



MORGAN COUNTY COMMISSION
A G E N D A
April 20, 2021
5:00 PM
150 East Washington Street, Madison, GA
2nd Floor Board Room

Pledge and Invocation

Agenda Approval

Unfinished Business

1. Second Reading/Public Comments Chapter 10 Animal Ordinance Revision

New Business

2. Senior Center Flooring
3. Renovations - New Elections Office
4. Reconstruction of Tennis Courts
5. Commissioner Liaison Reports
6. Public Comments on Agenda Items



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Amendment of Chapter 10 Animal Ordinances-2nd Reading/Public Comments

Background/History/Details:

Requesting to update the animal ordinances so that the citizens will have a better understanding of said ordinances; to adopt and replace the dangerous dog act with the the state's current law/code regarding dangerous and vicious dog classification; and to introduce a new ordinance that prevents tethering as a means of permanent restraint.

First reading and public comments were at the April 6, 2021 BOC meeting.

What action are you seeking from the Board of Commissioners?

Requesting the approval regarding the amended chapter/ordinances (2021-ORD-001).

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

**AMENDMENT TO CODE OF MORGAN COUNTY
CHAPTER 10, ANIMALS**

**STATE OF GEORGIA
COUNTY OF MORGAN**

WHEREAS, the Board of Commissioners of Morgan County adopted the most recent codification of the Code of Morgan County on May 1, 2007;

WHEREAS, the aforesaid Code provides that the same and/or any portion thereof may be amended from time to time by the governing authority of Morgan County, Georgia;

WHEREAS, the Board of Commissioners finds the following amendment to the Code promotes the health, safety, morals, convenience, order, prosperity and general welfare of Morgan County, Georgia;

NOW, THEREFORE BE IT ORDAINED that the Code of Morgan County be and is hereby amended as follows:

1.

Chapter 10, Animals is hereby replaced in its entirety, which is attached hereto as Exhibit A.

2.

All ordinances, resolutions, or parts of ordinances or resolutions in conflict with this amendment are repealed.

3.

This amendment to the Code shall become effective upon approval of the second reading thereof by the Board of Commissioners.

Passed and adopted by the Board of Commissioners, this 20th day of April, 2021.

MORGAN COUNTY, GEORGIA,
Acting by and through its Board of Commissioners

Philipp Von Hanstein, Chairman

Ben M. Riden, Jr., Vice-Chairman

Andrew A. Ainslie, Jr., Commissioner

Donald B. Harris, Commissioner

Bill Kurtz, Commissioner

Attest: Leslie Brandt, County Clerk

First Reading: April 6th, 2021

Second Reading: April 20th, 2021

EXHIBIT A
CHAPTER 10
ANIMALS

Chapter 10, Animals in its entirety.

EXHIBIT A

CHAPTER 10

ANIMALS

Chapter 10 - ANIMALS

ARTICLE I – General Provisions

Sec. 10-1 – Purpose.

The purpose of this chapter is to create the position of animal services officer; to establish his or her duties; to educate the public in proper pet care and pet ownership; to provide regulations for the rabies vaccination of dogs and cats; to provide for the confinement, disposition and humane disposal of domestic animals; to provide for regulating domestic animals running at large; to provide for the classification and registration of dangerous dogs, vicious dogs and exotic animals in the county; to provide for requirements for possessing such dangerous dogs, vicious dogs or exotic animals; to provide grounds for the confiscation and disposition of such dogs or exotic animals; to comply with the provisions of O.C.G.A. § 4-8-20 et seq.; and for other purposes.

(Code 2000, § 30-101; Ord. of 2-5-2002, § 2(exh. B(30-101)); Ord. of 9-12-2006, § 30-101)

ARTICLE II – Definitions

Sec. 10-2 - Definitions.

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

Abandoned Animal means any domestic animal or livestock unattended or not cared for in excess of 36 hours.

Adequate food means sufficient quantity of non-contaminated and nutritionally healthy sustenance, appropriate to the animal and is fed according to the species requirements or is fed as directed by a veterinarian and is sufficient to prevent starvation, malnutrition or risk to the animal's health. Garbage, spoiled, rancid or contaminated food is not adequate.

Adequate Shelter means protective cover appropriate for the species and adequate space to maintain the animal in good health and prevents pain, suffering or significant risk to the animal's health. Adequate shelter shall consist of a completely enclosed structure with 3 to 4 sides with a door opening, a floor, and a roof. It shall be clean, dry and compatible with current weather and age, size, species and condition of the animal. The structure shall be of sufficient size to allow the animal to stand, turn around, lie down and go in and out of the structure comfortably. Adequate shelter must be compatible with the number of animals on the property

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1. Adequate shelter includes but is not limited to:
 - a. Sufficient coverage and insulation to protect from extreme hot and cold temperatures;
 - b. Sufficient protection from the elements to keep the animal dry;
 - c. Sufficient shade and ventilation to prevent overheating and/or dehydrating; and
 - d. Adequate bedding or resting area suitable for the animal.

2. Materials not suitable for shelters include, but are not limited to;
 - a. Inadequately insulated containers;
 - b. Plastic kennels or airline-type shipping crates;
 - c. Metal drums;
 - d. Abandoned or parked vehicles;
 - e. Uncovered porches or decks;
 - f. Any other structure that fails to provide sufficient protection from the elements.

Adequate Veterinary Care means care from or under the direction of a veterinarian and necessary to maintain health, or to prevent suffering from infections, parasites, disease; or any other condition/injury where withholding or neglecting to provide such care would endanger the health or welfare of the animal or promote the spread of diseases.

Adequate water means clean, fresh, potable water offered to animals in adequate supply or as directed by a veterinarian.

Adult means a person at least 18 years of age.

Animal means all types of animals, domesticated and wild, male and female, singular and plural.

Animal establishment means any pet shop, grooming shop, animal auction, kennel, performing animal exhibition, or animal shelter, except this term shall not include veterinary medical facilities, licensed research facilities, facilities operated by government agencies, or licensed animal dealers regulated by the USDA.

Animal Services officer (“ASO”) means an individual selected by the County pursuant to O.C.G.A. § 4-8-22 to aid in the administration and enforcement of this chapter.

Animal shelter means a facility designated or recognized by the county for the purpose of impounding or caring for animals.

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Animal under immediate control of owner means:

1. Any animal controlled within the property of its owner
2. Any animal secured by a leash with a collar or enclosed by way of a fence or other enclosure.
3. Any animal at heel or beside a competent person and obedient to the person's commands.
4. Any animal inside a vehicle driven or parked on the streets.

At large means. off the premises of the owner of the animal, and not under the immediate control of the owner.

Board means the county board of commissioners.

Business days mean Monday, Tuesday, Wednesday, Thursday, and Friday. Saturdays, Sundays, and official federal, state and county holidays are not business days.

Cat means small quadruped, of the feline family, typically domesticated.

Certificate means a vaccination certificate issued at the time of vaccination, by a licensed veterinarian, with the license number, name and address of the dog or cat's owner and the date of vaccination.

Classified Dog means a dog that has been classified as either Dangerous or Vicious per this chapter.

County manager means the individual so appointed to serve by the county board of commissioners.

Cruelty to Animals means causing the death or unjustified pain or suffering to any animal by an act or omission, or willful neglect.

Dangerous Dog shall have the same definition as set out in O.C.G.A. § 4-8-20, *et seq.*, known as the *Responsible Dog Ownership Law*, which is any dog that:

1. Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this definition;
2. Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no

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such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this definition; or

3. While off the owner's property, kills a pet; provided, however this shall not apply where death is caused by a dog working or training as a hunting, herding or predator control dog.

Dead animal means any carcass or parts of a carcass of any animal.

Dog means any domesticated species of the canine genus.

Domesticated animals mean:

1. Dogs and Cats;
2. Domesticated species of Fowl and Livestock: and
3. Ferrets, rabbits, guinea pigs, or other animals commonly kept as pets and not classified by the State of Georgia as a wild or exotic animal.

EAID means an electronic identification device: microchip or similar device.

Equine means a horse, pony, mule, donkey, or hinny.

Excessively loud and disturbing noise means continual repetitive noise which a person inside a residence can clearly hear and distinguish from the background ambient noise, and which can be ascertained and identified as to its nature and source.

Exotic animal means any wild animal, wildlife, vertebrate or invertebrate recognized by the state as a wild animal, wildlife, exotic or hybrid, or any animals regulated by state law in O.C.G.A. § 27-5-5. irrespective of its actual or asserted state of docility, domesticity, tameness or intended use and/or capable of causing severe injury by means of venoms, poisons, toxins, constriction or bite. The term "exotic animal" shall not include psittaciformes, ferrets, miniature pigs, hamsters, guinea pigs, gerbils, chinchillas, dogs, cats, or llamas, or any other animals recognized by the state as customarily and legally obtained and kept as a pet or snakes that are exotic animals and are recognized as pets by the state (boa, python, etc.) less than four feet in length.

Feral means existing in a wild or untamed state since birth or having returned to an untamed state from domestication.

Fowl means warm-blooded, feathered, flying or non-flying animal.

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Guard Dog means any dog which has been trained to attack persons or other animals independently or upon verbal command and any dog which, while not so trained, is reasonably expected to perform as a guardian of property.

Humane Care means, but is not limited to, the provision of adequate heat, ventilation, sanitary shelter, care provided by a licensed veterinarian, wholesome fresh food and adequate access to potable water at all times, consistent with the normal requirements and feeding habits of the animal's size, species and breed.

Impoundment means the action of taking physical control of an animal by an Animal Services Officer or other persons empowered to act by law or Ordinance and the subsequent transportation of such animal to the Animal Services Facility.

Inoculate means vaccination, by a state-licensed veterinarian, of a specified dose of anti-rabies vaccine to an animal, such vaccine having the U.S. government license number or approval stamped on the label of the vaccine container and having been approved by the state department of human resources.

Kennel means an establishment, other than an animal shelter, where dogs and cats are maintained for breeding, selling, training, boarding, holding or other similar purposes for a fee or compensation.

Licensing authority means the county agency or designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under this chapter.

Livestock means bovine (cows), caprine (goats), equine (horses), ovine (sheep), porcine (pigs), ratite (ostrich) and llamas.

Llama means a South American Camelid which is an animal of the genus lama, commonly referred to as a "one llama," including llamas, alpacas, guanacos, and vicunas.

Local government means the public administration of Morgan County and its Board of Commissioners.

Mail means to send by certified mail or statutory overnight delivery to the recipient's last known address.

Neutered means rendered permanently incapable of reproduction.

Nuisance means a dog or cat that:

1. Damages property other than the property of the owner;

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2. Soils, defiles or defecates on public roads, property other than the owner's, unless such waste is immediately removed and properly disposed of by the owner;
3. Disturbs trash or other refuse, causes unsanitary, dangerous or offensive conditions;
4. Causes a disturbance by excessively loud, continuous and disturbing noises; or

5. Chases vehicles, molests, attacks or interferes with persons or other domestic animals on public or private property.

Obstruction of an Officer means obstruction, interference, or hindrance of an Animal Services officer or law enforcement officer in the discharge of the official duties.

Owner means any natural person or any legal entity, including, but not limited to, a corporation, a partnership, firm, or trust owning, possessing, keeping or having custody or control of any domesticated animal within the county. In the case of a dog owned by a minor, the term "Owner" includes the parents or person in loco parentis with custody or the minor. Owner does not include a feral cat colony caretaker.

Person means any person, firm, corporation, entity, partnership, society or association.

Pet means any domestic animal legally kept by an owner for the primary purpose of pleasure as opposed to for commercial or agricultural purposes.

Pet Dealer means any person/entity that sells, offers to sell, exchanges, or offers for adoption dogs, cats, birds, fish, reptiles, or other customary pets. However, a person who sells only animals that he or she has produced and raised, not to exceed 30 animals a year, shall not be considered a pet dealer unless such person is licensed for a business by a local government of has a Georgia sales tax number.

Poultry means domestic fowl including, but not limited to, waterfowl such as geese and ducks, and birds which are bred for meat and egg production, exhibition, or competition. Such term shall not include ratites, which are considered as livestock.

Proper Animal Health Care means a program of disease control and prevention, veterinary care and, when necessary, humane euthanasia.

Proper Enclosure means an enclosure for keeping a dangerous or vicious dog securely confined indoors, or outdoors in a securely enclosed and locked pen, fence or structure suitable to prevent the entry of young children and which prevents designed to prevent the animal from escaping. Any such pen or structure shall have secure sides and a secure top, and, if the animal is enclosed within a fence, all sides of the fence shall be of sufficient height, and the bottom of the fence shall be constructed or secured in such a manner, as to prevent the animal's escape either from over or under the fence. Any such enclosure shall also provide protection from the elements for the animal.

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Proper enclosure (exotic animal) means a structure constructed, based on requirements of the animal's size, species and breed, to provide sufficient strength to contain the animal securely in all directions and restrict the entrance of unwanted animals and people, protect the animals from injury or suffering, with sufficient space for each animal to turn about freely and to easily move about. Standards used or recognized by federal, or state laboratories, universities or accredited zoos shall be utilized by the county to determine the suitability of the structure.

Records of an appropriate authority means records of any state, county or municipal law enforcement agency; records of any county board of health; records of any federal, state, or local court; or records of an animal control officer or animal control board as provided in this section and by the laws of the state.

Sanitary means in clean, healthy condition; hygienic; consistent with the normal requirements of the animal's living area, size, species and breed.

Secure Enclosure means locked pen or structure sufficient to prevent an animal from escaping and preventing other animals entering.

Serious Injury means the same as stated in O.C.G.A. § 4-8-20 et seq., which is any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease; or impairment of the function of any bodily organ.

Service of notice means a notice that will be made by official representatives of the county animal control pertaining to any activity governed by this document, and shall include one of the following:

1. Delivery in person of verbal information and/or written documents;
2. Delivery by mail, regular or certified;
3. Delivery by notice of written documents posted in a conspicuous place; or
4. Delivery of information by phone.

Tethered means attached to a stationary object or pulley system by a chain, rope, cable, or similar device. This shall not include using a leash for walking purposes.

Veterinarian means any person who holds a license to practice veterinary medicine in the state.

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Vicious Dog means the same as stated in O.C.G.A. § 4-8-20 *et seq.*, which is a dog that inflicts serious injury on a person or that causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack.

Wild animal means any animal which is not wildlife and is not normally a domesticated animal in this state. This term specifically includes any hybrid or cross between any combination of a wild animal, wildlife, and a domesticated animal. Offspring from all subsequent generations of such crosses or hybrids are wild animals.

Wildlife means any vertebrate or invertebrate animal life indigenous to this state or any species introduced or specified by the state and includes fish, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks or any part thereof.

Willful Neglect means the intentional withholding of food and water required by an animal to prevent starvation or dehydration

(Code 2000, § 30-102; Ord. of 2-5-2002, § 2(exh. B(30-102)); Ord. of 9-12-2006, § 30-102)

State Law reference— Similar provisions, O.C.G.A. § 4-8-21.

ARTICLE III – JURISDICSTIONS, EXCEPTIONS TO DEFINITIONS, HEARINGS AND ANIMAL SERVICES OFFICER APPOINTMENT.

Sec. 10-3 – Jurisdiction and exceptions to definitions.

- (a) The jurisdiction of the local government for the enforcement of this chapter shall be the unincorporated areas of the county.
- (b) Nothing in this chapter shall prohibit the lawful use of any animal in the preparation for and/or the conducting of hunting.
- (a) No section of this chapter shall apply to livestock, poultry or any animal that is raised solely for human consumption unless it is an exotic animal.
- (b) The animal services officer is authorized to impound animals related to violations of this chapter.

(c) The animal services officer is authorized to issue citations for violations of this chapter.
(Code 2000, § 30-103; Ord. of 2-5-2002, § 2(exh. B(30-103)); Ord. of 9-12-2006, § 30-103)

State Law reference— Similar provisions, O.C.G.A. § 4-8-21.

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Sec. 10-4 - Hearings.

- (a) The hearings provided for in section 10-13 shall be held by the county board of commissioners.
- (b) Any person shall furnish his or her name, address and telephone number when for any reason contacting the county board of commissioners, the animal control officer or any

employee of the local government or of a constitutional officer of the county regarding any matter governed under this chapter.

(Code 2000, § 30-104; Ord. of 2-5-2002, § 2(exh. B(30-104)); Ord. of 9-12-2006, § 30-104)

Sec. 10-5 - Animal Services officer appointment.

The county may appoint an animal services officer. The animal services officer shall serve at the pleasure of the county. The animal services officer shall have the power to issue citations for violations of this chapter. The animal services officers' compensation shall be established from time to time by the county. At the discretion of the county, the animal services officer position may be an additional job given to an existing employee of the county or an employee of a constitutional officer of the county.

(Code 2000, § 30-105; Ord. of 2-5-2002, § 2(exh. B(30-105)); Ord. of 9-12-2006, § 30-105)

ARTICLE IV – RABIES VACCINATION AND IDENTIFICATION

Sec. 10-6 - Rabies inoculation required.

- (a) When appropriate for the species, all animals over four (4) months of age within the county must be inoculated for rabies by a state-licensed veterinarian.
- (b) A certificate of inoculation for rabies shall be issued to the owner of each animal vaccinated, along with an inoculation tag indicating the year issued. The owner must, upon request, provide to the animal control officer a copy of the rabies certificate.
- (c) The rabies tag shall be secured to a collar on the animal in a manner that it cannot be easily removed or lost by the animal.
- (d) Any person convicted for a violation of this section shall be guilty of a misdemeanor.

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(Code 2000, § 30-106; Ord. of 2-5-2002, § 2(exh. B(30-106)); Ord. of 9-12-2006, § 30-106)

State Law reference— County governing authority is responsible for and has power to control rabies through the regulation, licensing, and required inoculation of animals within jurisdiction, O.C.G.A. § 31-19-1 et seq.

ARTICLE V – ENFORCEMENT

Sec. 10-7 – Abandonment; At Large; Animal Care; Noise; Nuisance; Feral Animals; Cruelty; Humane Care; Dead Animal Disposal.

- (a) No person shall permit any dogfight, cockfight, bullfight, or any other combat between animals or between animals and humans.
- (b) No person or owner of an animal shall abandon any animal or dead animal.
- (c) An owner of any dog or cat who no longer has the means or will to properly care for said animal may voluntarily surrender the animal to the county, space permitting, and upon payment of the fee designated by the county. To be valid, the surrender of an animal must be accompanied by the written certification and statement of surrender form as provided by the county. Upon the completion of this surrender form, the animal described shall become the property of the county and may be adopted, transferred to a licensed rescue group or humanely disposed of immediately at the discretion of the animal control services officer.
- (d) No dog owner in the county shall permit same to emit any excessively loud and disturbing noise.
- (e) Any feral animal may be captured and may immediately become the property of the county. The feral animal may be humanely disposed of immediately at the discretion of the animal services officer. If the feral animal cannot reasonably and/or safely be captured, then reasonable means may be used to ensure the public safety, including but not limited to immediate destruction of the animal. The animal services officer shall have discretion in determining whether an animal is a feral animal or is a domesticated animal with an owner.
- (f) No animal may be permitted to be a nuisance as described in this chapter.

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- (g) It shall be unlawful for any person to work an animal who is lame, starved or in a famished condition, or to overload, whip, beat, maim, bruise, deprive of food, torture or abuse, in any manner, any animal.
- (h) It shall be unlawful for any person to cause pain, suffering, or death of any living animal, either by an overt act or by any omission or neglect.
- (i) It shall be unlawful for an owner of an animal to fail to provide that animal with humane care as described in this chapter.
- (j) It shall be unlawful for any person within the county who owns or is caring for an animal that has died or has been killed to abandon the animal, its parts, or blood.
- (k) The owner may dispose of the body by burning, incineration, burial, rendering, or any method using appropriate disposal technology which has been approved by the local government. Disposal of animal carcasses by any of the approved methods must be completed within 12 hours after death or discovery of the carcass. Carcasses which are buried must be buried at least three feet below the ground level and have not less than three feet of earth over the carcass.
- (l) No animal shall be at large and must remain under the immediate control of the owner as described in this chapter.
- (m) Any person convicted for a violation of this section shall be guilty of a misdemeanor.

(Code 2000, § 30-107; Ord. of 2-5-2002, § 2(exh. B(30-107)); Ord. of 9-12-2006, § 30-107)

State Law reference — Georgia Animal Protection Act authorizes county to enact and enforce animal protection ordinances, O.C.G.A. § 4-11-18; dead animal disposal, O.C.G.A. §§ 4-5-3, 4-5-5.

State Law reference — Unlawful to allow livestock to run at large or stray, O.C.G.A. § 4-3-3; unlawful to allow dangerous dogs to roam outside of a proper enclosure without a muzzle and restraint by a leash held by a responsible person, O.C.G.A. § 4-8-26.

ARTICLE VI – DEFENSE OF PROPERTY; IMPOUNDS BY THE PUBLIC

Sec. 10-8 - Defense of person or property.

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(a) Any person may defend his or her person or property, or the person or property of another, from injury or damage caused by an animal.

(b) Any person may injure or kill an animal reasonably believed to constitute a threat of injury or damage to person, property or domesticated animal.

(c) The method used to injure or kill such animal shall be as humane as possible under the circumstances. Any person who humanely injures or kills an animal under these circumstances shall incur no civil or criminal liability for such injury or death.

(Code 2000, § 30-108; Ord. of 2-5-2002, § 2(exh. B(30-108)); Ord. of 9-12-2006, § 30-108)

Sec. 10-9 - Private party impounds.

Any person finding a stray, feral or owned animal within the district of Morgan County, after making a reasonable attempt to find the owner of such animal or fowl, may remove it, but must take it to the Morgan County Animal Shelter to carry out said animal's stray hold. If said person wishes, he or she may hold the animal in his or her own possession, but must notify the Animal Services department of this custody, giving a description of the animal, the name of the owner if known and the location in which the animal was found. The animal's stray hold shall still apply.

(Code 2000, § 30-109; Ord. of 2-5-2002, § 2(exh. B(30-108)); Ord. of 9-12-2006, § 30-109)

ARTICLE VII – TETHERING

Sec. 10-10. – Tethering

It shall be unlawful for any domestic animal to be chained, tied, fastened or otherwise tethered to dog houses, trees, fences, vehicles or other stationary objects as a means of permanent confinement, except that the animal may be temporarily confined by a tether while attended by its owner or at the discretion of the Morgan County Animal Services department. Any tether used must be attached to a collar or harness and shall not be wrapped directly around the animal's neck. Such tethers shall not be excessively heavy or weighted and must not inhibit the animal's movement.

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ARTICLE VIII – OWNER ‘S LIABILTY FOR COSTS; DISPOSITION AND PROCEDURES FOR ANIMALS IMPOUNDED

Sec. 10-11. - Owner liable for costs of impoundment.

The owner of an impounded animal shall be liable for the cost of maintenance of said animal during such impoundment. In addition, said owner shall be liable for all other actual expenses of the county, including but not limited to veterinarian fees. All said costs shall be payable prior to the owner retrieving said animal, or upon the disposal of such animal, whichever event first occurs.

(Code 2000, § 30-111; Ord. of 2-5-2002, § 2(exh. B(30-111)); Ord. of 9-12-2006, § 30-111)

State Law reference— Similar provisions, O.C.G.A. § 4-11-9.3(c).

- **Sec. 10-12. - Disposition of unretrieved animals.**

(a) The owner of an impounded animal that the county recognizes as an owned animal shall have three business days to retrieve said animal after service of notice. Upon expiration of the three business days, said animal may be disposed of by legally recognized means of return to the owner, adoption, agency transfer or euthanasia. In cases involving seriously injured and/or diseased owned animals, the available information will be used to make a reasonable attempt at contacting the owner. If the owner cannot be reached and/or secure the animal in a reasonable amount of time, based on the animal's condition, the animal will be euthanized.

(b) Animals recognized by the county as stray or feral will be held in accordance with county animal control policies and procedures.

(c) Upon adoption by any person of any animal under the control of the county, such animal shall be required to undergo a spay/neuter procedure as determined by the county before the adoption is complete. All persons adopting animals shall sign all forms required by the county and pay all required fees to the local government. Once adopted, the animal becomes the sole responsibility of the new owner.

(d) All dogs and cats adopted from the Morgan County Animal Shelter will be microchipped prior to their departure. Dogs and cats reclaimed from the shelter will be microchipped at the discretion of the Morgan County animal shelter.

(Code 2000, § 30-112; Ord. of 2-5-2002, § 2(exh. B(30-112)); Ord. of 9-12-2006, § 30-112)

State Law reference— Similar provisions, O.C.G.A. §§ 4-11-9.4—4-11-9.6.

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ARTICLE IX – DANGEROUS AND VICIOUS DOGS

Sec. 10-13. - Procedures for classifying dangerous dogs and vicious dogs.

(a) The animal services officer, upon receiving a report of a dog believed to be dangerous or vicious, shall make such investigations as necessary to determine whether such dog is subject to classification.

(b) Should the animal services officer determine that a dog is subject to classification as dangerous or vicious, animal services shall then notify the dog's owner of such classification. The notice to the owner shall meet the following requirements:

- (1) The notice shall be in writing and mailed by certified mail to the owner's last known address;
- (2) The notice shall include a summary of the findings that formed the basis for the dog's classification as dangerous or vicious;
- (3) The notice shall be dated and shall state that the owner, within 15 days after the date on the notice, has the right to request a hearing on the determination that the dog is dangerous or vicious;
- (4) The notice shall state that the hearing, if requested, shall be before the county board of commissioners;
- (5) The notice shall state that if a hearing is not requested, the animal services officer's determination will become effective for all purposes on a date specified in the notice, which shall be after the last day on which the owner has a right to request a hearing; and
- (6) The notice shall include a form to request a hearing before the county board of commissioners and shall provide specific instructions on mailing or delivering such request to the board. When the county board of commissioners receives a request for a hearing as provided in subsection of this section, it shall schedule such hearing within 30 days after receiving the request. The board shall notify the dog owner in writing by certified mail of the date, time and place of the hearing. Such notice shall be mailed to the dog owner at least ten days prior to the date of the hearing. At the hearing, the owner of the dog shall be given the

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opportunity to testify and present evidence and cross examine witnesses. In addition, the board shall receive at the hearing such other evidence and hear such other testimony as the board may find reasonably necessary to make a determination either to sustain, modify, or overrule the animal services officer's classification of the dog. Within ten days after the date of the hearing, the county board of commissioners shall notify the dog's owner in writing by certified mail of its determination on the matter. If such determination is that the

dog is dangerous or vicious, the notice shall specify the effective date of the determinations of the date of the original classification by the animal services officer.

(Code 2000, § 30-113; Ord. of 2-5-2002, § 2(exh. B(30-113)); Ord. of 9-12-2006, § 30-113)

State Law reference— Similar provision regarding investigation and determination of a dangerous dog, O.C.G.A. §§ 4-8-23, 4-8-24.

Sec. 10-14. - Requirements for possessing and registering a classified dog.

(a) No one shall have, own or possess within the county a dangerous or vicious dog without a certificate of registration. Animal Services may set a reasonable fee for issuance of such registration certificate. Certificates of registration shall be nontransferable and only be issued to a person 18 or older. No more than one certificate of registration shall be issued per domicile. No owner may keep a dangerous or vicious dog within 200 yards of any aquatic center, church, convenience store, daycare, grocery store, hospital, humane society, library, nursing home, park, playground, restaurant, school, skilled nursing unit, or walking trail, due in part to these being frequented by children and senior citizens, and in some cases, food present. No Certificates shall be issued to any person who has been convicted of two or more violations of this article. No person shall own more than one vicious dog. No certificate for a vicious dog shall be issued to any person who has been convicted of: a serious violent felony defined in O.C.G.A. § 17-10-6.1 or a felony of dog fighting in O.C.G.A. § 16-12-37 or the felony of aggravated cruelty to animals in O.C.G.A. § 16-12-4; or a felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy in O.C.G.A. § 16-13-31 and O.C.G.A. § 16-13-31.1, from the time of conviction until two years after completion of sentence, nor any person residing with such person.

(b) The animal services officer shall issue a certificate of registration to the owner of a dangerous or vicious dog only if the owner presents to the animal services officer sufficient evidence of:

EXHIBIT A

(1) An enclosure designed to securely confine the dangerous dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the dangerous dog from leaving such property;

(2) Proof that the dog has been surgically sterilized, has a current rabies vaccination and has been microchipped;

(3) The posting of all entrances with clearly visible signs warning that there is a dangerous or vicious dog on the property with a symbol designed to inform small children of such dangerous or vicious dog. The owner of a dangerous or vicious dog shall receive such sign from the animal services officer at the time the owner pays the annual registration fee as required in subsection (d) of this section.

(c) In addition to the requirements of subsection (b) of this section, the owner of a vicious dog shall present to the animal control officer evidence of:

(1) A policy of insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in the state insuring the owner of against liability for any injuries inflicted by the dog; or

(d) The owner of a dangerous or vicious dog shall pay an annual registration fee at the time the annual certificate of registration is issued. The annual registration fee shall be set by the county on an annual basis. Certificates of registration shall be renewed annually by the owner in the month of the initial registration.

(e) The owner of a dangerous or vicious dog shall notify the animal control officer if the animal is moving out of the county or to a different location within the county.

(f) The owner of a dangerous or vicious dog who is a new resident of the county shall within ten days register such animal as required hereunder and present to the animal control officer a current certificate of rabies inoculation.

(g) The owner of a dangerous or vicious dog shall notify the animal services officer within 24 hours if the animal is at large, has bitten and/or attacked a human or has died.

(h) A vicious dog shall not be transferred, sold or donated to any other person unless it is relinquished to a governmental facility or veterinarian to be euthanized.

(Code 2000, § 30-114; Ord. of 2-5-2002, § 2(exh. B(30-114)); Ord. of 9-12-2006, § 30-114)

State Law reference— Similar provision regarding dangerous dogs, O.C.G.A. § 4-8-25.

Sec. 10-15. - Restrictions on permitting dangerous or vicious dogs outside of a proper enclosure.

EXHIBIT A

- (a) It shall be unlawful for a dangerous dog to be unattended with minors or outside a proper enclosure unless the dog is restrained by a substantial chain or leash not longer than six feet, and is under the restraint of a responsible person capable of preventing the dog from engaging any other human or animal, or the dog is contained in a closed and locked cage or crate, or the dog is working or training as a hunting dog, herding dog, or predator control dog, subject to the limitations below.
- (b) It shall be unlawful for a vicious dog to be unattended with minors or outside a proper enclosure unless the dog is in a closed and locked cage or crate or is muzzled and is restrained by a substantial chain or leash not longer than six feet and is under the restraint of a responsible person capable of preventing the dog from engaging any other human or

animal. The muzzle shall prevent biting, but not cause injury to the dog or interfere with vision or respiration.

- (c) A proper enclosure must keep a dog securely confined indoors or in a securely enclosed and locked pen, fence or structure that prevents the dog from escaping and prevents the entry of young children. It shall have secure sides and top, and, if the dog is within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured to prevent escape. It shall be at least 25 feet from the front door and any utility meter point to protect utility employees and the public. It shall also provide protection from the elements.
- (d) Training, hunting, herding (working) exemption from dangerous dog restraint/leash requirement: the person working the dog must be the owner and doing so per all DNR requirements including without limitation a valid hunting license. Working cannot take place off the property of the owner, unless with written permission and acknowledgement of danger of the dog by the landowner, and only with a dog that will instantly respond to verbal commands or the owner, including without limitation to immediately return to the owner.

(Code 2000, § 30-115; Ord. of 2-5-2002, § 2(exh. B(30-115)); Ord. of 9-12-2006, § 30-115)

State Law reference— Similar provision regarding dangerous dogs, O.C.G.A. § 4-8-26.

Sec. 10-16. – Confiscation of dangerous or vicious dogs; Exceptions.

- (a) If any violation of this article occurs, the dog shall be immediately confiscated by Animal Services or law enforcement. A refusal to surrender a dog shall be a separate violation.

EXHIBIT A

(b) A confiscated dog shall be returned upon owner's demonstration of future compliance with the rules that were violated, and payment of confiscation costs. If the owner has not complied within 20 days of confiscation or demonstrated a satisfactory plan to promptly comply, said dog shall be humanely euthanized. Criminal prosecution shall not be stayed due to return or euthanasia.

(c) A dog that inflicts injury when used by law enforcement to carry out official duties shall not be a dangerous or vicious dog. Nor if any injury was sustained by a person who: was committing a willful criminal trespass, or was tormenting, abusing or assaulting the dog, or had in the past tormented, abused or assaulted the dog, or was committing or attempting a crime.

(Code 2000, § 30-116; Ord. of 2-5-2002, § 2(exh. B(30-116)); Ord. of 9-12-2006, § 30-116)

ARTICLE X – WILD AND EXOTIC ANIMALS

Sec. 10-17. - Requirements for possessing an exotic animal.

(a) No person shall be the owner of an exotic animal without a certificate of registration issued by the county.

(b) The animal services officer shall issue a certificate of registration to the owner of the exotic animal only if the owner presents to the animal services officer sufficient evidence of proper licensing by state or federal agencies with an inspection report demonstrating compliance with the housing requirements of O.C.G.A. § 27-5-6.

(c) The owner of the exotic animal shall pay a registration fee set by the county on an annual basis.

(d) The owner of the exotic animal shall notify the animal services officer if the exotic animal is moving out of the county.

(e) The owner of an exotic animal shall register it within ten days of moving to the county or the purchase or birth of a new wild or exotic animal.

(f) The owner of an exotic animal shall not allow it to be at large. The owner must immediately notify animal services of any escape of the exotic animal.

(g) The owner of an exotic animal that attacks a human must immediately notify animal services of the attack once care of the victim has been secured.

EXHIBIT A

(h) The owner must notify the animal services officer within 24 hours of the sale or transfer of ownership of the exotic animal. The owner shall provide the name, address and telephone number of the new owner.

(Code 2000, § 30-117; Ord. of 2-5-2002, § 2(exh. B(30-117)); Ord. of 9-12-2006, § 30-117)

State Law reference— Similar provisions, O.C.G.A. §§ 27-5-4, 27-5-6.

ARTICLE XI – PENALTIES; LIABILITY; PURSUIT; INTERFERENCE

Sec. 10-18. - Violations; penalties.

(a) Any person convicted for a violation of this chapter shall be subject to the general penalty described in section 1-9. Each day a violation continues shall constitute a separate offense.

(b) In addition to the penalties for violations under this chapter or state law, and at the discretion of the Morgan County Animal Services department, a dangerous animal which bites or attacks a human being shall be immediately confiscated by the animal control officer or by a law enforcement officer or by another person authorized by the animal control officer and, thereafter, the dangerous animal shall be destroyed in an expeditious and humane manner or by any other legal means.

(c) All penalties provided for in this section are in addition to those provided for under the laws of the state.

(Code 2000, § 30-118; Ord. of 2-5-2002, § 2(exh. B(30-118)); Ord. of 9-12-2006, § 30-118)

State Law reference— Similar provision for destruction of potentially dangerous dogs by county, O.C.G.A. § 4-8-27.

Sec. 10-19. - Liability for damages.

It is the intent of this chapter that the owner of a dangerous or vicious dog shall be solely liable for any injury to or death of a person caused by such dog. Under no circumstances shall the county, any employee, agent, or official thereof, any constitutional officer of the county, or any employee, or agent of such constitutional officer, who enforces or fails to enforce this chapter, be held liable for any damages to any person who suffers an injury inflicted by an animal.

(Code 2000, § 30-119; Ord. of 2-5-2002, § 2(exh. B(30-119)); Ord. of 9-12-2006, § 30-119)

EXHIBIT A

State Law reference— Similar provision regarding dangerous dogs, O.C.G.A. § 4-8-27.

Sec. 10-20. – Pursuit and Interference

(a) Any employee or agent of the county or a constitutional officer of the county empowered to perform any duty under this chapter is hereby authorized to go upon any premises to seize for impounding a dog or other animal which the employee is in immediate pursuit of, with the exception of any occupied building into which the dog or other animal may enter. In the latter case, if the occupant or owner of the premises gives permission to enter the premises, the employee or agent may remove said dog or other animal.

(b) It shall be unlawful for any person to, in any manner, interfere with, hinder, resist, obstruct, or molest such employee or agent in the performance of his or her duties, or for any person to remove any animal from the animal services vehicle or animal shelter without the permission of the said employee or agent.

(Code 2000, § 30-120; Ord. of 2-5-2002, § 2(exh. B(30-120)); Ord. of 9-12-2006, § 30-120)

State Law reference— Unlawful to interfere with animal control officer's discharge of duties, O.C.G.A. § 4-1-6.



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Background/History/Details:

The flooring in the Senior Center is original to the building and needs to be replaced. LVT flooring is the best option for the Center because it is waterproof and can be disinfected easier than other types of flooring. Bids were obtained to purchase and install LVT manufactured by Revolution Mills. Recommend that the flooring and installation be provided by Hardy's Flooring for \$14,995. Due to savings in several line items due to COVID closure of the facility, there are enough funds to pay for the project within the Center's existing budget.

What action are you seeking from the Board of Commissioners?

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

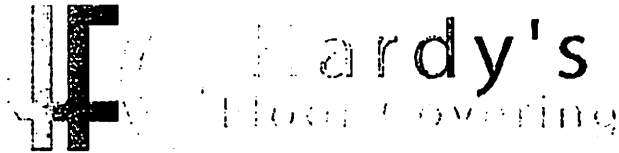
*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:



Free Estimate
Estimate

Date
2/9/2021

Bill To
Morgan County Senior Center 991 S. Main Street Madison, GA 30650 706-342-1614 Director - Mary Nunn

Job Address
(Customer's Measurements) (All Three Rooms Together) 991 S. Main Street Madison, GA 30650

Hardy's will meet or beat any price, including Dalton, or we will buy you a free dinner. Call for details.

P.O. No.	Sales Person
None	SHB

Style	Description	Color	Size	Sq. Yd.	Price	Total
Aspire	Rev. Mill's 20 mil LVP (148 ctns) - (Activity Room) (Foyer & Halls) & (Dining Room)	TBD	NA	3,059.16	2.93268	8,971.55T
Labor LVP	Labor to Install Luxury Vinyl Planks.	NA	NA	3,059.16	1.25	3,823.95
Floor Prep	Labor to Prepare the floor.	N/A	N/A	1	209.44	209.44
Cove Base	Stock Cove Base	Black or Brown	NA	1,050	0.85	892.50T
Labor on base	Labor to install wall base.	NA	NA	1,050	0.35	367.50
R/R Furniture	Remove/Replace Furniture	NA	NA	3,059.16	0.17	520.06
Transition St...	Transition Strips	TBD	NA	6	35.00	210.00T
	1. No take up 2. Move Furniture 3. Installed 4. Old Wall Base Already Removed					

We'll meet or beat any price you get!! A 1/2 DEPOSIT WILL BE DUE PRIOR TO ORDERING ANY JOB MATERIALS. THE REMAINING BALANCE WILL BE DUE UPON INSTALLATION. A CHECK MAY BE SENT IN WITH THE INSTALLER. ALL UNPAID BALANCES WILL BE CHARGED 18% PER ANUM. ALL COLLECTIONS & ATTORNEY FEES ARE TO BE PAID BY THE CUSTOMER.	Subtotal	\$14,995.00
	Sales Tax (0.0%)	\$0.00
	Total	\$14,995.00

Phone #	Fax #	E-mail	Web Site	Address:
(770) 786-9245	(770) 786-5399	Sales@hardysfloors.com	www.hardysfloors.com	2227 Emory Street NW Covington, Ga 30014

Randy's Carpet Plus, Inc.
 2280 Dogwood Drive
 Conyers, GA 30013
 770-922-7108

Proposal #: RC029680
 Sale Date: 01/29/2021
 Install Date:
 Sales Rep: Blackerby, J
 Sales Rep:

Printed 02/02/21 09:19:00

SOLD TO

Morgan county senior center,
 991 South Main st
 Madison Ga 30650
 706-474-2789

SHIPPED TO

Morgan county senior center
 691 South Main st
 Madison Ga 30650

1	Proposal	Activity room			
Aspire	Millenium		SqFt 661.44	2.89	\$1,911.56
	LVT-Labor		SqFt 661.44	\$1.75	\$1,157.52
2	Proposal	Dinning room			
Aspire	Millenium		SqFt 1302.21	2.89	\$3,763.39
	LVT-Labor		SqFt 1302.21	\$1.75	\$2,278.87
3	Proposal	foryer and hall ways			
Aspire	Millenium		SqFt 1095.510000	2.89	\$3,166.02
	LVT-Labor		SqFt 1095.510000	\$1.75	\$1,917.14
4	Proposal				
Reducer	black		Each 6	42.99	\$257.94
			Each *		
5	Proposal				
Burke Cove Base	black		LnFt 1100	\$0.75	\$825.00
	Install cove base		LnFt 1100	\$0.75	\$825.00
6	Proposal				
	Freight From Vendor		Each 1	\$99.00	\$99.00
7	Proposal				
	Floor Prep		Each 1	250	\$250.00

Comments:

Subtotal: \$16,451.44
Sales Tax: \$694.67
Total: \$17,146.11
Payments: \$0.00
Balance: \$17,146.11



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Background/History/Details:

As discussed last year, with the many changes to election laws over the last two years the county needed to find an alternate location for the elections department. The county selected the back building of 259 N Second Street (behind the Morgan County Citizen). The building was most recently used by First Readers which has relocated to another location in Madison. Administration, Public Buildings, Elections, and IT have all done a thorough walk-through of the building to discuss the needed renovations. In part this will include new mechanical, roofing, flooring, demo of walls, access controls, etc... The estimated cost should not exceed \$100,000. There are many moving parts to this renovation as some of the renovations will be contracted out and other pieces will be handled by our county workforce. We have have make ready date of July 1, 2021.

What action are you seeking from the Board of Commissioners?

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Background/History/Details:

The tennis courts located on College Drive are cracking and in poor condition. An engineering study recommended the courts be rebuilt. An RFP was issued to grind the courts and rebuild in place with a 4 inch GAB base, 2 inch binder layer and 1.5 inch topping layer, new stripping, new nets, and new fencing. The Board of Education has tentatively agreed to fund half of the cost. The RFP also included a separate scope of work to rebuild the tennis courts on Main Street that are maintained by the City of Madison. If the City of Madison approves the project they will pay for the entire costs for the courts on Main Street. Three vendors attended the pre-bid meeting but only two submitted a bid package. Both are compliant with the RFP specifications. After review of the bids, the recommendation is to award the project to Talbot Tennis for \$382,940 contingent on approval by the Board of Education to fund half of the cost (\$191,470). The County's portion will be paid from Capital Project Fund. A budget amendment to transfer \$191,470 from Capital Project Fund Balance to Capital Project Fund is needed.

What action are you seeking from the Board of Commissioners?

Motion to award the project to Talbot Tennis for \$382,940 contingent on approval by the Board of Education to fund half of the cost and to amend the budget to transfer \$191,470 from Capital Project Fund Balance to Capital Project Fund.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:



**Morgan County Board of Commissioners
P. O. Box 168
Madison, Georgia 30650**

Bid Opening – Tennis Court Refurbish

March 31, 2021, 10:00 a.m.

Company	Bonds/Insurance Certificates	East Ave Complex Price	Main Street Complex Price
Southeastern Tennis	X	\$397,897	\$195,774
Talbot Tennis	X	\$382,940	\$199,134



Morgan County Board of Commissioners

P. O. Box 168

Madison, Georgia 30650

REQUEST FOR PROPOSAL FOR REHABILITATION OF TENNIS COURTS

Morgan County Board of Commissioners in partnership with the Morgan County Board of Education and City of Madison is seeking bids to mill, grind and rebuild 8 tennis courts located at 1065 East Avenue and 4 tennis courts located at 720 South Main Street.

Prebid Meeting:

A mandatory pre-bid meeting will be held 10:00 a.m. on March 1, 2021 at the Morgan County Recreation Gym, 1253 College Avenue, Madison, GA 30650. The meeting will include site visit of the tennis complex. *(Note: Social distancing will be in place)*

Proposal Format

The proposal shall be prepared simply and shall be straightforward and concise. The bid packet should include:

- Bid Summary (attached in this packet)
- Acknowledgement of bid amendments, if any
- Contact information for at least 3 references for similar projects completed within the last 3 years
- Bid bond
- Certificate of Insurance
- E-Verify affidavit (attached in this packet)
- Current W-9
- Any other information deemed necessary by bidder to aid in award of purchase

150 East Washington Street
Madison, Georgia 30650

Office (706)342-0725
Fax (706)343-6450

RFP Cost

All costs incurred in the preparation and presentation of responses to the RFP shall be completely absorbed by the respondent. All documents submitted as part of the RFP will become property of Morgan County. Requests for specific material to be returned will be considered.

Binding Offer

Each bid shall constitute a firm offer that is binding for ninety (90) days from the date of the bid opening, unless the bidder takes exception to this provision in writing.

RFP Submission

Companies who wish to respond must submit an original, one hard copy and one electronic copy of the proposal in sealed packages marked "Tennis Courts Rehabilitation". Fax and e-mail responses are not acceptable. Bids will be opened March 31, 2021 at 10:00 a.m. at Morgan County Administration Building, Commissioner's Meeting Room, 150 E. Washington Street, Madison, GA 30650.

Responses must be delivered to: Mr. Mark Williams, Procurement Director
Morgan County Board of Commissioners
150 E. Washington Street
Madison, Georgia 30650

Requests for extension of this date will not be granted. Any late proposal will not be considered. It is the sole responsibility of the Respondent to ensure that the proposal arrives at the designated location prior to the deadline.

Morgan County reserves the right to reject any and all proposals, to waive any informality or technicality and to accept that proposal which, in the judgement of the proper officials, is in the best interest of Morgan County.

Contact

All questions about this RFQ and submission requirements must be directed in writing to Mr. Mark Williams via email at mwilliams@morgancountyga.gov.

Any unauthorized contact shall not be responded to and may result in the disqualification of the responder's submittal. Answers to questions submitted will be communicated to respondents via email.

RFP Amendments

It is the responsibility of respondents to check the Morgan County website for RFP information and amendments.

Non-Collusion

By submitting a proposal, the respondent represents and warrants that no official or employee of Morgan County has an interest, directly or indirectly in the proposal or in the final contract award. The respondent further understands proposals will be rejected if there is any evidence of collusion with another respondent.

Compliance with Laws

Respondents agree to be bound by applicable Federal, State and Local laws, regulations, and directives.

Qualification & Award Basis

Morgan County reserves the right to accept or reject any and all proposals or any parts of a proposal wherein its judgment, it will be in the best interest of the County; waive any technicalities/informalities in the RFQ document and proposal process; and to qualify and award any or all of this contract in any manner in which Morgan County, acting in the sole and exclusive exercise of its discretion, deems to be in Morgan County's best interest. Cost will not be the sole factor in the selection process. If no acceptable

proposal is received Morgan County also reserves the right to re-solicit proposals, at its sole discretion.

Required Bonds and Insurance

A bid bond equal to 5% of the bid price must be submitted. A certificate of insurance with minimum coverage limits of \$1,000,000 general liability, \$150,000 automobile liability and statutory limits for worker's compensation must be submitted. Additionally, upon award of project, the selected bidder shall provide Morgan County with a 100% project value performance and payment bonds.

References

Submission of a response authorizes Morgan County to make inquiries concerning the respondent and its officers to any persons or firms deemed appropriate by Morgan County.

SERVICES REQUESTED

Purpose of Request

Morgan County Board of Commissioners are seeking bids to mill and grind existing tennis courts and rebuild courts at the same location. The specifications below address the specific requirements together with certain details as to finish, material preferences, equipment and appliances with which the successful bidder must conform. The bidder shall bear the responsibility of insuring that the elements contained within the specifications are sound, safety conscious, and functional. Bidders should prepare separate quotes for each location.

Inspection

Morgan will periodically conduct inspections during construction. A final inspection will be conducted before accepting the project as complete and processing final payment.

Warranty

All bidders shall state the length and terms of warranty of all applicable warranties.

Construction Time

The bidder shall estimate the expected start date and time to complete.

Scope of Work for Tennis Courts on East Avenue

- 1) Remove existing fencing, net posts foundations – These items may be taken to the Morgan County Transfer Station for no fee.
- 2) Mill and grind existing courts to a depth of 6" to 8"
- 3) Proof roll entire area to test for soil anomalies.
- 4) Laser grade 204' x 240' area to USTA recommended specification (1% slope on plane) and compact with vibratory roller. Must provide independent compacting testing.
- 5) Install and compact 4" of new GAB over prepared area.
- 6) Install and pave new asphalt base, including 2" binder layer (12.5mm) and 1.5" (9.5mm) topping layer.
- 7) Install new net post foundations (16) and center strap anchors (8)
- 8) Install 1092 linear feet of 10' tall black vinyl coated 8-gauge fence fabric with SS20 3" terminal posts, ss20 2.5" line posts, 1 5/8" top rail and 6-gauge tension wire. Screening shall be installed on each end fence and center fence. Seven walk gates included.
- 9) Repair all areas of asphalt pad holding 2mm or more with acrylic patch binder prior to surfacing
- 10) Apply four (4) coat surfacing system including two (2) layers of Acrylic Resurfacer and two (2) layers of color. Colors to be selected by owner stock color palette. Courts blude off court green stripes white
- 11) Stripe eight tennis courts per USTA guidelines, install eight pairs of external wind tennis posts (black) and eight double-braided tennis nets with center straps
- 12) Clean and remove constructions materials and debris from site.

13) Bidder is responsible for any required erosion control.

Any exceptions to the above specifications must be explained in detail on the bid summary page.

Scope of Work for Tennis Courts on Main Street

- 1) Remove existing fencing, net posts foundations – These items may be taken to the Morgan County Transfer Station for no fee.
- 2) Mill and grind existing courts to a depth of 6” to 8”
- 3) Proof roll entire area to test for soil anomalies.
- 4) Laser grade 200’ x 115’ area to USTA recommended specification (1% slope on plane) and compact with vibratory roller. Must provide independent compacting testing.
- 5) Install and compact 4” of new GAB over prepared area.
- 6) Install and pave new asphalt base, including 2” binder layer (12.5mm) and 1.5” (9.5mm) topping layer.
- 7) Install new net post foundations (16) and center strap anchors (8)
- 8) Install 650 linear feet of 10’ tall black vinyl coated 8-gauge fence fabric with SS20 3” terminal posts, ss20 2.5” line posts, 1 5/8” top rail and 6-gauge tension wire. Screening shall be installed on each end fence. Four walk gates included
- 9) Repair all areas of asphalt pad holding 2mm or more with acrylic patch binder prior to surfacing
- 10) Apply four (4) coat surfacing system including two (2) layers of Acrylic Resurfacer and two (2) layers of color. Colors to be selected by owner stock color palette. Courts blude off court green stripes white
- 11) Stripe four tennis courts per USTA guidelines, install four pairs of external wind tennis posts (black) and eight double-braided tennis nets with center straps
- 12) Clean and remove constructions materials and debris from site.
- 13) Bidder is responsible for any required erosion control.

Any exceptions to the above specifications must be explained in detail on the bid summary page.

Evaluation Procedures

An evaluation team will evaluate proposals submitted. Each proposal will be evaluated for full compliance with the RFP instructions to the Respondent and the requirements set forth within the RFP document. Proposals will be evaluated on criteria will include

1. Compliance with specifications detailed in RFP
2. References from similar projects conducted in the last 3 years
2. Warranties included
3. Estimated start and completion dates
4. Price

MORGAN COUNTY TENNIS COURT REHABILITATION BID SUMMARY

Company Name: _____

Primary Contact Name: _____

Primary Contact Phone: _____

Primary Contact Email: _____

East Avenue Complex

Price: _____ Estimated Start Date: _____

Estimated days to complete: _____

Main Street Complex

Price: _____ Estimated Start Date: _____

Estimated days to complete: _____

Warranties: _____



MORGAN COUNTY
GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT
CONTRACTOR AFFIDAVIT

CONTRACTOR: _____

AUTHORIZED OFFICER/AGENT & TITLE: _____

PROJECT OR JOB: _____

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with Morgan County has registered with and is participating in a federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. 13-10-91, unless contractor has NO EMPLOYEES (see below).

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with Morgan County, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form.

Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to Morgan County at the time the subcontractor(s) is retained to perform such service.

CHECK ONE:

I have **NO EMPLOYEES** and do not intend to hire any employees. I am attaching a copy of a state issued driver's license or state issued identification card in lieu of providing an E-Verify User Identification Number.*

OR

I have **AT LEAST ONE EMPLOYEE**. My E-Verify User Identification Number (or "Company ID" number) and authorization date are listed below. (Consists of 4-6 numerical characters)

E-Verify User Identification Number

Authorization Date

Signature of Authorized Officer or Agent for Contractor

E-Mail Address

SUBSCRIBED AND SWORN BEFORE ME ON
 THIS ____ DAY OF _____, 20__

My Commission Expires: _____

Notary Public

**A driver's license or identification card shall only be accepted if it is issued by a state within the United States and such state verifies lawful immigration status prior to issuing a driver's license or identification card. Copies of such driver's license or identification card must be attached to this affidavit and forwarded to the County.*