

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Agenda

Friday, November 5, 2021 ♦ 9:00 AM

Putnam County Administration Building – Room 203

### Opening

1. Welcome - Call to Order
2. Approval of Agenda
3. Invocation
4. Pledge of Allegiance (GM)

### Regular Business Meeting

5. Public Comments
6. Consent Agenda
  - a. Approval of Minutes - October 19, 2021 Regular Meeting (staff-CC)
  - b. Approval of Minutes - October 25, 2021 Called Meeting (staff-CC)
  - c. Approval of Minutes - November 1, 2021 Work Session (staff-CC)
  - d. Ratification of Revised Submittal of GDOT 5311 Grant Application for Putnam County Transit (staff-Transit)
  - e. Authorization for Chairman to sign MOU between Putnam County and Ocmulgee Circuit Adult Treatment Court Collaborative (staff-Finance)
7. Discussion and possible action regarding Solid Waste Disposal (staff-CM)
8. Authorization for Chairman to sign Probation Services Agreement between Judicial Alternatives of Georgia (JAG) and Putnam County Magistrate Court (BW-Magistrate-PCSO)
9. Approval of FY21 Budget Amendment #2 (staff-Finance)
10. Authorization for Chairman to sign Resolution Authorizing the County Attorney to Prosecute Code Violations (staff-CA)
11. Appointment to the Board of Assessors (staff-CC)
12. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances: Chapter 66-Zoning; Chapter 18-Buildings and Building Regulations; Chapter 28-Development Regulations; Chapter 32-Fire Protection and Prevention; Chapter 50-Solid Waste and Scrap Tires; Appendix B-Special Events (staff-CA,P&D)
13. Authorization for the staff to schedule a Public Hearing on proposed changes to the County Commission District Map(s) (BW)
14. Discussion and possible action concerning the LOST Renegotiations (BW)

### Reports/Announcements

15. County Manager Report
16. County Attorney Report
17. Commissioner Announcements

### Closing

18. Adjournment

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**File Attachments for Item:**

- 6. Consent Agenda
  - a. Approval of Minutes - October 19, 2021 Regular Meeting (staff-CC)
  - b. Approval of Minutes - October 25, 2021 Called Meeting (staff-CC)
  - c. Approval of Minutes - November 1, 2021 Work Session (staff-CC)
  - d. Ratification of Revised Submittal of GDOT 5311 Grant Application for Putnam County Transit (staff-Transit)
  - e. Authorization for Chairman to sign MOU between Putnam County and Ocmulgee Circuit Adult Treatment Court Collaborative (staff-Finance)

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Minutes

Tuesday, October 19, 2021 ♦ 6:30 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, October 19, 2021 at approximately 6:30 PM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

### *PRESENT*

- Chairman Billy Webster
- Commissioner Gary McElhenney
- Commissioner Daniel Brown
- Commissioner Bill Sharp
- Commissioner Jeff Wooten

### *STAFF PRESENT*

- County Attorney Barry Fleming
- County Manager Paul Van Haute
- County Clerk Lynn Butterworth

### **Opening**

1. Welcome - Call to Order

Chairman Webster called the meeting to order at approximately 6:32 p.m. (Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

2. Approval of Agenda

#### **Motion to approve the Agenda.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp, Commissioner Wooten**

3. Invocation

Pastor David Wofford, Eatonton First United Methodist Church, gave the invocation.

4. Pledge of Allegiance (staff)

County Manager Van Haute led the Pledge of Allegiance.

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**Zoning Public Hearing**

5. Request by Rick McAllister, agent for Featherfield LLC, for conditional use on Old Phoenix Road [Map 104, Parcel 002, District 3] (staff-P&D)

Mr. Rick McAllister spoke in support of the request and explained the project. The event center portion of the project needs a conditional use permit. Mrs. Louise Murphy and Mr. Rob Murphy signed up to speak but passed. No one signed in to speak against this item.

Planning and Development staff recommendation was for approval of the proposed conditional use located on Old Phoenix Road, and identified as Map 104, Part of Parcel 002 with the following conditions:

1. This conditional use approval shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within 60 days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.
2. A 25-foot undisturbed vegetated buffer must be established along Wards Chapel Road and along the property lines that abut Map 104, Parcel 001 and Map 104, Parcel 024.
3. The uses allowed under the conditional use shall be limited to those that conform with a barn style (event venue), open air chapel, parking, a residential dwelling and any other use or accessory use allowed within AG-1.
4. Hours of operation shall not exceed 11:00pm Monday-Thursday and 1:00am on the weekends.
5. Owners shall present a parking plan, prepared by a design professional which shall be approved by the Planning Director and executed prior to the issuance of a business registration.

**Motion to approve the request by Rick McAllister, agent for Featherfield LLC, for conditional use on Old Phoenix Road [Map 104, Parcel 002] subject to the following conditions:**

1. This conditional use approval shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within 60 days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.
2. A 25-foot undisturbed vegetated buffer must be established along Wards Chapel Road and along the property lines that abut Map 104, Parcel 001 and Map 104, Parcel 024.
3. The uses allowed under the conditional use shall be limited to those that conform with a barn style (event venue), open air chapel, parking, a residential dwelling and any other use or accessory use allowed within AG-1.
4. Hours of operation shall not exceed 11:00pm Monday-Thursday and 1:00am on the weekends.
5. Owners shall present a parking plan, prepared by a design professional which shall be approved by the Planning Director and executed prior to the issuance of a business registration.

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registration.

**Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.  
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp,  
Commissioner Wooten**

**Regular Business Meeting**

6. Public Comments

Mr. Adam Schulze commented on a farm pond he is trying to build on his property.  
Mr. Duane Gentes commented against the farm pond that Mr. Schulze is trying to build.

7. Consent Agenda

- a. Approval of Minutes - October 1, 2021 Regular Meeting (staff-CC)
- b. Approval of Minutes - October 1, 2021 Work Session (staff-CC)
- c. Approval of Minutes - October 12, 2021 Joint Called Meeting (staff-CC)
- d. Authorization for Chairman to sign GDOT Actual Cost Utility Agreement (staff-CM)
- e. Authorization for Chairman to sign GDOT Title VI Plan Update for Putnam County Transit (staff-Tran)
- f. Authorization for Chairman to sign GDOT 5311 Grant Application for Putnam County Transit (staff-Tran)

**Motion to approve the Consent Agenda.**

**Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.  
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp,  
Commissioner Wooten**

(Copy of documents made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

- 8. Authorization for Chairman to sign Letter of Support for Goodwill of Middle Georgia's American Rescue Plan Act Grant Application (staff-CM)

**Motion to authorize the Chairman to sign the Letter of Support for Goodwill of Middle Georgia's American Rescue Plan Act Grant Application.**

**Motion made by Commissioner McElhenney, Seconded by Commissioner Sharp.  
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp,  
Commissioner Wooten**

(Copy of letter made a part of the minutes on minute book page \_\_\_\_\_.)

9. Authorization for Chairman to sign Intergovernmental Agreement with the Hospital Authority (staff-CM & Fin)

County Manager Van Haute explained that this is an Intergovernmental Agreement between Putnam County and Putnam General Hospital Authority to outline the county's allocation of money to the Hospital for premium pay and other eligible expenditures under the American Rescue Plan Act.

**Motion to authorize the Chairman to sign the Intergovernmental Agreement with the Hospital Authority.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp, Commissioner Wooten**

(Copy of agreement made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

10. Approval of Changes to the Putnam County Financial Policy (BW and staff-Fin)

Chairman Webster reviewed the proposed changes.

**Motion to approve the changes to the Putnam County Financial Policy as presented.**

**Motion made by Commissioner Sharp, Seconded by Commissioner McElhenney.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp, Commissioner Wooten**

(Copy of changes made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

11. Discussion and possible action concerning Electric Vehicle Charging Station (BW)

Chairman Webster explained that this is to apply for State ARPA funding to allow us to install two electric charging stations in the Administration Building parking lot. He has prepared the grant application and researched the costs associated with the project. The board will need to decide whether to apply and how much, if any, matching money to include.

**Motion to submit the application to the State with a 50% match (\$40,000.00)**

**Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.**

**Voting Yea: Chairman Webster, Commissioner McElhenney, Commissioner Brown, Commissioner Sharp, Commissioner Wooten**

Copy of documents made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

**Reports/Announcements**

12. County Manager Report

County Manager Van Haute reported the following:

- He and Finance Director Cook met with representatives from Waste Management and trash costs will be increasing by \$500,000.00 per year. Waste Management will be here at the next meeting to make a presentation and the board will need to take action to sign new contract with possible changes to the current program.
- He also has documents available on the history of the farm pond discussed during public comments.

13. County Attorney Report  
No report.

14. Commissioner Announcements

Commissioner McElhenney: visited the new convenience center on Sammons Parkway and was very impressed; thanked the Public Works Department and County Manager for the good job.

Commissioner Brown: none

Commissioner Sharp: none

Commissioner Wooten: thanked the Fire Department & EMS for their good work on a terrible wreck in south Putnam and said he was proud of the way they took care of business.

Chairman Webster: advised that following the October 12th joint meeting with the city, County Manager Van Haute sent an email to the Mayor and City Administrator letting them know who was on our committee and asking if they could meet Monday, October 18th at 6pm. A response was received on Friday, October 15th saying they were unable to meet on October 18th and wouldn't be able to meet for 2-3 weeks. He also advised that SWA is working on an application for State ARPA money in the amount of \$600,000.00 and would like matching money from Baldwin & Putnam Counties. He called a meeting for Monday, October 25th at 1pm for discussion and possible action on this request.

**Closing**

15. Adjournment

**Motion to adjourn the meeting.**

**Motion made by Commissioner Sharp, Seconded by Commissioner McElhenney.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner, Sharp, Commissioner Wooten**

Meeting adjourned at approximately 7:48 p.m.

ATTEST:

Lynn Butterworth  
County Clerk

Billy Webster  
Chairman

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# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Called Meeting

### Minutes

Monday, October 25, 2021 ♦ 1:00 PM

Putnam County Administration Building – Room 204

The Putnam County Board of Commissioners met on Monday, October 25, 2021 at approximately 1:00 PM in the Putnam County Administration Building, 117 Putnam Drive, Room 204, Eatonton, Georgia.

#### *PRESENT*

- Chairman Billy Webster
- Commissioner Gary McElhenney
- Commissioner Daniel Brown
- Commissioner Bill Sharp
- Commissioner Jeff Wooten

#### *STAFF PRESENT*

- County Attorney Adam Nelson
- County Clerk Lynn Butterworth

#### **Opening**

1. Call to Order

Chairman Webster called the meeting to order at approximately 1:01 p.m. (Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

Mr. Danny Lyndall, Regional Manager at ESG Operations, was there for technical support and to answer any questions.

2. Pledge of Allegiance (staff)

County Clerk Butterworth led the Pledge of Allegiance.

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**Called Meeting**

3. Discussion and possible action on matching funds for Sinclair Water Authority's ARPA Grant Application (BW)

Chairman Webster advised that SWA is applying for a \$600,000 grant from state ARPA funds which will include a 50% match. SWA will put up \$200,000 and Baldwin County has committed \$50,000. He further advised that any funds we commit will come from our own ARPA funds.

**Motion to commit \$50,000 toward SWA's ARPA grant application and authorize the Chairman to sign the letter of support.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp, Commissioner Wooten**

(Copy of letter made a part of the minutes on minute book page \_\_\_\_\_.)

**Closing**

4. Adjournment

**Motion to adjourn the meeting.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Brown.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Sharp, Commissioner Wooten**

Meeting adjourned at approximately 1:26 p.m.

ATTEST:

Lynn Butterworth  
County Clerk

Billy Webster  
Chairman

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Work Session

### Minutes

**Monday, November 1, 2021 ♦ 10:00 AM**

Middle Georgia Regional Commission

175 Emery Highway, Suite C

Macon, GA 31217

The Putnam County Board of Commissioners met on Monday, November 1, 2021 at approximately 10:00 AM at the Middle Georgia Regional Commission, 175 Emery Highway, Suite C, Macon, Georgia.

#### *PRESENT*

- Chairman Billy Webster
- Commissioner Gary McElhenney
- Commissioner Daniel Brown
- Commissioner Bill Sharp
- Commissioner Jeff Wooten

#### *STAFF PRESENT*

- County Manager Paul Van Haute
- County Clerk Lynn Butterworth

#### *MGRC STAFF PRESENT*

- Executive Director Laura Mathis
- Deputy Director Brent Lanford
- Director of Technology Services Michelle Grembowski
- Director of Public Administration Greg Boike

### **Opening**

1. Call to Order

Chairman Webster called the Work Session to order at approximately 9:46 a.m. (Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

Chairman Webster thanked Executive Director Mathis and her staff for hosting our Work Session and turned the meeting over to her.

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**Work Session**

2. Putnam County Board of Commissioners District Maps

Executive Director Mathis distributed handouts to assist the board members during the map drawing process. Deputy Director Lanford explained how the map program works and did a small demonstration.

Map lines were redrawn by the various commissioners and two maps were prepared to move forward.

Executive Director Mathis advised that they would send large copies, on foam boards, of the current districts and the two proposed maps.

(Copy of handouts made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

**Closing**

3. Adjournment

Chairman Webster thanked all for attending and again thanked the MGRC for their assistance. He adjourned the Work Session at approximately 12:21 p.m.

ATTEST:

Lynn Butterworth  
County Clerk

Billy Webster  
Chairman

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# PUTNAM COUNTY BOARD OF COMMISSIONERS



**DISTRICT ONE:**  
Gary P. McElhenney

**DISTRICT TWO:**  
DANIEL W. BROWN

**CHAIRMAN:**  
BILLY WEBSTER

**DISTRICT THREE:**  
B. W. "BILL" SHARP

**DISTRICT FOUR:**  
Jeffrey G. Wooten, Sr.

October 19, 2021

Ms. Kaycee Mertz  
Transit Program Manager  
Division of Intermodal  
Georgia Department of Transportation  
600 W. Peachtree Street  
Atlanta, GA 30308



Dear Ms. Mertz:

The Putnam County Transit is applying for an FTA Section 5311 grant to aid in the operation of the Putnam County Transit for FY2023 in the amount of \$260,200.00 as detailed in the table below. The financial assistance requested for this project has been reviewed and approved by the local transportation planning process and is identified in the State Transportation Improvement Program.

	Federal Share	State Share	Local Share	Total
Operating Assistance	\$130,100.00		\$130,100.00	\$260,200.00
Large Capital	\$0.00	\$0.00	\$0.00	\$0.00
Small Capital	\$0.00	\$0.00	\$0.00	\$0.00
Mobility Management	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$130,100.00	\$0.00	\$130,100.00	\$260,200.00

Local operating assistance will be provided by Putnam County Transit.  
Local share of Large Capital Purchases will be provided by N/A.  
Local share of Small Capital Purchases will be provided by N/A.  
Local share of Mobility Management will be provided by N/A.



The Applicant certifies sufficient financial capacity exists to carry out the proposed projects listed above for a minimum of 90 days in the event of delays in the receipt of federal funds or execution of a contract. The application certifies the local match is from an eligible source of funds.

The applicant certifies all of the information contained in this funding application is correct and the applicant has the legal, financial, technical, and managerial capacity to carry out the proposed project and maintain the project property. If you have questions about this request for funding, please contact Dianne Pounds at [dpounds@putnamcountyga.us](mailto:dpounds@putnamcountyga.us) or 706-485-6355.



*Billy Webster*  
Signature



Billy Webster  
Name of Authorized Official

Chairman  
Title of Authorized Official

# PUTNAM COUNTY BOARD OF COMMISSIONERS



**DISTRICT ONE:**  
Gary P. McElhenney

**DISTRICT TWO:**  
DANIEL W. BROWN

**CHAIRMAN:**  
BILLY WEBSTER

**DISTRICT THREE:**  
B. W. "BILL" SHARP

**DISTRICT FOUR:**  
Jeffrey G. Wooten, Sr.

October 19, 2021

Ms. Kaycee Mertz  
Transit Program Manager  
Division of Intermodal  
Georgia Department of Transportation  
600 W. Peachtree Street  
Atlanta, GA 30308

Dear Ms. Mertz:

The Putnam County Transit is applying for an FTA Section 5311 grant to aid in the operation of the Putnam County Transit for FY2023 in the amount of \$287,200.00 as detailed in the table below. The financial assistance requested for this project has been reviewed and approved by the local transportation planning process and is identified in the State Transportation Improvement Program.

	Federal Share	State Share	Local Share	Total
Operating Assistance	\$143,600.00	██████████	\$143,600.00	\$287,200.00
Large Capital	\$0.00	\$0.00	\$0.00	\$0.00
Small Capital	\$0.00	\$0.00	\$0.00	\$0.00
Mobility Management	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$143,600.00	\$0.00	\$143,600.00	\$287,200.00

Local operating assistance will be provided by Putnam County Transit.  
Local share of Large Capital Purchases will be provided by N/A.  
Local share of Small Capital Purchases will be provided by N/A.  
Local share of Mobility Management will be provided by N/A.

The Applicant certifies sufficient financial capacity exists to carry out the proposed projects listed above for a minimum of 90 days in the event of delays in the receipt of federal funds or execution of a contract. The application certifies the local match is from an eligible source of funds.

The applicant certifies all of the information contained in this funding application is correct and the applicant has the legal, financial, technical, and managerial capacity to carry out the proposed project and maintain the project property. If you have questions about this request for funding, please contact Dianne Pounds at [dpounds@putnamcountyga.us](mailto:dpounds@putnamcountyga.us) or 706-485-6355.

Billy Webster  
Signature

Billy Webster  
Name of Authorized Official

Chairman  
Title of Authorized Official

**Part E-2: Sources of Local Matching Funds**

Please list all sources of local matching funds in Table 7 below.

**Table 7: Sources of Local Matching Funds**

<b>Local Funding Source:</b>	<b>Amount:</b>
Local Government General Revenues	143,600.00
Estimated NEMT Revenues (DCH Brokers)	
POS Contracts (total from Table 6 above)	
Other Local Fund Source (please specify, add rows for additional sources as needed)	
<b>TOTAL LOCAL MATCHING FUNDS</b>	<b>\$143,600.00</b>

**Part E-3: Three-Year Operating Budget Trend (FY2021-FY2023)**

Please complete Table 8 with federal and local operating funding from FY2021 through FY2023.

Actual FY2021 funding levels should be extrapolated from your agency’s Final Reimbursement Form from July 2021. FY2022 funding levels should be extrapolated from the budget submitted by your agency for FY2022. Proposed FY2023 funding levels should be extrapolated from the budget submitted with this application.

**\*Only operating funds should be used to populate Table 8.**

**Table 8: Three-Year Operating Budget Trend**

<b>FY 2021 (actual)</b>		<b>FY 2022 (current year budget)</b>		<b>Proposed FY 2023 (this application)</b>	
Federal Funds	134,637.00	Federal Funds	138,650.00	Federal Funds	143,600.00
Local Funds (total including general fund and POS revenues)	134,637.00	Local Funds (total including general fund and POS revenues)	138,650.00	Local Funds (total including general fund and POS revenues)	143,600.00
<b>Total</b>	<b>269,274.00</b>	<b>Total</b>	<b>277,300.00</b>	<b>Total</b>	<b>287,200.00</b>

**SERVICE CONTRACT**

**BETWEEN**

**PUTNAM COUNTY BOARD OF COMMISSIONERS**

**AND**

**OCMULGEE CIRCUIT ADULT TREATMENT COURT COLLABORATIVE**

This **SERVICE CONTRACT** made by and between **PUTNAM COUNTY BOARD OF COMMISSIONERS**, located at 117 Putnam Drive, Suite A, Eatonton, GA 31024 (hereinafter referred to as "PUTNAM BOC") and the **OCMULGEE CIRCUIT ADULT TREATMENT COURT COLLABORATIVE- MENTAL HEALTH AND SUBSTANCE ABUSE DIVISION**, (herein after referred to as "Ocmulgee ATCC-").

**PURPOSE**

Putnam BOC to provide Health Care Benefits for two Coordinators of the Ocmulgee ATCC Program.

**TERMS OF UNDERSTANDING**

The terms of this Memorandum shall begin July 1, 2021 and end June 30, 2022 and may be extended upon written mutual agreement of both parties.

**KEY PERSONNEL**

Putnam BOC shall provide Health Care Benefits for the two identified Ocmulgee ATCC coordinators: April L. Robinson and LaReaca Hill-Bostick.

**TOTAL AMOUNT OF HEALTH BENEFITS ALLOTTED**

Ocmulgee ATCC will reimburse Putnam BOC for expenses under this contract but not to exceed \$19,523.00 in benefits per coordinator unless amended by mutual agreement.

**PAYMENT**

Ocmulgee ATCC shall reimburse Putnam BOC for services provided and based on invoices submitted on a quarterly basis. Invoices should be submitted to Ocmulgee ATCC by 3<sup>rd</sup> day of the following month at the end of each quarter.

**TERMINATION**

If at any time the grant awarded to Ocmulgee ATCC is terminated by the awarding agency, this contract shall also be terminated by Putnam BOC upon written notice to that effect from Ocmulgee ATCC. Putnam BOC shall be reimbursed for allowable costs and non-cancellable obligations properly incurred prior to the date of the termination.

Putnam County Board of Commissioners  
Authorized Representative

Ocmulgee ATCC

Authorized Representative

\_\_\_\_\_  
Signature Date

  
\_\_\_\_\_  
Signature Date 11/1/2021

**File Attachments for Item:**

8. Authorization for Chairman to sign Probation Services Agreement between Judicial Alternatives of Georgia (JAG) and Putnam County Magistrate Court (BW-Magistrate-PCSO)





# JUDICIAL ALTERNATIVES OF GEORGIA

## Probation Services Agreement

This Agreement is made by and between **Judicial Alternatives of Georgia, Inc.**, a corporation, organized under the laws of the State of Georgia, with its principal place of business at 114 East Johnson Street, Dublin, Georgia hereinafter called "Contractor and the **Putnam County Magistrate Court**, Georgia hereinafter called "Court". This Agreement is governed by Article 6 of Chapter 8 of Title 42 of the Official Code of Georgia, Annotated. The parties enter into the Agreement under the specific authority of 42-8-101.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

### SCOPE OF SERVICES AND RESPONSIBILITIES OF CONTRACTOR

In consideration of the obligations of the Court or governing authority, Contractor shall provide the following services.

#### A. Responsibilities of Probation Services Contractor

1.) Compliance with Statutes and Rules. Contractor shall comply with Article 6 of Title 42 Chapter 8 of the Official Code of Georgia and all standards, rules and regulations promulgated by the Department of Community Supervision.

2.) Records and Confidentiality. Contractor shall create and maintain individual files for each offender receiving services from Contractor in accordance with this Agreement. Contractor shall maintain the confidentiality of all files, records and papers relative to supervision of probationers under this Agreement. These records, files and papers shall be available only to the judge of the court handling the case, the Department of Audits and Accounts, the Department of Supervision and upon transfer of probation supervision to the State, to the Georgia Department of Corrections.

3.) Financial Records. Contractor shall maintain financial records according to generally accepted accounting practices.

4.) Employee Qualifications and Training. Contractor shall employ competent and able personnel to provide the services to be rendered hereunder and to appropriately administer the assigned caseload.

(a) Any person employed as JAG probation officer shall be at least 21 years of age at the time of appointment to the position of private probation officer and shall have completed a standard two-year college course or have four years of law enforcement experience; provided, however, that any person employed as a private probation officer as of July 1, 1996, and who had at least six months of experience as a private probation officer or any person employed as a probation officer by a county, municipality, or consolidated government as of March 1, 2006, shall be exempt from such college requirements.

b) Every JAG probation officer shall be required to obtain 40 hours of initial orientation training as set forth below provided that the 40 hour initial orientation shall not be required of any person who has successfully completed and who provides documentation of satisfactorily completing a basic course of training for supervision of probationers or parolees certified by the Peace Officer Standards and Training Council. Initial training of new probation officers shall be completed within the first 6 months of employment. JAG Probation Officers will complete a 5-hour block of instruction covering a General Probation Overview and consisting of: The History of Probation, Ethics and Professionalism, Probation Officer Liabilities and Responsibilities, Constitutional Law, and Probation Law; a 20-hour block of instruction covering Probationer Management and consisting of: Confidentiality, Intake, Preparation and Maintenance of Files, Case Documentation, Interviewing and Communication Skills, Available Sentencing Options, Financial Collections, Community Service, Alcohol and Substance Abuse, and Personal Welfare and Safety; and a 15-hour block of instruction covering Legal Procedures and Reports and consisting of: General Report Writing Techniques, Violations, Delinquency Reports and Warrants, Courtroom Protocol, Testimony and Revocation Proceedings, First Offender Act, Case Termination Reports, Domestic Violence, and Statutory Changes and Updates.

(c) All JAG probation officers are required to obtain 20 hours of annual in-service training. In-service training shall be completed on a calendar year basis. The initial orientation training hours completed during the first calendar year of employment shall also count towards satisfying the annual in-service training requirements for that same period. Annual In-Service Training shall be on topics that relate to the criminal justice system and/or the operation of the probation entity as approved by MPOU.

(d) All JAG Administrative Employees, Agents, Interns, or Volunteers shall be required in accordance with DCS Board Rule 105-2-.09 to be at least 18 years of age; sign a statement co-signed by the probation entity director or his/her

designee that the administrative employee, agent, intern, or volunteer has received an orientation on these rules as well as operations guidelines relevant to the administrative employee, agent, intern, or volunteer's job duties which shall be maintained in administrative employees, agents, interns, or volunteer's personnel files; have obtained a high school diploma or equivalent and; complete a 16 hour initial orientation program within 6 months of appointment and 8 hour annual in-service continuing education training program, consisting of a curriculum approved by MPOU. Additionally, such person shall maintain a clear criminal record; complete continuing education and; adhere to all other requirements established in these rules.

(e) All Administrative Employee, Agent, Intern, or Volunteer will obtain 16 hours of initial orientation training consisting of a 4-hour block of instruction covering: The History of Probation, Ethics and Professionalism, Probation Officer Liabilities and Responsibilities, Constitutional Law, and Probation Law; an 8-hour block of instruction covering Probationer Management and consisting of: Confidentiality, Intake, Preparation and Maintenance of Files, Case Documentation, Interviewing and Communication Skills, Available Sentencing Options, Financial Collections, Community Service, Alcohol and Substance Abuse, and Personal Welfare and Safety; and a 4-hour block of instruction covering Legal Procedures and Reports and consisting of: General Report Writing Techniques, Violations, Delinquency Reports and Warrants, Courtroom Protocol, Testimony and Revocation Proceedings, First Offender Act, Case Termination Reports, Domestic Violence, and Statutory Changes and Updates; obtain 8 hours of annual in-service training. In-service training shall be completed on a calendar year basis. The initial orientation training hours completed during the first calendar year of employment shall also count towards satisfying the annual in-service training requirements for that same period.

(f) Annual In-Service Training shall be on topics that relate to the criminal justice system and/or the operation of the probation entity as approved by MPOU. The progress and completion of initial orientation and in-service training is required to be documented and maintained in the individual's files utilizing the forms approved by MPOU. Probation entities and individuals providing probation services may obtain training resource information from MPOU, local law enforcement agencies, local colleges and schools, and national professional associations such as the American Probation and Parole Association, Georgia Professional Association of Community Supervision, American Correctional Association, and/or credible sources approved by MPOU. All training must be approved by MPOU.

(g) JAG trainers will have expertise in the area of training and will possess a college degree or POST certification. JAG shall maintain a description of the course and the contact information of the trainer on file. Training provided by professional training services shall be accepted so long as a description of the course and the trainer's contact information is maintained on file and has been approved by MPOU.

(h) In no event shall any person convicted of a felony be employed as a private probation officer or administrative support staff.

5.) Criminal History Check. Contractor shall have a criminal history records check made of all employees and give written consent to the Department of Community Supervision to conduct periodic criminal history checks.

6.) Officer per Probationer Ratio and Standards of Supervision. Contractor shall manage caseload limits so as not to exceed 250 probationers per probation officer for basic supervision and 100 probationers per probation officer for intensive supervision. Probation Officers shall make 1 office contact per month. The Probation Officer may at his or her discretion require the probationer to report on a weekly basis if the probationer is not in full compliance with his or her terms of conditions of supervision.

**B. Reports**

Contractor shall provide to the judge and governing authority with whom the contract or agreement was made and the board a quarterly report summarizing the number of offenders under supervision; the amount of fines, and restitution collected; the amount of fees collected and the nature of such fees, including probation supervision fees, rehabilitation programming fees, electronic monitoring fees, drug or alcohol detection device fees, substance abuse or mental health evaluation or treatment fees, and drug testing fees; the number of community service hours performed by probationers under supervision; a listing of any other service for which a probationer was required to pay to attend; the number of offenders for whom supervision or rehabilitation has been terminated and the reason for the termination; and the number of warrants issued during the quarter, in such detail as requested.

**C. Tender of Collections**

Contractor shall tender to the Clerk of the Court a report of collections and all fines, fees, and costs collected during the month from probationers by the 10<sup>th</sup> day of the following month. Restitution shall be paid to the victim by the 10<sup>th</sup> day of the month following collection unless the Court orders payment to the clerk of court, and then it shall be paid as such other collections are paid to the Clerk. In the event Contractor cannot locate the victim, payment shall be made to the Clerk of Court. Contractor shall credit payments of funds to in the following order of priority: 1) restitution 2) probation fees to include GCVEF, 3) fines, 4) court costs and surcharges. Contractor shall not retain or profit from any fines, restitution, fees or cost collected from probationers except the probation fees authorized by this Agreement and listed in Exhibit "A".

D. Access to Contractor Records

1.) All records shall be open to inspection upon the request of the affected county, municipality, consolidated government, court, the Department of Audits and Accounts, an auditor appointed by the affected county, municipality, or consolidated government, Department of Corrections, Department of Community Supervision, State Board of Pardons and Paroles, or the board.

2.) Fiscal Audit: Contractor shall employ an independent auditor to annually audit its records and books pertaining to the services rendered at the courts request. Upon a written request by the court, a copy of this audit shall be provided to the Court and County Governing Authority within 2 months or sixty (60) days of the close of the year audited.

E. Conflict of Interest per O.C.G.A 42-8-109

1.) No private corporation, private enterprise, or private agency contracting to provide probation services under neither the provisions of this article nor any employees of such entities shall engage in any other employment, business, or activity which interferes or conflicts with the duties and responsibilities under contracts authorized in this article.

2.) No private corporation, private enterprise, or private agency contracting to provide probation services under the provisions of neither this article nor its employees shall have personal or business dealings, including the lending of money, with probationers under their supervision.

3.) No private corporation, private enterprise, or private agency contracting to provide probation services under the provisions of this article nor any employees of such entities, shall own, operate, have any financial interest in, be an instructor at, or be employed by any private entity which provides drug or alcohol education services or offers a DUI Alcohol or Drug Use Risk Reduction Program certified by the Department of Driver Services.

4.) No private corporation, private enterprise, or private agency contracting to provide probation services under the provisions of this article nor any employees of such entities shall specify, directly or indirectly, a particular **DUI Alcohol or a Drug Use Risk Reduction Program** which a probationer may or shall attend. This paragraph shall not prohibit furnishing any probationer, upon request, with the names of certified DUI Alcohol or Drug Use Risk Reduction Programs. Any person violating this paragraph shall be guilty of a misdemeanor.

F. Scope of Services to Probationers by Contractor. Contractor shall provide the following services:

1.) Court Attendance and Probationer Case History. During all court sessions, Contractor shall have a probation officer attend and interview each offender to complete a case and personal history and to provide orientation and instruction regarding compliance with the Court's ordered conditions of probation. At orientation, the probation officer shall provide a list of all service fees to the probationer.

2.) Supervision. Contractor shall monitor and supervise probationers to ensure compliance with the Court's order of probation. Contractor shall make a supervision assessment of the offender and determine the probationer's reporting schedule.

3.) Restitution, Fine and Fee Collection. Contractor shall collect restitution, fines, court costs and fees, program fees, and probation fees as ordered by the Court. Contractor shall provide an itemized ledger prepared in accordance with accepted accounting practices for each month for each case under supervision.

(a) **Indigent Offenders**: Offenders determined by the court to be indigent in accordance with O. C. G.A 42-8-102 shall be supervised at no cost to the probationer or the Court or governing body.

(b) **Pay-Only Cases**: Pay-Only cases or the term 'pay-only probation' means a defendant has been placed under probation supervision **solely** because such defendant is unable to pay the court imposed fines and statutory surcharges when such defendant's sentence is imposed. Such term shall not include circumstances when restitution has been imposed or other probation services are deemed appropriate by the court. When pay-only probation is imposed, the probation supervision fees shall be capped so as not to exceed three months of ordinary probation supervision regardless of the number of concurrent or consecutive cases; provided, however, that collection of any probation supervision fee shall terminate as soon as all court imposed fines and statutory surcharges are paid in full; and provided, further, that when all such fines and statutory surcharges are paid in full, the private probation officer, as the case may be, shall submit an order to the court terminating the probate sentence within 30 days of fulfillment of such conditions. If pay-only probation is subsequently converted to a sentence that requires community service, on petition by a probation officer or private probation officer and with the probationer having an opportunity for a hearing, the court may reinstate probation supervision fees as necessary to monitor the probationer's compliance with community service obligations.

(c) **Consecutive sentences:** When a defendant is serving consecutive misdemeanor sentences, whether as a result of one case from one jurisdiction or multiple cases from multiple jurisdictions, upon motion by the defendant, the court may discharge such defendant from further supervision or otherwise terminate probation when it is satisfied that its action would be in the best interest of justice and the welfare of society. Such motion shall not be ripe until 12 months after the sentence was entered and every four months thereafter. The defendant shall serve the applicable entity or governing authority that is providing his or her probation services with a copy of such motion. Additionally, when a defendant is serving consecutive misdemeanor sentences the probation officer shall review such case after 12 consecutive months of probation supervision wherein the defendant has paid in full all court imposed fines, statutory surcharges, and restitution and has otherwise completed all testing, evaluations, and rehabilitative treatment programs ordered by the court to determine if such officer recommends early termination of probation. Each such case shall be reviewed every four months thereafter for the same determination until the termination, expiration, or other disposition of the case. If such officer recommends early termination, he or she shall immediately submit an order to the court to effectuate such purpose.

4.) **Community Service.** The contractor shall coordinate, monitor, and ensure compliance with community service by each probationer as ordered by the Court. The Court may convert fines, statutory surcharges, and probation supervision fees to community service on the same basis as it allows a defendant to pay a fine through community service as set forth in subsection (d) of Code Section 17-10-1. Contractor will maintain records of service participation.

5.) **Employment Assistance.** The contractor shall prepare referrals and lend reasonable assistance to probationers either to the extent ordered by the Court or to the extent available for probationers desiring employment assistance or counseling.

6.) **Drug/Alcohol Screening.** The contractor shall coordinate with local authorities and facilities, evaluation and assessment of probationers for drug/alcohol rehabilitation, mental health or psychological counseling, or educational programs mandated by the Court and shall require probationer's compliance. Contractor shall conduct drug and alcohol screens as determined necessary by the Court. The probationer shall be responsible for the costs of all drug or alcohol testing.

7.) Electronic Monitoring. Contractor when so ordered shall provide and operate a system of electronic home detention monitoring:

8.) Reports of Violations Probation and Revocation Procedures. The contractor shall recommend revocation of probation whenever the probationer has failed to substantially comply with the terms and conditions of probation. The Court shall provide Contractor with direction of what constitutes a substantial failure to comply with probation terms and conditions. Contractor shall prepare probation violation warrants and orders for submission to the Court. Contractor shall have probation officers available to testify at probation revocation hearings, sentencing hearings and such other hearings as deemed reasonable and necessary by the Court. The Court shall provide Contractor direction as to what curative measures should be taken in the case of minor violations.

**OBLIGATIONS OF THE COURT OR GOVERNING AUTHORITY**

In consideration for the services of Judicial Alternatives of Georgia, Inc the Court shall provide the following:

**G. Payment for Contractors Services**

For regular probation supervision which includes a minimum of one (1) office contact per month and may require as many as four (4), the probationer shall pay a fee of \$40.00 per month. For intensive probation supervision which includes a minimum of one (1) office contact per week and four (4) office contacts each month, probationer shall pay a fee of \$50.00 per month. Contractor shall collect such probation fee for each month a probationer is under probation supervision. A one (1) month supervision fee is defined as the date the probationer is placed on probation and runs through the monthly anniversary date each month. If a probationer is supervised past the monthly anniversary date, the probationer will be charged one (1) months supervision fee. During the term of this Agreement and Contractor’s satisfactory performance, the Court shall refer all offenders ordered to serve time on probation, to Contractor for purposes of probation supervision services.

**H. Probation Fee**

The Court shall make payment of the probation fee a term and condition of the order of probation for each probationer assigned for supervision to Contractor unless the Court determines the probationer to be indigent. The Court shall not be liable for payment of any supervision fee or any program fee of a probationer.



I. Pre-sentence Investigations

When ordered by the Court, Contractor shall provide a pre-sentence investigation report and Court shall pay to Judicial Alternatives of Georgia, two-hundred and fifty dollars (\$250.00).

J. Access to Criminal Histories

The Court shall assist Contractor in obtaining access to criminal histories in the Georgia Crime Information Center and National Crime Information Center through local law enforcement in order for Contractor to conduct pre-sentence or probationer investigations as may be requested

K. Notice of Court Sessions

The Court shall provide Contractor two (2) days advance notice of all court sessions that Contractor is required to attend. Notice for purposes of this provision may be given by mail, telephone and fax machine.

L. Court Facilities

The Court shall provide to Contractor an area, as available, for conduct of initial interviews and orientation with the probationer on the day of sentencing.

M. Period of Service

This agreement shall commence performance on November 1, 2021 and shall continue until October 31, 2026 and shall not exceed a period of five (5) years. Either party may terminate this Agreement upon thirty (30) days written notice. The Court and/or Governing Authority may terminate this Agreement immediately for cause, including without limitation material breach of this Agreement, insolvency of Contractor, filing of a voluntary or involuntary case in bankruptcy. Within thirty (30) working days of termination, the contractor shall peacefully surrender to the Court all records and documents generated by Judicial Alternatives of Georgia, Inc, in connection with this Agreement and the services hereunder and any equipment or supplies assigned to Contractor by the Court. Contractor shall turn over to the Clerk of Court any moneys collected or received less supervision fees validly incurred and duly owing to Contractor through the termination date. Any fines, costs, fees or restitution received by Contractor from probationers of this Court after termination of this Agreement shall be forwarded to the Clerk of Court, other than fees earned by Contractor. The Court shall provide Contractor a receipt for all property surrendered under this provision.

**INDEMNITY, INSURANCE, AND BONDING OBLIGATIONS OF CONTRACTOR**

N. Insurance and Bond

Upon registration application to operate a private probation entity must include written evidence of general liability insurance coverage of at least \$1 million. This insurance must be maintained at all times while providing services.

O. Indemnification

Neither the Court nor the County Governing Authority shall be liable to Contractor nor to anyone who may claim a right resulting from any relationship with **Judicial Alternatives of Georgia, Inc**, for any acts of Contractor, its employees, agents or participants in the performance of services conducted on the property of the **Putnam County Magistrate Court**. Contractor shall indemnify and hold harmless the Court and **Putnam County**, from any claims, demands, actions, proceedings, expenses, damages, liabilities or losses (including but not limited to attorney’s fees and courts costs) and any causes of action arising from any acts or omissions arising out of or in connection with the services performed by **Judicial Alternatives of Georgia, Inc**, or its employees and agents under the terms of this Agreement.

**REPRESENTATIONS AND WARRANTIES OF CONTRACTOR**

P. Deficiency in Service by Contractor

In the event that the court and/or governing authority determines that there are deficiencies in the services provided by Contractor hereunder, the Court and/or Governing Authority may terminate this Agreement in accordance with Item M or notify the Contractor in writing as to the exact nature of such deficiency. Within **sixty (60) days** of receipt of such notice, the Contractor shall cure or take reasonable steps to cure the deficiencies. In the event the company fails to cure or take reasonable steps to cure the deficiencies to the Court and/or Governing Authority’s satisfaction, then either may declare the Contractor in default and may terminate this Agreement.

Q. Time is of the Essence of this Agreement

R. Compliance with the Law

The Contractor shall comply with all federal, state and local laws statutes, regulations and ordinances arising out of or in connection with the performance of its services pursuant to this.

### S. Independent Contractor

Contractor is an independent contractor and is not an agent, joint venturer or other affiliate of **Putnam County Magistrate Court** in any way. Contractor shall use its own employees and agents to perform this Contract. It is agreed that Contractor is solely responsible for payment of all federal, state, and local income taxes, self-employed Social Security taxes, and any other similar obligations arising from the performance of this Agreement or receipt of compensation therefore. The Contractor agrees to indemnify and hold harmless the Court and **Putnam County, Georgia** from and against any and all federal, state, or local tax liability or penalties that may arise from the payments made to the Contractor pursuant to this Agreement. The Contractor acknowledges that neither it nor its employees are eligible for any benefits provided by the Court or **Putnam County, Georgia** to their respective party.

### T. Entire Agreement

This Agreement, including all exhibits attached hereto and incorporated herein by reference, constitutes the entire agreement between the parties hereto and supersedes any and all agreements, whether written or oral, that may exist between the parties regarding the same. No representations, inducements, promises, or agreements between the parties not embodied herein shall be of any force and effect. No amendment or modification to this Agreement or any waiver of any provision hereto shall be effective unless in writing and signed by all parties to include the court, governing authority, and contractor.

### U. Binding Agreement

This Agreement shall not be binding upon any successor to the undersigned Judge of the **Putnam County Magistrate Court**, Georgia and unless ratified by the successor in office. If a successor attains the position of undersigned judge, and this Agreement is not ratified by such successor, then Contractor shall be permitted a reasonable time period, no less than ninety (90) days, in which to wind up its activities. The Court will be deemed not to have ratified the Agreement unless Court gives written notice of ratification within 30 days of taking the oath of The Court has entered into this Agreement in part on the basis of personal reliance in the integrity and qualifications of the staff of Contractor. The same is applicable to change in leadership of the Governing Authority.

Contractor may not delegate, assign or subcontract any obligation of Contractors performance under the Contract and may not assign any right under this Contract, in either case without Court's written approval. The Court's discretion in this regard shall be absolute. Any notices made in accordance with this Agreement except as otherwise set out in Item K, shall be in writing and shall be made by **Putnam County, Georgia** or certified mail, return receipt requested, to:

Judicial Alternatives of Georgia, Inc  
Attn: Kenneth Kight  
114 East Johnson Street  
Dublin, Georgia 31021  
Office: (478) 274-0060  
Fax: (478) 274-8168

IN WITNESS WHEREOF, THE PARTIES HERE TO HAVE EXECUTED THIS AGREEMENT ON THE 22<sup>nd</sup> DAY OF October, 2021

PROBATION SERVICES CONTRACTOR:

By: \_\_\_\_\_  
Name: Kenneth Kight  
Title: Co-Owner, Judicial Alternatives of Georgia, Inc

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Putnam County, Georgia

By: Dorothy J Adams  
Chief Judge: Dorothy J. Adams  
Court: Putnam County Magistrate Court, Georgia

# Exhibit A

## SCHEDULE OF FEES

The following are fees paid by the offender to Judicial Alternatives of Georgia, Inc.

<u><i>SERVICE</i></u>	<u><i>COST OF SERVICE</i></u>
Regular Probation Supervision	\$40.00 per month, per offender
Intensive Supervision (Requires minimum of 3 weekly contacts)	\$50.00 per month, per offender
Pre-Trial Supervision	\$40.00 per month, per offender

The above fees include all services outlined in the Scope of Services directory with the exception of the following:

<u><i>PROGRAM SERVICES</i></u>	<u><i>COST OF SERVICE</i></u>
Drug Screens (Screens for 8 controlled substances)	\$20.00 (URINALYSIS)      \$25.00 per screen (ORAL TEST)
Electronic Monitoring	\$10.00 per day, per offender
Electronic Monitoring w/Intox	\$12.00 per day, per offender
Anger Management Program	\$175.00 (8 hour course)
“Responsible Behavior”	\$150.00 (8 hour course)

**File Attachments for Item:**

9. Approval of FY21 Budget Amendment #2 (staff-Finance)

2021 BUDGET AMENDMENT #2

	Increase (Decrease) to Current Budget	Total
<b>General Fund Revenues:</b>		
<b>Taxes:</b>		378,200
Title Ad Valorem Tax	279,920	
Intangible Tax	78,000	
Penalties/Interest Delinquent Taxes	20,280	
<b>License &amp; Permits:</b>		4,375
Business License Inspections City	40	
Driveway Permit	1,000	
Building Permit-City	3,090	
EPD Permits	245	
<b>Charges for Services:</b>		246,290
Services Superior Court	140,775	
Services Probate Court	28,715	
Services Tax Commissioner	36,340	
Services Sheriff	40,460	
<b>Fines:</b>		67,605
Fines Superior Court	21,570	
Fines State Court	43,940	
Fines Juvenile Court	2,095	
<b>Interest &amp; Miscellaneous:</b>		35,340
Interest Earned	9,725	
Rental Income	150	
Reimb - Damaged Property	11,495	
Miscellaneous Revenue	13,970	
Total General Fund Revenue Adjustment		<b>731,810</b>
<b>General Fund Expenditures:</b>		
Executive Officers	940	
Tax Commissioner	7,040	
Risk Management	(8,495)	
Health Department	455	
Putnam Development Authority	60	
Total General Fund Expenditure Adjustment		<b>0</b>

2021 BUDGET AMENDMENT #2

	Increase (Decrease) to Current Budget	Total
<b>Special Service District Revenues:</b>		
<b>Taxes:</b>		60,295
Intangible Tax	1,275	
Railroad Equip Tax	2,010	
Real Estate Transfer Tax	655	
Franchise Taxes - Cable TV	40,445	
Alcoholic Beverage Tax	15,910	
<b>License &amp; Permits:</b>		100,620
Occupation Registration Fees	6,715	
Building Permit - County	86,150	
EPD Permits	7,755	
<b>Interest &amp; Miscellaneous</b>		1,475
<b>Total Special Service District Revenue Adjustment</b>		<b>162,390</b>
<b>Special Service District Expenditures (Recyclable Collections)</b>		<b>19,120</b>
Jail Fund - Revenues		835
Juvenile Services Fund - Revenues		1,710
Drug Confiscation Fund - Revenues		16,038
Victim/Witness Assistance Fund - Revenues		1,010
Local Maintenance Improvement Grant - Revenues		60,520
Drug Abuse Education & Treatment Fund - Revenues		32,705
Drug Abuse Education & Treatment Fund - Expenditures		32,705
American Rescue Plan Fund - Revenues		500,375
American Rescue Plan Fund - Expenditures		500,375
Hotel/Motel Tax Fund - Revenues		311,930
Hotel/Motel Tax Fund - Expenditures		140,840
Juvenile Prosecutor Fund - Revenues		45
Juvenile Prosecutor Fund - Expenditures		60
Oconee Springs Park Fund - Revenues		124,215
Oconee Springs Park Fund - Expenses		60,300



**File Attachments for Item:**

10. Authorization for Chairman to sign Resolution Authorizing the County Attorney to Prosecute Code Violations (staff-CA)



**RESOLUTION  
11052021**

**AN ORDINANCE TO AUTHORIZE THE COUNTY ATTORNEY THE AUTHORITY  
TO PROSECUTE ALL VIOLATIONS OF THE CODE OF ORDINANCES OF PUTNAM  
COUNTY**

**WHEREAS**, the Putnam County Board of Commissioners (“Board”) desires to authorize the County Attorney, concurrent with the authority afforded the State Court solicitor-general, to prosecute all violations of the Putnam County Code of Ordinances.

**NOW, THEREFORE, THE PUTNAM COUNTY BOARD OF COMMISSIONERS  
HEREBY RESOLVES AS FOLLOWS:**

1. Concurrent with the authority granted the State Court solicitor-general pursuant to Section 38-2 of the Code of Ordinances, the Board hereby grants the County Attorney the authority to prosecute any and all violations of the Putnam County Code of Ordinances in any court where jurisdiction for such violation lies.

**IN WITNESS WHEREOF**, this resolution has been duly adopted by the governing authority of Putnam County, Georgia on the 5<sup>th</sup> day of November 2021.

\_\_\_\_\_  
Chairman Billy Webster

ATTEST:

\_\_\_\_\_  
Lynn Butterworth, County Clerk

**File Attachments for Item:**

11. Appointment to the Board of Assessors (staff-CC)

NAME	ADDRESS	DISTRICT	AT LEAST AGE 21	HIGH SCHOOL DIPLOMA OR EQUIVALENT	DATE APPLICATION RECEIVED
John L. Richter	142 Tanglewood Road SW	4	yes	yes	10/11/2021
There is one vacancy:					
John L. Richter	Term Expires 11-17-2021				
Need one person to fill a full four-year term					

# PUTNAM COUNTY BOARD OF COMMISSIONERS



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117 Putnam Drive, Suite A ♦ Eatonton, GA 31024  
706-485-5826  
[www.putnamcountyga.us](http://www.putnamcountyga.us)

## NOTICE

The Putnam County Board of Commissioners is seeking interested Putnam County residents to serve on the **Board of Assessors**. Persons eligible to serve on the Board of Assessors must be at least 21 years of age and have a valid high school diploma or its equivalent. The successful candidates must complete 80 hours of training and pass the assessor examination during the first year of appointment. Additionally, the successful applicants must complete 40 hours of continuing education every two years.

This board is responsible for determining taxability, value and equalization of all assessments within the county. The County Board of Tax Assessors notifies taxpayers when changes are made to the value of the property; receives and reviews all appeals filed; and insures that the appeal process proceeds properly. In addition, they approve all exemptions claimed by the taxpayer. Meetings of the Board of Assessors are usually held once per month on a weekday between the hours of 2:00 PM and 6:00 PM. During appeal time, meetings can increase to at least three or four times per month. Compensation is \$50.00 per board meeting.

Interested persons should submit an **application** to the Putnam County Board of Commissioners, 117 Putnam Drive, Suite A, Eatonton, Georgia 31024. Applications will be accepted until the positions are filled. The board application form can be found on the county website at [www.putnamcountyga.us](http://www.putnamcountyga.us) (in the "How Do I" section) or by calling 706-485-5826.

10/14/2021 & 10/21/2021

# PUTNAM COUNTY BOARD OF COMMISSIONERS



**RECEIVED**  
By Lynn Butterworth at 8:07 am, Oct 11, 2021

117 Putnam Drive, Suite A ♦ Eatonton, GA 31024  
706-485-5826 ♦ 706-923-2345 fax  
www.putnamcountyga.us

## APPLICATION FOR BOARDS, COMMITTEES, & AUTHORITIES

Name: John L. Richter Home Phone: [REDACTED]  
Address: 142 Tanglewood Rd SW Work Phone: \_\_\_\_\_  
Eatonton, Ga, 31024 Cell Phone: [REDACTED]  
Occupation: retired E-mail: [REDACTED]

I would like to apply for appointment to the following Board, Committee, or Authority:  
Board of Assessors

Which district do you live in?  1  2  3  4

Briefly explain your educational background Electronic Technology degree and some college

Are you an owner or officer in any business or corporation?  Yes  No

If yes, please list the name and activity of the business or corporation: \_\_\_\_\_

Please explain any previous experience with State or Local Government: Putnam County Board of Assessor since 2019, Montgomery County Board of Assessor 2008 to 2019

Briefly explain why you seek this appointment: I have enjoyed serving on Board of Assessors for Putnam County and Montgomery County to ensure uniform evaluations are performed.

Being involved with local governments is interesting and a learning experience.

If appointed, I agree to serve.

**John L. Richter**  
Digitally signed by John L. Richter  
DN: cn=John L. Richter, o.ou, email=[REDACTED], c=US  
Date: 2021.10.08 15:40:42 -0400  
Signature

October 8, 2021  
Application Date

\*This application should be submitted to the Putnam County Board of Commissioners. Any additional information may be included on a separate page.

MEMBER	TERM BEGINS	TERM EXPIRES
Kelley Chitwood*** 108 River Lake Drive Eatonton, GA 31024	9/3/2021	2/3/2025
John L. Richter* 142 Tanglewood Road SW Eatonton, GA 31024	3/6/2020	11/17/2021
Evan Reese 122 S. Leisure Lane Milledgeville, GA 31061	2/3/2021	2/3/2025
Virginia M. Daley** 201 E. Magnolia Street Eatonton, GA 31024	3/16/2021	7/6/2022
Shelby J. Storey, Chair 2021 169 Cedar Cove Drive Buckhead, GA 30625	3/20/2020	3/20/2024
*to fill the unexpired term of Donald Cottrell		
**to fill the unexpired term of Ronald Gilpin		
***to fill the unexpired term of John Chaklos		

4 year terms (effective 3/97)

Appointed by BOC

Need to be sworn in by Clerk of Court

Need to provide information to HR

Need to prepare resolution for DOR

Last Updated 10/26/2021

**File Attachments for Item:**

12. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances: Chapter 66-Zoning; Chapter 18-Buildings and Building Regulations; Chapter 28-Development Regulations; Chapter 32-Fire Protection and Prevention; Chapter 50-Solid Waste and Scrap Tires; Appendix B-Special Events (staff-CA,P&D)



**EXPLANATION OF DOCUMENTS:**

**Red language equals added text.**

**Struck through language equals deleted text.**

**Chapter 66 – ZONING**

**Sec. 66-20. - Definitions.**

*Brewery* means a facility where malt beverages are brewed, bottled, packaged, and distributed for wholesale and/or retail distribution.

*Brew pub* means any eating establishment in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation prescribed in O.C.G.A. § 3-5-36 for retail consumption on the premises and solely in draft form. As used in this chapter, the term "eating establishment" means an establishment which is licensed to sell distilled spirits, malt beverages, or wines and which derives at least 50 percent of its total annual gross food and beverage sales from the sale of prepared meals or food.

*Farm Winery* means any establishment meeting the definition provided by O.C.G.A. § 3-6-21.1.

*Parking* means the act of transient parking of vehicles at a retail, commercial, industrial, or residential facility that has regular turnover.

*Storage* means the storage of goods or materials. The parking or storage of vehicles, equipment, and merchandise for a period of less than 48 hours does not constitute storage.

**Sec. 66-34. - General requirements.**

Statements in this section apply to the entirety of this chapter. The specific applications are dependent on the extent of the dissimilarity between the existing zoning district and the new one the following shall apply:

- (a) Nuisance. The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.
- (b) Outside Merchandise. No outside display of merchandise shall create traffic or other safety hazard. No retail items shall be parked or sold within a street right-of way. No external display of merchandise shall interfere with sight lines in a way to create traffic or safety hazards.
- (c) Allowed uses. Within the various zoning districts, as described in this article and shown on the official zoning map, no land, building or structure shall be used as a matter of right except in accordance with the uses and standards of this chapter.
- (d) Buffers and berms.
  - (1) A buffer or berm, which provides visual screening, shall at the director's discretion, unless the board of commissioners has mandated otherwise, exist between any C-PUD, R-PUD, C, or I-M district and any R, RM, or MHP district or existing use. The dimensions of the buffer between adjoining uses are in Table \_\_\_\_\_.  
Table \_\_\_\_\_

- (2) Required buffers must be separated by at least a five-foot setback from a parking area or a structure.
- (3) All buffers shall be replanted, where sparsely vegetated, with evergreen trees of at least two inches measured at diameter breast height (DBH) and with evergreen shrubs to create an understory among the trees. An evergreen ground cover shall exist throughout the buffer.
- (4) The spacing of trees when creating a buffer shall be approximately ten feet between each tree at time of planting. In order to create a solid appearance, another row of trees shall be planted ten feet behind the first row, also spaced ten feet apart so that the trees in one row visually fill the gaps in the next row (as depicted in the following diagram).
- (5) Where the use to be protected exists (or will exist) above or below the new one, the slope of the cut/fill shall constitute the buffer, provided the angular length of the slope is at least

Proposed Use	Adjoining Use									
	AG	R-1R	R-1, R-2	RM	RM-3	MHP	C-1 & C-2	I-M	C-PUD	R-PUD
AG	None	50	50	50	None	50	50	50	50	50
R-1R	None	None	None	None	None	None	None	None	None	None
R-1, R-2	None	None	None	None	None	None	None	None	None	None
RM	None	20	None	None	None	None	None	None	None	None
RM-3	50	50	50	50	None					
MHP	25	50	50	50	None	25	25	25	25	50
C-1 and C-2	None	50	50	50	None	50	None	100		50
I-M	None	100	100	100	100	100	None	50	100	100
C-PUD	50	50	50	50	None	50	50	50	None	50
R-PUD	50	50	50	50	50	50	50	50	50	None

equal (in feet) to the width of the required buffer. The densest plantings of trees and understory occurs at the top of the slope diminishing as the slope proceeds downward. An evergreen ground cover shall be planted on the slope. A six-foot high fence constructed of opaque material shall be placed at the top of the cut slope.

- (6) A berm shall be no flatter than a three to one slope achieving a height above the ground throughout its entire length of not less than six feet. It may exist throughout the length of a buffer or as a separate entity within a setback.
- (7) A berm shall be planted with evergreen trees, shrubs, and ground cover in the same fashion as a buffer. If natural vegetation does not exist along a buffer area, a berm must be installed.

- (8) Unless certifiable low water consumption plantings are used, an irrigation system shall exist through the buffer or berm to ensure the continued vitality of the vegetation.
- (9) When the ground between the new and the existing uses is relatively flat, either a buffer or a berm, at the discretion of the director, shall be used. A berm may be located within a setback but a buffer may not.
- (e) Double frontage and corner lots. Lots that adjoin a public street on any side shall provide the minimum required front setback on each street.
- (f) Pre-Owned Manufactured Home. Pre-owned manufactured homes must meet the minimum requirements as outlined in Section 18-83(b) (5),(9),(10),(11), and (12) of the Putnam County Code of Ordinance prior to the issuance of a building permit. The building inspector shall inspect all pre-owned manufactured homes at the expense of the applicant to include but not limited to inspection fees and travel expenses when located outside of Putnam County. Travel expense shall be calculated based on current mileage rate used by county.
- (g) Vision Clearance.
  - (1) No plant, structure, fence, wall, sign, or other element between the heights of four feet and 10 feet from the ground shall be placed within twenty (20) feet of or maintained in a manner that obstructs vision at the intersection of:
    - The right of way lines of two public streets;
    - Any vehicular access drive with a right of way on a public street;
    - Any vehicular access drive with another vehicular access drive;
    - A public street’s right of way line and a railroad;
    - Two railroad lines.
  - (2) Notwithstanding other provisions of this chapter, fences, walls, hedges, driveways and buffer areas may be permitted in any required yard or along the edge of any yard, provided that fences, walls or hedges on a corner lot in a residential district shall not exceed four feet in height. See performance standards for specific requirements on fences and walls.
- (h) Other Regulations. The property owner should be aware of and consult the other ordinances that may apply to the development or use of any property, including but not limited to any conditions applied by the Board of Commissioners at the time the property was rezoned, the International Building Code; Chapter 18, Buildings and Building Regulations; Chapter 22, Businesses; Chapter 28, Development Regulations; Chapter 30, Environment; Chapter 32, Fire Code; Chapter 46, Roads and Bridges; Chapter 48, Signs; and Chapter 50, Solid Waste and Scrap Tires.
- (i) Parking requirements. See development standards in each district for residential requirements. For commercial and industrial/manufacturing see chapter 28, development regulations.
- (j) Projections into setbacks. Every part of a required setback shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features, provided that these features do not project more than three feet into any required setback. Decks, porches, patios, carports, and similar structures (including steps to access the foregoing) are not permitted to project into the setback area. Setbacks for accessory uses are defined in each district’s requirements.
- (k) Street access. Except as provided in this chapter, each building shall be located on a lot or parcel that abuts a public paved street. However, should an owner of a tract of property subdivide it so as to provide smaller parcels only to other family members for their residential use, then the new parcels so created may be accessed by recorded, permanent and private

easements between the original owner (grantor) and his grantees, upon approval of the director.

- (l) Storage and parking of recreational vehicles, trailers, and other vehicles. Commercial vehicles with more than four wheels, recreational vehicles, travel trailers, campers, buses, motorized homes, boat trailers and haulers, and boats shall not be stored in the front yard in any residential district. Travel trailers, recreational vehicles, campers, motorized homes, boat trailers and haulers, and boats may be parked or stored in an enclosed garage or carport or in rear or side yards, provided that they remain more than 20 feet from the rear property line and ten feet from the side property line. No such vehicle shall be occupied for sleeping or as a residence, either permanently or temporarily, when so parked.
- (m) Lighting All exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
- (n) One Principal Building per Lot. Only one principal building and its customary accessory buildings may hereafter be erected on any lot, unless this Ordinance specifically provides otherwise; further provided that more than one multi-family dwelling, office, institutional, commercial or industrial building may be located on a lot or tract.

**Sec. 66-72. - Uses allowed.**

The uses allowed in the AG-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses:

- Adult day care center

The following agricultural uses shall be allowed provided that the operation is conducted on a parcel of land that consist of at least five acres, and no structure used for housing poultry, livestock or hogs, no areas where manure is stored and no odor or dust producing functions or machinery shall be located within 200 feet of a property line or 300 feet of a dwelling unit not located on same parcel. This shall not apply to any structures or uses existing prior to the adoption of this section.

- Agricultural Processing
- Animal Production
- Aquaculture
- Confined Animal Feeding Operation (CAFO)
- Crop Production
- Greenhouse Production
- Horticultural Production

- Animals, domestic
- Animals, exotic (conditional use only)
- Animal Care, Limited Animal
- Animal Care, General
- Bed and breakfast.
- Bait sales.
- Cabin or hunting lodge.

Campground.  
 Child day care center Dwelling, Manufactured home  
 Dwelling, Single-family detached  
 Livestock sales.  
 Event Venue (conditional use only)  
 Farm Winery  
 Farmer's Market  
 Landing strip, private  
 Helipad  
**Fairgrounds and Amusement Parks**  
 Fishing lake.  
 Hospice Care Facility, General  
 Hospice Care Facility, Limited  
 Kennel, commercial  
 Kennel, noncommercial  
 Logging and timber but not including a permanent sawmill or the preparation or treatment  
 of lumber for commercial sale  
 Meat processing and packaging facilities  
 Nursery  
 Recreation, outdoor.  
 Personal care home, group  
 Personal care home, congregate  
 Produce stands.  
 Public and private hunting club.  
 Religious facilities. Riding stable, commercial. (conditional use only)  
 Racetrack  
 Shooting Range, Indoor  
 Shooting Range, Outdoor (conditional use only)  
 Slaughterhouse. Solar energy system. See Chapter 53  
 Helipad Recreational vehicle park  
 Transmission/communication towers

**Zoos**

- (b) Accessory uses that may be contained within the principal use or shall exist on the same property as the principal structure are as follows:

Commercial:

Barbershop.  
 Beauty salon.  
 Helipad  
 Dwelling, tenant  
 Workshop, Limited  
 Riding stable, private  
 Animal Care, Limited  
 Sawmill, temporary/portable  
 Dwelling, Family accessory dwelling unit, either enclosed as part of principal dwelling unit or separate structure. This building shall not be a manufactured home.

Home occupation

Cemetery, family burial plot

Dwellings: In addition to the primary residence on a parcel consisting of 5 acres or greater, the owner may subdivide three additional parcels for family use only, with a minimum of 1.25 acres each without rezoning as long as there is a deeded and platted easement from a public road to these parcels. Nonconforming parcels must be rezoned prior to subdividing any additional lots.

Personal care home, family

Hospice Care Facility, Limited Dock, private

Swimming pool, private.

Tennis court, private.

(c) Accessory uses as part of a subdivision.

Dock, community

Recreation, Outdoor

Recreation, Community

Water treatment plant, private.

**Sec. 66-73. - Development standards.**

(a) Minimum lot size: 5 acres.

(b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c) Minimum lot width at the building setback line: 100 feet.

(d) Minimum setback requirements for the principal structure are as follows:

(1) Front setback: 30 feet.

(2) Side setback: 20 feet.

(3) Rear setback: 20 feet.

(4) Setback from Lake Sinclair, Lake Oconee, creek, or river: 65 feet.

(5) State Hwy/Main Arterial Road setback: 50 feet.

(e) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory buildings are as follows:

(1) Front setback: 30 feet

(2) Side setback: 20 feet.

(3) Rear setback: 20 feet

(4) State Hwy/Main Arterial road setback: 50 feet

(f) Maximum height of all structures: 35 feet from highest point of the grade (except silos or water towers).

(g) Minimum residential heated floor area:

(1) Dwelling, Single-Family Detached: 1000 square feet

(2) Dwelling Manufactured Home: 600 square feet.

(3) Cabin or Hunting Lodge: 600 square feet

(h) Minimum off-street parking spaces is two spaces for the principal use and one additional off-street space for each 1,000 square feet of accessory use.

(i) Up to one family accessory dwelling unit is permitted per lot

(j) A maximum of three tenant dwellings.

(k) Slaughterhouses are only allowed on a minimum of 20 acres; not allowed on existing nonconforming lots of record.

- (l) Racetracks are not allowed on existing nonconforming lots of record.
- (m) Maximum lot coverage by impervious surface: 35 percent

**Sec. 66-82. - Development standards.**

- (a) Minimum lot size:
  - (1) Individual well and septic system:
    - a. Off-lake lot: 47,916 square feet (1.1 acre).
    - b. On-lake lot: 65,340 square feet (1.5 acre).
  - (2) Public well and septic system:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (3) Individual well and sewer:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (4) Public well and sewer: 20,000 square feet (.46 acre).
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 100 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent
- (e) Minimum setback requirements for principal structures are as follows:
  - (1) Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State Hwy/Main Arterial Road: 50 feet
- (f) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory uses are as follows:
  - (1) Front setback: 30 feet
  - (2) Side setback: 15 feet.
  - (3) Rear setback: 15 feet
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State Hwy/Main Arterial road setback: 50 feet
- (f) Maximum height of structures: 35 feet from the highest point of the grade.
- (g) **Minimum heated floor area:**
  - (1) **1,200 square feet: site-built, modular.**
  - (2) **1,000 square feet: manufactured.**
- (h) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.
- (i) Only one principal dwelling unit is permitted per lot, except for one family accessory dwelling unit, which may be enclosed as part of principal structure or detached from principal structure. This building shall not be a manufactured home.
- (j) Accessory buildings: Maximum of two per lot, excluding one garage, or carport and one well house.

**Sec. 66-85. - Development standards.**

- (a) Minimum lot size:
  - (1) Individual well and septic system:
    - a. Off-lake lot: 47,916 square feet (1.1 acre).
    - b. On-lake lot: 65,340 square feet (1.5 acre).
  - (2) Public well and septic system:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (3) Individual well and sewer:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (4) Public well and sewer: 20,000 square feet (.46 acre).
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 100 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent
- (e) Minimum setback requirements for principal structures are as follows:
  - (1) Front setback: 30 feet
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State Hwy/Main Arterial Road: 50 feet
- (f) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory uses are as follows:
  - (1) Front setback: 30 feet
  - (2) Side setback: 15 feet.
  - (3) Rear setback: 15 feet
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State Hwy/Main Arterial road setback: 50 feet
- (g) Maximum height of structures: 35 feet from the highest point of the grade.
- (h) Minimum heated floor area:
  - (1) 1,000 square feet: site-built, modular.
  - (2) 600 square feet: manufactured.
- (i) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.
- (j) Only one principal dwelling unit is permitted per lot, except for one family accessory dwelling unit, which may be enclosed as part of principal structure or detached from principal structure. This building shall not be a manufactured home.
- (k) Accessory buildings: Maximum of two per lot, excluding one garage, or carport and one well house.

**Sec. 66-91. - Development standards.**

- (a) Minimum parcel size: 20,000 square feet.
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.



- (c) Minimum lot width at the building setback line: 125 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent
- (e) Minimum setback requirements are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State Hwy/Main Arterial Road: 50 feet
  - (6) All buildings must be separated on all sides by a minimum of ten (10) feet from any other building.
  - (7) For lots that abut a single-family residential district (R-1R, R-1, R-2), the buildings must be set back at least 50 feet from adjoining property lines
- (f) Buffer requirements
  - (1) 20-foot wide nonaccess buffer along the entire length of the property where abutting an arterial or collector street
  - (2) 20-foot wide natural undisturbed buffer or a berm, replanted where sparsely vegetated, for developments adjacent to all R1-R, R-1, R-2 zoning districts.
- (g) Multi-family residential developments with at least four dwelling units shall dedicate a minimum of 15% to open space. This may include community recreation uses.
- (h) Maximum height of structures: 35 feet from the highest point of the grade.
- (i) Minimum heated floor area:
  - (1) One Bedroom Unit: 700 square feet.
  - (2) Two Bedroom Unit: 900 square feet
  - (3) Three Bedroom Unit: 1,100 square feet
- (j) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a community recreation facility, depending on the number of people the health department determines can be in the community recreation areas and the fire marshal determines the occupancy rating for any building. Parking shall be provided on the same lot as the use it serves.
- (k) Density: Six dwelling units per acre.
- (l) Accessory buildings: Maximum of one per dwelling unit, excluding one garage, or carport and one well house.
- (m) Community water and an approved septic system or sewer.**

**Sec. 66-103. - Uses allowed.**

The uses allowed in the C-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses:
  - Adult day care center
  - Amusement facility,
  - Animal care, limited
  - Assembly halls.

- Assisted living facilities.
- Automobile maintenance
- Automobile retail.
- Automobile service station
- Bar/Tavern/Pub/Lounge
- Brewery**
- Brewpub
- Business or Trade schools.
- Catering service
- Cemetery, public
- Child day care center
- Clinic
- Cultural facilities
- Consumer good rental
- Contractor services, limited
- Convalescent service
- Convenience store
- Dwelling, security
- Emergency Response Facility
- Event venue
- Farm Winery**
- Funeral service.
- Hospice Care Facility, General
- Hotel
- Inn
- Marinas.
- Microproducer
- Mini warehouses
- Motel
- Offices.
- Personal care home, congregate
- Personal care home, group
- Private schools.
- Recreation, Indoor (Limited)
- Recreation, Outdoor Religious facilities.
- Restaurant
- Retail sales or service (Indoor) Retirement community
- Shooting range, Indoor
- Transmission/communication towers.
- Water treatment plant, private.

- (b) Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

**Sec. 66-104. - Development standards.**

- (a) Minimum lot size: 20,000 square feet.
- (b) Minimum lot width at the building setback line: 100 feet.

- (c) Minimum setbacks requirements are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 15 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) A 50-foot setback is required when any commercial use or district adjoins any residential use or district.
  - (6) State Hwy/Main Arterial Road: 50 feet
- (d) Maximum height of structures: 45 feet from the highest point of the grade.
- (e) Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial uses.
- (f) Maximum lot coverage by buildings: 35 percent.
- (g) Buffer requirements:
  - (1) A berm or a 50-foot buffer is required when any commercial use or district adjoins any residential use or district and shall be included within the required setback.
  - (2) Additional buffer and screening requirements may be required based on use in accordance with Section 66-131; Performance Standards.
- (h) Maximum commercial floor area is computed at 15,000 square feet per acre.

**Sec. 66-106. - Uses allowed.**

The uses allowed in the C-2 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Additionally, all uses permitted in the C-1 district are permitted in the C-2 district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses:
  - Adult day care center
  - Amusement facility
  - Animal care, limited.
  - Animal care, general
  - Assembly halls
  - Assisted Living Facility
  - Automobile maintenance.
  - Automobile repair.
  - Automobile retail.
  - Automobile sales and rental
  - Automobile service station.
  - Boat sales
  - Boat yard
  - Bar/Tavern/Pub/Lounge
  - Brewpub
  - Brewery
  - Business or trade schools.
  - Catering service

- Cemeteries, public
- Child day care center
- Clinic.
- Commercial Truck or Equipment Rental or Sales
- Consumer goods rental
- Contractor Services, Limited
- Convalescent service
- Convention Center
- Convenience store
- Crematoriums.
- Cultural facilities
- Dwelling, security
- Emergency response facility
- Event Venue
- Farm Winery**
- Funeral service.
- Golf course, tennis center, swimming center, or country club
- Hospice care facility, general Hospitals, private.
- Hotel
- Inn
- Kennels, commercial
- Laboratories, medical.
- Liquor store
- Manufactured home sales.
- Marinas.
- Meat processing and packaging facilities.
- Microproducer
- Motel
- Nursery
- Offices. Personal care homes, congregate
- Personal care homes, group Private schools.
- Recreation, indoor (limited)
- Recreation, indoor (general)Recreation, outdoor
- Rehabilitation facility
- Religious Facilities
- Restaurant
- Retail Sales or Service (Indoor)
- Retail Sales or Service (Outdoor).
- Retirement community
- Mini-warehouses.
- Shooting range, indoor
- Transmission/communication towers.
- Truck stop.
- Water treatment plant, private.
- Workshop, limited

- (b) Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

**Sec. 66-107. - Development standards.**

- (a) Minimum lot size: 43,560 square feet (One acre).
- (b) Minimum lot width at the building setback line: 100 feet.
- (c) Minimum setback requirements are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 15 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) A 50-foot buffer is required when any commercial use or district adjoins any residential use or district.
  - (6) State Hwy/Main Arterial Road: 50 feet
- (d) Maximum height of structures: 45 feet from the highest point of the grade.
- (e) Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial uses.
- (f) Maximum lot coverage by buildings: 35 percent
- (g) Buffer Requirements
  - (1) A berm or a 50-foot buffer is required when any commercial use or district adjoins any residential use or district and shall be included within the required setback.
  - (2) Additional buffer and screening requirements may be required based on use in accordance with Section 66-131: Performance Standards.
- (h) Maximum commercial floor area is computed at 25,000 square feet per acre.

**Sec. 66-112. - Uses allowed.**

The uses allowed in the I-M zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses:
  - Adult entertainment.
  - Agricultural processing
  - Assembly halls.
  - Automobile maintenance
  - Automobile repair
  - Automobile sales and rentals
  - Automobile service stations.
  - Boat sales
  - Boat yard
  - Brewery
  - Fairgrounds and Amusement Parks
  - Fuel Oil/Gas Distributor Clinic.
  - Commercial truck or equipment rental sales

Contractor Services, General  
 Contractor Services, Limited  
 Convenience store  
 Crematorium  
 Extractive Industry Funeral service.  
 Heavy equipment sales, rental, repair, and storage  
 Helipad  
 Junkyards.  
 Landing strip, private  
 Manufacturing, heavy  
 Manufacturing, general  
 Manufacturing, limited  
 Meat processing and packaging facilities  
 Racetracks  
 Recreation outdoor  
 Restaurants  
 Retail sales or service (outdoor)  
 Sawmill, portable/temporary or permanent  
 Scrap and salvage service  
 Mini warehouses.  
 Sewage treatment plant (subject to article III, performance standards).  
 Slaughterhouse  
 Solar energy system. See Chapter 53  
 Truck or freight terminal  
 Transmission/communication towers.  
 Towing facility  
 Truck or freight terminal  
 Truck stop.  
 Vehicle rentals  
 Vehicle and other storage  
 Wholesale and warehousing, limited  
 Wholesale and warehousing, general  
 Water treatment plant, private  
 Workshop, limited

**Zoos.**

- (b) Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

**Sec. 66-115 Type of PUD Districts Permitted**

- (a) Residential Planned Unit Development (R-PUD): This is a planned development concept that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, **limited agricultural uses**, and the preservation of environmentally sensitive areas. A mix of residential dwelling unit types is also desirable in this concept to promote a balanced community. Innovative concepts such as zero lot lines, townhouse-condominiums, traditional neighborhoods, villages, cluster-type or conservation subdivisions are encouraged.

- (b) Commercial Planned Unit Development (C-PUD): This is a planned development concept that all more than one type of use in a building or set of buildings, including some combination of residential and selective non-residential uses such as commercial, agricultural, office and institutional uses.

Sec. 66-118 Development Standards

Lot Dimensions	R-PUD	C-PUD
<b>Minimum Lot Size</b>	15 acres	25 acres
Minimum Lot Width	As established in an approved concept plan	As established in an approved concept plan
Minimum Lot Frontage		
Setbacks		
<b>Principal Building</b>		
Front	As established in an approved concept plan	As established in an approved concept plan
Side	As established in an approved concept plan	As established in an approved concept plan
Rear	As established in an approved concept plan	As established in an approved concept plan
From Lake Sinclair or Lake Oconee	65 feet	65 feet
State Hwy or Arterial	50 feet	50 feet
<b>Accessory Building</b>		
From Principal Structure	As established in an approved concept plan	As established in an approved concept plan
Front	Not Permitted	Not Permitted
Side		
Rear		
Maximum Height		
Principal	35 feet	35 feet
<b>Accessory</b>		
<b>Minimum Floor Area</b>		
Single Family Detached	1,000 sf	1,000 sf
Single Family Attached	1,000 sf	1,000 sf
Manufactured Home		
One-Bedroom Unit	700 sf	700 sf
Two-Bedroom Unit	900 sf	900 sf
Three or More Bedroom Unit	1100 sf	1100 sf
Impervious Surface Coverage	As established in an approved concept plan	As established in an approved concept plan
Residential Density	8 dwelling unit maximum per acre	8 dwelling unit maximum per acre
Land Use Mix	Residential – 100%	Residential: Minimum of 25% of total acreage Commercial: Minimum of 25% of total acreage <sup>1</sup>

Water and Sewer	Must be connected to a central water supply and sewer system	Must be connected to a central water supply and sewer system
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<sup>1</sup>Minimums are determined by floor area of interior spaces for each use category

**Sec. 66-119 Permitted Uses in R-PUD**

(a) Allowed uses

- Dwelling, duplex
- Dwelling, family accessory dwelling unit
- Dwelling, multifamily
- Dwelling, single family attached
- Dwelling, single family detached

(b) Accessory uses as part of a development.

- Agricultural, limited.
- Brewery
- Farm Winery
- Recreation, outdoor.
- Laundry facility for the exclusive use of residents in development
- Recreation, community.
- Marinas
- Solar Energy System: See Chapter 53
- Water treatment plant, private.

(c) Accessory uses.

- Animals, domestic
- Child home day care center
- Personal care home, family
- Home occupation,
- Hospice care facility, limited

**Sec 66-120 Permitted Uses in C-PUD**

(a) Allowed uses

- Dwelling, duplex
- Dwelling, family accessory dwelling unit
- Dwelling, multifamily
- Dwelling, single family attached
- Dwelling, single family detached
- Adult day care center
- Animal care, limited
- Assembly hall
- Automobile maintenance
- Automobile retail
- Bar/tavern/cocktail lounge
- Bed and breakfast
- Boarding house
- Brewpub
- Catering service



- Child day care center
- Consumer goods rental
- Cultural facilities
- Event venue
- Golf, tennis, swimming, or country club
- Hotel
- Inn
- Motel
- Office
- Private School
- Recreation, indoor (general)
- Recreation, indoor (limited)
- Religious facilities
- Restaurant
- Retail sales or service, indoor
- Retirement community
- (b) Accessory uses as part of a development.
  - Agricultural, limited.**
  - Recreation, outdoor.
  - Laundry facility for the exclusive use of residents in development
  - Recreation, community.
  - Marinas
  - Dock, community
  - Solar Energy System: See Chapter 53
  - Water treatment plant, private.
- (c) Accessory uses.
  - Animals, domestic
  - Child home day care center
  - Personal care home, family
  - Home occupation,
  - Hospice care facility, limited
  - Dock, private
  - Swimming pool, private.
  - Tennis courts, private.

**Sec. 66-156. - Director, scope of authority.**

- (a) *Issuance of permits.* Supervise the issuance of development and building permits so as to make sure that all new development and construction complies with this chapter and other relevant chapters.
- (b) *Administrative variances.* The director of planning and development shall have the power to grant variances from development standards as established in article II where, in his/her opinion, the intent of the ordinance can be achieved and equal performance obtained by granting the variance.
  - (1) The authority to grant such variance shall be limited to variance from the following requirements:

- a. Front, side, rear, or yard adjacent to public street—variance not to exceed 25 percent.

*Variances.* Review variance requests and refer, with recommendations to the planning and zoning commission, including any conditions that may be deemed advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.

- (c) *Enforcement; penalties for violation of chapter.*

(1) In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, covered or maintained, or any building, structure or land is or is proposed to be used in violation of any provision of this chapter, the director, shall in addition to other remedies, and after due notice to the owner of the violation, issue a citation for violation of this chapter requiring the presence of the violator in a court of competent jurisdiction ~~the magistrate's court~~; or institute injunction or other appropriate action or proceeding to prevent this unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate this violation or to prevent the occupancy of this building, structure or land. Where a violation of the regulations of this chapter exists with respect to a structure or land, the director may, in addition to other remedies, require that public utility service be withheld until such time as the structure or premises are no longer in violation of this chapter.

(2) Any firm, person or corporation that shall do anything prohibited by this chapter as they exist, or as they may hereafter be amended, or who shall fail to do anything required by this chapter as they now exist or as they may hereafter be amended, upon conviction of a violation, shall be subject to punishment as provided by law. Any violation of this chapter shall be regarded as a misdemeanor, punishable by up to one year's imprisonment and/or a fine of \$1,000.00. Each day that this violation exists shall be deemed a separate offense.

- (d) *Appeals from decisions of the director.* It is the intention of this article that all questions arising in connection with the administration and enforcement of this article shall be presented first to the director and that these questions shall be presented to the planning and zoning commission only on appeal from decision of such official. Fees shall be set from time to time by the board of commissioners governing the cost of such appeals. All appeals must be filed within ten days of the issuance of the decision being appealed. Division 2 of this article shall govern policies and procedures for such appeals. A permit applicant proceeds with construction at his own risk until the appeal period expires and while an appeal of the issuance of a permit is pending.

**Sec. 66-157. - Planning and zoning commission, scope of authority.**

- (a) *Initiation.* All planning and zoning issues, including those relative to the official zoning maps, shall be reviewed by the planning and zoning commission. Amendments to the official zoning maps may only be made by the board of commissioners.
- (b) *Conditional use permits.* If a use is not permitted in any zoning district, the planning and zoning commission may hear and recommend a conditional use permit approval application as submitted according to the rezoning process. In granting such a conditional use permit, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable

so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. Conditional use permits shall be issued to the applicant solely, are not transferrable, and shall extinguish upon cessation of such activity for a period of twelve months. Conditional uses permits may be renewed by application by successive owners or operators.

- (c) *Variances.* The planning and zoning commission shall hear applications for variances from the development standards and performance standards of this chapter. All variance approval shall be contiguous with the property. Such variances may be granted only:
- (1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or
  - (2) Where by reason of exceptional topographic conditions to include floodplains or other extraordinary or exceptional conditions of a piece of property, strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.
  - (3) In granting a variance, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. However, the planning and zoning commission shall not be authorized to grant a density variance or a use variance to permit a density or use in a district in which the density or use is otherwise prohibited. The planning and zoning commission shall not be authorized to grant a variance to development standards set forth in a statement of zoning conditions accompanying a conditional zoning.
  - (4) No variance may be granted for a reduction in minimum lot size.**
- (d) *Appeals of administrative decision.*
- (1) *Who may seek an appeal.* Any person, firm or officer, department, board or agency directly affected by the decision of the planning and development department director may bring an appeal before the planning and zoning commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the planning and zoning commission all papers constituting the record upon which the action appealed from was taken.
  - (2) *Extent of commission power.* The planning and zoning commission may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.
  - (3) *Effect of appeal.* An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

**Sec. 66-158. - Board of commissioners, scope of authority.**

- (a) *Initiation.* This chapter, including the official zoning maps, may be amended by the board of commissioners on its own motion or by private petition or on recommendation of the planning and zoning commission.
- (b) *Variances.* The board of commissioners shall hear and decide on applications for variances from the development standards or performance standards of this chapter only on appeal of the decision of the planning and zoning commission. Such variances may be granted only:
- (1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or
  - (2) Where, by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, the strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon, the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.
  - (3) In granting a variance, the board of commissioners may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. The board of commissioners is authorized to grant a density variance or a use variance to permit a density or use in a district where otherwise prohibited.
  - (4) **No variance may be granted for a reduction in minimum lot size.**
- (c) *Appeals of administrative decision.*
- (1) *Who may seek an appeal.* Any person, firm or officer, department, board or agency directly affected by the decision of the planning and zoning commission may bring an appeal before the board of commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the board of commissioners all papers constituting the record upon which the action appealed from was taken.
  - (2) *Decisions subject to appeal.* Actions of the planning and zoning commission subject to appeal are limited to the following administrative decisions:
    - a. Grant or denial of variance requests; and/or
    - b. Interpretation of the provisions of chapter 66 as appealed to the planning and zoning commission pursuant to section 66-157(d).
  - (3) *Extent of commission power.* The board of commissioners may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.
  - (4) *Effect of appeal.* An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

## Chapter 18 – BUILDINGS AND BUILDING REGULATIONS

### Sec. 18-95. - Enforcement; penalties for violation of article.

(a) In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, covered or maintained, or any building, structure or land is or is proposed to be used in violation of any provision of this chapter, the of the planning and development department, or any other appropriate authority of the county, may, in addition to other remedies, and after due notice to the owner of the violation, issue a citation for violation of this chapter requiring the presence of the violator in **a court of competent jurisdiction** ~~the magistrate's court~~; or institute injunction or other appropriate action or proceeding to prevent this unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate this violation or to prevent the occupancy of this building, structure or land. Where a violation of the regulations of this chapter exists with respect to a structure or land, the may, in addition to other remedies, require that public utility service be withheld therefrom until such time as the structure or premises are no longer in violation of this chapter.

(b) Any firm, person or corporation that shall do anything prohibited by this chapter as they exist, or as they may hereafter be amended, or who shall fail to do anything required by this chapter as they now exist or as they may hereafter be amended, upon conviction of a violation, shall be subject to punishment as provided by law. Any violation of this chapter shall be regarded as a misdemeanor, punishable by up to one year's imprisonment and/or a fine of \$500.00. Each day that this violation exists shall be deemed a separate offense.

## Chapter 28 – DEVELOPMENT REGULATIONS

### Sec. 28-104. - Remedies.

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, covered or maintained, or any building, structure or land is or is proposed to be used in violation of any provision of this chapter, the director of the planning and development department, or any other appropriate authority of the county may, in addition to other remedies and after due notice to the owner of the violation, issue a citation for violation of this chapter and require the presence of the violator in **a court of competent jurisdiction** ~~the magistrate's court~~; or institute injunction or other appropriate action or proceeding to prevent this unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate this violation or to prevent the occupancy of this building, structure or land. Where a violation of this chapter exists with respect to a structure or land, the director of the planning and development department may, in addition to other remedies, require that public utility service be withheld therefrom until such time as the structure or premises are no longer in violation of this chapter.

## Chapter 32 – FIRE PROTECTION AND PREVENTION

### Sec. 32-20. - Parking in fire lanes; authority to prevent blocking of private ways and alleys.

(a) *Prohibition.* It shall be unlawful for any person to stop, stand or park any motor vehicle in, or otherwise obstruct, any fire lane as described in this section.

(b) *Penalty.* The fine for any offense under this section shall be \$50.00.

(c) *Definitions.* The following words, terms and phrases, when used in this paragraph, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Fire lane* means an area designated by the fire official which provides access to fire department connections and fire hydrants and provides access for fire department vehicles to buildings. This includes all alleys, including private alleys, private ways or driveways, where parking of motor vehicles or other obstructions can interfere with ingress or egress of fire department vehicles and equipment.

*Fire marshal* means a fire officer or other designated authority or the fire officer's or authority's duly authorized representative charged with the administration and enforcement of the fire prevention code adopted in this chapter.

*Master plat* means an original plat drawn in accordance with this section.

*Plat* means a map created by the property owner which depicts the location and boundaries of land and all existing fire lanes in accordance with this section. Maps shall be drawn to scale.

*Property owner* means each person possessing any estate or leasehold right in the property being designated as a fire lane.

(d) *Authority.* The fire chief, or a duly authorized fire official, may properly designate fire lanes and prevent the blocking of any private alley, private way or driveway in Putnam County by the parking of automobiles or otherwise.

(e) *Posting of signs.* The commercial property owner is required to post signs meeting the following criteria in areas designated as fire lanes:

(1) Signs shall read: "No Parking—Fire Lane."

(2) Signs must meet design specifications as required by [chapter 48](#) of the Putnam County Code of Ordinances.

(3) One sign shall be posted at the beginning of the fire lane and one at the end of the fire lane and at intervals not more than 50 feet apart.

(4) Signs posted shall not be more than four feet from the edge of the curb and shall be visible from both directions of the driving surface.

(f) *Painting of curbs.* The fire chief or a duly authorized fire official may order curbs adjacent to a fire lane to be painted red or another distinctive color.

(g) *Parking in a fire lane.* No person shall park, stand or stop any motor vehicle or place any other property in a fire lane; however, this section shall not apply to the parking of an authorized emergency vehicle.

(h) *Obstructing posted private alley or driveway.* Any person who shall park any vehicle of any character or place any other property in any private alley, private way or driveway which has been posted in accordance with this section. Any person owning or occupying property abutting the private alley, private way or driveway who shall cause or permit the placing of anything therein which would impede or block the passage of fire trucks and equipment, shall be guilty of an offense.

(i) *Site plans.* Property which falls within Putnam County upon which fire lanes have been designated shall have all fire lane delineations visually depicted on a site plan. These plans shall be designed by the property owner and submitted to the Building Official. Each plan shall identify all building exterior walls, traffic and parking lanes and sidewalks. The areas to be designated as fire lanes shall be delineated in red ink. The plan shall state a scale of measurement, and specify the name of the property, the location of the property, a brief legal description of the property and the length and width of the fire lanes.

(j) *Enforcement officials.* Fire marshals, police officers, code enforcement officers or other duly authorized law enforcement officials shall have the authority for enforcement of fire lanes. Fire marshals, police officers, code enforcement officers, or other duly authorized officials may cause to be removed to the nearest authorized place of impound or other place of safety any unattended vehicle or other property left standing in violation of this section. If a vehicle is towed by Putnam County subject to this section, Putnam County shall be authorized to use a call list of designated towing agencies to arrange for towing. The vehicle owner shall be responsible for charges for the towing and any daily impoundment storage fee.

(k) *Notice of ordinance violation.* Notwithstanding any other provisions of this Code, violations of this chapter may be enforced by a notice of ordinance violation issued by any authorized law enforcement officer, fire marshal, or code enforcement officer as provided below:

(1) Ordinance violations charged by means of a notice shall not be punishable by imprisonment but shall be punishable by a fine of \$50.00.

(2) A notice of ordinance violation may be served by delivery into the hands of the suspected violator or by leaving the notice of ordinance violation at the suspected violator's residence with a person of suitable age and discretion residing therein, or by leaving the notice of ordinance violation at the suspected violator's place of business if the violation occurs at the business location, with a person of suitable age and discretion employed therein.

(3) Alternative to the provisions of subsection (2) above, a notice of ordinance violation may be served by substituted service as follows:

a. The notice of ordinance violation may be placed on the front windshield of the illegally-parked vehicle in a fashion reasonably calculated to secure the notice of ordinance violation in place. Notices served according to this subsection shall be conspicuously marked and placed in a waterproof packet.

b. The notice of ordinance violation may be served by securely attaching the notice of ordinance violation to the front door of the primary residential or business structure on the property served by the fire lane or to other door to said structure reasonably appearing to provide the primary point of egress to said residence or business. A notice of ordinance violation served according to this subsection shall be posted on the upper part of the door, shall be conspicuously marked and shall be placed in a waterproof packet.

(4) Violators may respond to a notice of ordinance violation either by signing the notice and returning the notice along with payment of the fine indicated thereon to **a court of competent jurisdiction** ~~the Magistrate Court of Putnam County~~ by the date indicated on the notice or by appearing in **a court of competent jurisdiction** ~~the Magistrate Court~~ to plead not guilty to the charged violation at the date and time provided on the notice. No proceedings for contempt or arrest shall be initiated for failure to appear on the return date on the notice.

(5) Violators who fail to respond to a notice of ordinance violation as provided for in subsection (4) above may thereafter be served personally with an ordinance violation citation or accusation, and criminally prosecuted pursuant to [chapter 18, section 18-84](#).

(1) *Section not exclusive.* The imposition of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the Code of Ordinances of Putnam County.

## Chapter 50 – SOLID WASTE AND SCRAP TIRES

### Sec. 50-33. - Penalty for violation of article.

(a) *Violation.* Any person violating the provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in [section 1-13](#), subsection [50-35](#)(a), or this section.

(1) In the sound discretion of the judge of the court with jurisdiction, the person may also be directed to pick up and remove from any public street or highway and/or other public right-of-way for a distance not to exceed one mile, any litter the person has deposited and any and all litter deposited thereon by anyone else prior to the date of execution of sentence [As provided in O.C.G.A. § 16-7-43(b.2).]; and/or

(2) In the sound discretion of the judge of the court with jurisdiction, the person may be directed to pick up and remove from any public beach, public park, private right-of-way, or with the prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it can be established by competent evidence that the person has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence; and/or

(3) The court may order the publication of the names and photographs of persons convicted of violating this article; and/or

(4) The court may order the person to repair or restore property damaged, or pay damages resulting from such violations, or perform public service related to the repair or restoration of property damaged by the violation; and/or

(5) In case of an open dump or improper solid waste, litter or waste disposal site, the property owner, contractor, developer, builder or other person responsible for the property shall cause the property to be cleaned and to come into full compliance with this chapter. Putnam County shall not be responsible for any costs of cleanup or remediation; and/or

(6) The expenses incurred by the county for cleanup, enforcement of violations and penalties shall be chargeable to the violator, including, but not limited to: court costs, filing fees, special investigations, mutual aid assistance from other agencies and other costs necessary for the reasonable enforcement of this chapter.

(7) In addition to actions filed by Putnam County for violations of this chapter, any state or federal agency may independently file separate or concurrent charges within their respective applicable authority and seek conviction within a court of competent jurisdiction.

(b) *Enforcement.*

(1) Enforcement of this chapter shall be the responsibility of the Putnam County Board of Commissioners, the director of the planning and development department, and/or the environmental compliance officer or his/her designee.

(2) Any person(s) authorized to enforce this chapter shall be empowered to enter any property, upon reasonable cause, at reasonable or necessary times in order to properly inspect for violations of this chapter, subject to the condition that to allow entry onto private property for inspection, the alleged violation of this chapter must be visible from a public road or right-of-way, or upon said person(s) having received a valid complaint alleging a violation of this chapter, or by a judge's order upon said person(s) having received information/allegations that constitute reasonable suspicion that a serious unlawful act or threat to the health and safety of the community and/or the environment has occurred or is about to occur.



(3) Appeals for the violation of this chapter may be made to **a court of competent jurisdiction the Magistrate Court of Putnam County**, or higher court if the person so chooses. The person always has the right to consult his/her attorney at any time before the hearing is scheduled for court.

(c) *Civil remedies and abatement of nuisance.*

(1) In the event that any person violates any provision of this chapter, the county or other appropriate authority may, in addition to other remedies, institute an action for injunction, cleanup or stop work orders, mandamus, irreversible damage fines, lien on property or other appropriate action or proceeding to prevent such unlawful acts or to correct or abate any such violation. In addition, the county may immediately revoke or suspend any and all business, building, development or any and all other county issued permits related to the property or properties involved with the violation until such time that compliance is met, or until the ruling of a court of competent jurisdiction is obtained, at which time respective permits may be reissued.

(2) Upon finding evidence, a written notice of violation may be issued at the discretion of the enforcing officer(s) in lieu of a citation. In the absence of corrective action or in the event that a second violation occurs, the evidence constituting the notice of violation may be submitted as evidence for consideration as a first offense before a court with competent jurisdiction and the pending case treated as a second offense by the court as defined in [section 1-13](#) of the Putnam County Code of Ordinances.

(3) If a person is found guilty of a violation of the provisions of this chapter, the court and/or the board of commissioners may cause written notice to be given, or incorporate into the court order to the violator instructing that person to properly address any provision still remaining in violation of this chapter for which said violator cannot be so served, then by registered mail sent to the violator's last known address.

(4) Upon failure, neglect or refusal of any person so notified to properly address said provisions within 20 days after court order as provided in this section, the board of commissioners is hereby authorized and empowered to cause the cleanup, removal or disposal of, including but not limited to, any litter, or any type of waste(s) as defined in this chapter, dumped, deposited, thrown, or left on public or private property in violation of the chapter on behalf of the county. The expenses incurred by the county shall be chargeable to the violator and the board of commissioners and/or the court shall send a statement of the amount due for said expenses by registered mail.

(5) When the full amount of such charges are not paid by the violator within 30 days after receipt of said statement as provided for in this section, the board of commissioners shall cause to be recorded in the execution docket a sworn statement showing the cost and expense incurred by the county, the dates of county action, the location of the property for which action was taken, and the name of the person to be charged for the expenses incurred. The recordation of such statement shall constitute a lien on their personal and real property of the person to be charged and shall remain in full force and effect until final payment is received in full, including accrued interest from the date of recording and any and all costs. Such amount as shall constitute final payment shall be subject to collection in the manner fixed by law for the collection of taxes.

(6) This section shall apply with full force and effect regardless of the provisions of any order of the court in which the violator was convicted. This section should not be construed as an excuse for failure on the part of the violator to perform any cleanup ordered by the court, nor

shall it be considered as a mitigating factor in any contempt action against a violator who has failed to obey the order of the court.

(d) *Evidence of violations.*

(1) Whenever litter, or any type of waste(s), as defined in this chapter, is thrown, deposited, dropped, or dumped by any person(s) or from any motor vehicle, boat, airplane, or other conveyance in violation of this chapter, it shall be prima facie evidence that said person(s) or the operator of the conveyance has violated this chapter.

(2) Whenever any litter, or any type of waste(s) as defined in this chapter, which is dumped, deposited, thrown, or left on public or private property in violation of the chapter is discovered to contain any article or articles, including, but not limited to letters, bills, publications, or other writings which display the name of a person thereon in such a manner as to indicate that the article belongs or belonged to such person, it shall be a rebuttable presumption that such person has violated this chapter.

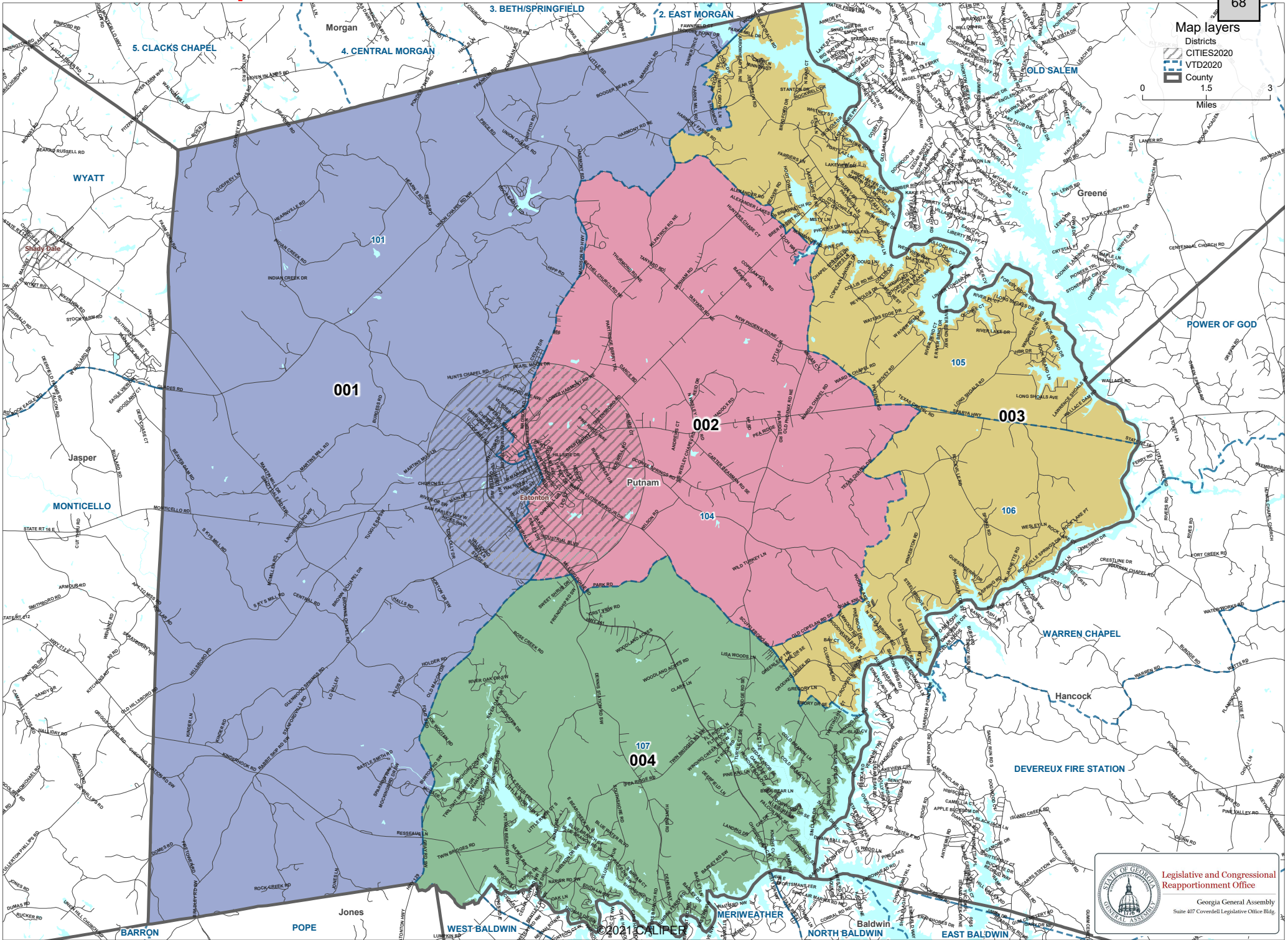
## **Appendix B – SPECIAL EVENTS**

### **Sec. 16. - Toilet facilities.**

The producer of a special event shall be required to provide temporary outdoor toilet facilities at any event **as follows: one toilet for every 25 persons.** ~~at which 200 or more persons are expected to be in attendance. The number of toilets and their locations shall be determined by the director of the building inspection department.~~

**File Attachments for Item:**

13. Authorization for the staff to schedule a Public Hearing on proposed changes to the County Commission District Map(s) (BW)



Map layers

- Districts
  - CITIES2020
  - VTD2020
  - County
- 1.5 Miles

Legislative and Congressional Reapportionment Office  
Georgia General Assembly  
Suite 407 Coverdell Legislative Office Bldg.

User: Putnam Co.

Plan Name: putnamcc-2012-2020data

Plan Type: Local

# Population Summary

Monday, September 27, 2021

12:22 PM

## Summary Statistics:

Population Range:	5,203 to 6,177
Ratio Range:	0.19
Absolute Range:	-309 to 665
Absolute Overall Range:	974
Relative Range:	-5.61% to 12.06%
Relative Overall Range:	17.67%
Absolute Mean Deviation:	332.75
Relative Mean Deviation:	6.04%
Standard Deviation:	389.67

District	Population	Deviation	% Devn.	[18+ _Pop]	[% 18+ _Pop]	[% NH_Wht]	[% NH_Blkl]	[% Hispanic Origin]	[% NH_Asn]	[% NH_Ind]	[% NH_Hwn]	[% NH_Oth]	[% NH_2+ Races]
001	5,203	-309	-5.61%	3,979	76.48%	46.22%	38.23%	11.84%	0.37%	0.23%	0.02%	0.29%	2.81%
002	5,279	-233	-4.23%	4,067	77.04%	39.08%	48.06%	9.41%	0.7%	0.11%	0%	0.09%	2.54%
003	6,177	665	12.06%	5,376	87.03%	87.58%	5.18%	3.97%	0.63%	0.13%	0%	0.15%	2.36%
004	5,388	-124	-2.25%	4,425	82.13%	82.37%	10%	3.69%	0.24%	0.13%	0%	0.2%	3.36%

**Total: 22,047**

**Ideal District: 5,512**

**Current district map with 2020 Census figures = deviation numbers that require new districts be drawn**