applicable fire, health and other codes of the City and Clayton County.

Sec. 9-14-10. - Required paid parking notice signs.

- (a) First time applicants for a Commercial Parking Lot permit shall be required to pay for the fabrication of a notice sign setting forth the following:
  - (1) The telephone number of the principal office of the operator of the Commercial Parking Lot;
  - (2) The name of such operator; and
  - (3) The street address of the parcel upon which the Commercial Parking Lot is located.
- (b) The notice sign shall be posted at the main entrance to the Commercial Parking Lot in such a manner so that it is easily viewable from the driver's seat of an entering vehicle.
- (c) The sign required under this section shall comply with the requirements of the City's sign ordinance and any other applicable requirements of the City's Code of Ordinances.

Sec. 9-14-11. - Posting of fee structure.

An instructional sign setting forth the rates for any and all fees shall be posted upon each parcel upon which a Commercial Parking Lot is located. Such sign shall inform each parking patron of the fee for the use of the Commercial Parking Lot. Such sign shall be posted at the main entrance to the Commercial Parking Lot in such a manner so it is easily viewable from the driver's seat of an entering vehicle.

Sec. 9-14-12. - Fee schedules.

Fee schedules shall remain constant during all seasons and events.

Sec. 9-14-13. - Monthly parking facilities.

In Commercial Parking Lots that provide only monthly parking, the sections of this chapter pertaining to issuance of a ticket shall not apply. However, all other sections of this chapter shall apply.

Sec. 9-14-14. - Commercial parking lot reservoirs.

In a Commercial Parking Lot where attendants, ticket dispensers or other devices are used to regulate or control entering vehicles, the Commercial Parking Lot Reservoir shall be located between the street right-of-way and the point of control. Each vehicle space in the Commercial Parking Lot Reservoir shall be twenty-two (22) feet long and ten (10) feet wide and, in addition, sufficient space shall be provided for the turning and maneuvering of vehicles.

Sec. 9-14-15. - Maintenance of parking.

Parking shall be maintained in accordance with the International Code of Congress (ICC) Property Maintenance Code, as may be amended from time-to-time.

Sec. 9-14-16. - Penalties for violation of this chapter.

Any Person who owns or operates a Commercial Parking Lot without obtaining the required permit, who owns or operates a Commercial Parking Lot with a void or invalid permit, or violates any other provision of this chapter, shall be guilty of a misdemeanor offense and punished as provided in Title 1, Chapter 1, Section 1-1-8, entitled "General Penalty" of the Code of Ordinances for the City. Each day's unlawful violation shall constitute a separate offense hereunder. The chief of police or his delegate shall have authority to issue citations for violations of this chapter.

**STATE OF GEORGIA**

**CITY OF FOREST PARK**

**ORDINANCE 17 - \_\_\_\_\_**

AN ORDINANCE TO AMEND ARTICLE K ("PROPERTY MAINTENANCE") OF CHAPTER 2 ("BUILDING REGULATIONS AND CODE ENFORCEMENT") IN TITLE 8 ("PLANNING AND DEVELOPMENT") OF THE CODE OF ORDINANCES, CITY OF FOREST PARK BY REVISING SECTION 8-2-103 ("DEFINITIONS") AND SECTION 8-2-104 ("PROHIBITED CONDITIONS"); TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

**WHEREAS**, the duly elected governing body of the City of Forest Park, Georgia (the "City") is the Mayor and Council thereof; and

**WHEREAS**, the governing body of the City desires to revise the conditions under which a driveway may be lawfully constructed or established upon certain residential property;

**WHEREAS**, the governing body finds that the adoption of the regulations contained herein will promote the health, safety and general welfare of the citizens of the City.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOREST PARK, GEORGIA**, and by the authority thereof:

**Section 1.** The Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the text defining "Established driveway" in Section 8-2-103 ("Definitions") of Article K ("Property Maintenance") in Chapter 2 ("Building Regulations and Code Enforcement") of Title 8 ("Planning and Development") and enacting a new definition in lieu thereof, said enacted text to read and be codified as follows:

*“Established driveway means an area that is covered by gravel, asphalt, concrete or other paving material commonly recognized in the paving industry and is clearly indicative of an area that is normally used for vehicles to enter onto, drive over, or exit from real property, from or to a public or private street.”*

**Section 2.** The Code of Ordinances, City of Forest Park, Georgia is hereby amended by striking the text in subsection (e) of Section 8-2-4 (“Prohibited conditions”) of Article K (“Property Maintenance”) in Chapter 2 (“Building Regulations and Code Enforcement”) of Title 8 (“Planning and Development”), and enacting new text in lieu therefore, said enacted text to read and be codified as follows:

“(e) It is unlawful to construct an Established Driveway located on a single-family residential lot or to alter an existing Established Driveway on a single-family residential lot where such Established Driveway, after construction or alteration, fails to meet the following requirements:

- (1) The impervious surface area of the entire lot is no more than 40 percent of the total surface area of such lot;
- (2) The width of the Established Driveway along any public roadway is no more than 24 feet; and
- (3) For a lot located at the corner of the intersection of two public roadways, the entrance or exit of the Established Driveway may abut only one of those roadways.”

**Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 4.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

**Section 5.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

**Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 7.** The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

**ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF FOREST PARK, GEORGIA,**

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**David Lockhart, Mayor**

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**Tommy Smith**  
Councilmember, Ward One

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**Dabouze Antoine**  
Councilmember, Ward Two

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**Sandra Bagley**  
Councilmember, Ward Three

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**Latresa Wells**  
Councilmember, Ward Four

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**Allan Mears**  
Councilmember, Ward Five

**ATTEST:**

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**Mike Blandenburg**, City Clerk

**APPROVED BY:**

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**City Attorney**