

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Agenda

Friday, June 4, 2021 ♦ 9:00 AM

Putnam County Administration Building – Room 203

Opening

1. Welcome - Call to Order
2. Approval of Agenda
3. Invocation - Dr. Ford G'Segner
4. Pledge of Allegiance (DB)
5. Special Presentation - Fire Department

Regular Business Meeting

6. Public Comments
7. Consent Agenda
 - a. Approval of Minutes - May 18, 2021 Regular Meeting (staff-CC)
 - b. Approval of Minutes - May 18, 2021 Executive Session (staff-CC)
8. Authorization for Chairman to sign Intergovernmental Agreement with the City of Eatonton for TSPLOST #2 (staff-CM)
9. Approval of TSPLOST #2 Projects (staff-CM)
10. Approval of FY 2021 LMIG Safety Action Plan (SAP) Projects and authorization for Chairman to sign documents (staff-CM)
11. Awarding of Bids for the SR 44 @ Scott Road Traffic Signal (staff-CM)
 - a. Solicitation 21-42001-002 Traffic Signal Installation
 - b. Solicitation 21-42001-003 Signal Mast Arms/Poles
12. Approval of American Rescue Plan (ARP) Funding for Hazard Pay (staff-CM)
13. Authorization for Chairman to sign Technical Assistance Letter to the Middle Georgia Regional Commission for assistance with an IT upgrade of the Administration Building and Courthouse (staff-CM)
14. Authorization for staff to schedule a Public Hearing for proposed changes to the Putnam County Code of Ordinances - Chapter 6 (Alcoholic Beverages) and Chapter 18 (Buildings and Building Regulations) (staff-CA,CC,P&D)

Reports/Announcements

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

Executive Session

18. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate
19. Reopen meeting and execute Affidavit concerning the subject matter of the closed portion of the meeting
20. Action, if any, resulting from the Executive Session

Closing

21. 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:

7. Consent Agenda

- a. Approval of Minutes - May 18, 2021 Regular Meeting (staff-CC)
- b. Approval of Minutes - May 18, 2021 Executive Session (staff-CC)

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Minutes

Tuesday, May 18, 2021 ♦ 6:30 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, May 18, 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 Adam Nelson
- County Manager Paul Van Haute
- County Clerk Lynn Butterworth

Opening

1. Welcome - Call to Order

Chairman Webster called the meeting to order at approximately 6:30 p.m. (Copy of agenda made a part of the minutes on minute book page _____.)

2. Approval of Agenda

Chairman Webster advised that item #10 "Authorization for Chairman to sign TSPLOST #2 IGA" needs to be removed because the city did not discuss it at their meeting.

Motion to approve the Agenda with removal of item #10.

Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.

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

3. Invocation

County Attorney Nelson gave the invocation.

4. Pledge of Allegiance (GM)

Commissioner McElhenney led the Pledge of Allegiance.

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Regular Business Meeting

5. Public Comments

Mr. Roy Embry commented about retired county employees and their insurance and the Uncle Remus Golf Course. Mr. Richard Garrett commented on a public comment at the last meeting regarding bullying. Environmental Health Services Manager Kathryn Hill commented on new guidance for nonprofit events.

6. Consent Agenda

- a. Approval of Minutes - May 6, 2021 Called Meeting (staff-CC)
- b. Approval of Minutes - May 7, 2021 Regular Meeting (staff-CC)

Motion to approve the Consent Agenda.

Motion made by Commissioner McElhenney, Seconded by Commissioner Sharp.

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

7. Appeal of Planning & Zoning Commission decision by Charles B. and Cathy M. Walsh (staff-CA & P&D)

Planning & Development Director Jackson introduced this item and explained the history of the request. The Walsh's are owners of lots within Little Riverview Subdivision and requested to return to the division of certain property that was combined by a plat filed by them in 2006. Doing so would create non-conforming parcels and Director Jackson denied the request on April 16, 2021. The Planning & Zoning Commission upheld her decision at their May 6, 2021 meeting.

Attorney Ian McMullen spoke on behalf of his clients (Charles & Cathy Walsh) and distributed handouts. He explained that he is asking the board to allow Mr. Walsh to sell the properties in the same way he acquired them and that he doesn't believe the recorded plat should matter because there were no changes ever made to the deeds.

Attorney Nelson reviewed the timeline of plats on these properties and explained that the filing of a plat establishes the boundaries of the parcel. He advised that Georgia law says filed plats must follow county laws. He explained that had the Walsh's not filed this plat in 2006 they could do what they want, but there is no way to unfile the plat.

Motion to deny the appeal made by Charles B. and Cathy M. Walsh regarding the Planning & Zoning Commission decision for 168 Riverview Road.

Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.

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

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

8. Approval of FY21 Budget Amendment #1 (staff-Finance)

Motion to approve FY21 Budget Amendment #1.

Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.

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

(Copy of amendment made a part of the minutes on minute book pages _____ to _____.)

9. Authorization for Chairman to sign Lease Agreement for the Scott Road Recycle Center (staff-CM)

County Manager Van Haute explained that property was acquired for the new Recycle Center but the current site is still needed until the new site is ready. This lease is for 90 days with the new owner of the current site at \$300 per month.

Motion to authorize the Chairman to sign the Lease Agreement for the Scott Road Recycle Center.

Motion made by Commissioner McElhenney, Seconded by Commissioner Sharp.

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

(Copy of lease made a part of the minutes on minute book pages _____ to _____.)

10. Authorization for Chairman to sign TSPLOST #2 IGA (staff-CM)

This item was removed from the agenda.

Reports/Announcements

11. County Manager Report

County Manager Van Haute advised that the GDOT recommended roads approved in April for the LMIG Safety Action Plan were already completed. He submitted a new list provided by GDOT of possible roads to choose from. He requested to add this to the next agenda.

(Copy of road list made a part of the minutes on minute book pages _____ to _____.)

12. County Attorney Report

No report but advised that an Executive Session is needed.

13. Commissioner Announcements

Commissioner McElhenney: none

Commissioner Brown: none

Commissioner Sharp: none

Commissioner Wooten: commented that he attended a great meeting last Saturday night with people from the Crooked Creek area.

Chairman Webster: none

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Executive Session

14. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate

Motion to enter Executive Session for Litigation purposes.

Motion made by Commissioner Sharp, Seconded by Commissioner McElhenney.

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

Meeting closed at approximately 7:26 p.m.

15. Reopen meeting and execute Affidavit concerning the subject matter of the closed portion of the meeting

Motion to reopen the meeting and authorize the Chairman to sign the Affidavit concerning the subject matter of the closed portion of the meeting.

Motion made by Commissioner Sharp, Seconded by Commissioner Wooten.

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

(Copy of affidavit made a part of the minutes on minute book page _____.)

Meeting reopened at approximately 8:13 p.m.

16. Action, if any, resulting from the Executive Session

No action was taken.

Closing

17. 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 8:14 p.m.

ATTEST:

Lynn Butterworth
County Clerk

Billy Webster
Chairman

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May 18, 2021		

PUTNAM COUNTY BOARD OF COMMISSIONERS



Office of the County Clerk

117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

706-485-5826 (main office) ♦ 706-485-1877 (direct line) ♦ 706-923-2345 (fax)

lbutterworth@putnamcountyga.us ♦ www.putnamcountyga.us

The draft minutes of the May 18, 2021 Executive Session are available for Commissioner review in the Clerk's office.

File Attachments for Item:

8. Authorization for Chairman to sign Intergovernmental Agreement with the City of Eatonton for TSPLOST #2 (staff-CM)

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT, (this “Agreement”) is made and entered into as of the ___ day of _____, 2021, by and between PUTNAM COUNTY, GEORGIA, a political subdivision of the State of Georgia (the “County”), and the CITY OF EATONTON, GEORGIA, a municipal corporation of the State of Georgia (the “City”).

WITNESSETH:

WHEREAS, the above referenced parties have agreed, pursuant to O.C.G.A. § 48-8-260, et al., to implement a Special District Mass Transportation Sales and Use Tax (“SDMTST”) within the special tax district created by O.C.G.A. § 48-8-261 and conterminous with the geographical boundary of Putnam County; and

WHEREAS, in accordance with O.C.G.A. § 48-8-262, a meeting was held at the Putnam County Administrative Offices on April 6, 2021 between the Board of Commissioners of Putnam County and the City Council of Eatonton; and

WHEREAS, in accordance with O.C.G.A. § 48-8-262, the County mailed written notice of such meeting to the mayor of the City; and

WHEREAS, the County desires to submit the question of whether the SDMTST should be considered by the electors of the special district at the next scheduled election.

NOW, THEREFORE, for and in consideration of the premises and undertakings as hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the City do hereby agree as follows:

ARTICLE 1.

EFFECTIVE DATE

This Agreement shall become effective upon its execution and shall continue in effect until the rejection by the electors of the special district of the imposition of the SDMTST or the termination of the proposed SDMTST, whichever occurs first.

ARTICLE 2.

RATE OF TAX & TERM

The City and County agree the rate of the tax shall be 1 percent and shall be levied for 5 years.

ARTICLE 3.

PROJECTS AND PURPOSES QUALIFYING AS TRANSPORTATION PURPOSES

(a) The parties agree Exhibit A to this Agreement represents the list of projects and purposes qualifying as transportation purposes proposed to be funded by the SDMTST, which includes expenditures of at least 30 percent of the estimated revenue from the tax on projects consistent with the state-wide strategic transportation plan as defined in paragraph (6) of subsection (a) of O.C.G.A. § 32-2-22.

(b) The parties agree Exhibit A provides and includes the estimated or projected dollar amounts allocated for each transportation purpose from the SDMTST.

(c) The parties agree the order in which the projects and purposes listed in Exhibit A shall represent the priority or order in which those projects and purposes will be fully or partially funded.

(d) The parties agree that all transportation purposes included in the agreement shall be funded from proceeds from the tax except as otherwise agreed.

ARTICLE 4.

DISTRIBUTION AND MAINTENANCE OF TAX PROCEEDS

(a) Upon receipt by the County of SDMTST proceeds collected by the State Department of Revenue, the County shall immediately deposit said proceeds in the SDMTST Fund. The monies in the SDMTST Fund shall be held and applied to the cost of acquiring, constructing and installing the purposes and projects listed in Exhibit A. The County, following deposit of the SDMTST proceeds in the SDMTST Fund, shall within 10 business days, disburse 25% of the SDMTST proceeds to the City for use in accordance with the priority of City projects as established in Exhibit "A."

(b) The parties agree that any proceeds from the SDMTST received by the parties shall be maintained in separate accounts and utilized exclusively for the purposes specified in this Agreement.

ARTICLE 5.

MISCELLANEOUS

(a) Any controversy arising under this Agreement shall be heard before the Superior Court of Putnam County. Any party seeking to enforce this Agreement shall be entitled to reasonable costs and attorney's fees related to the enforcement of the obligations of this Agreement.

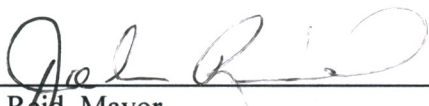
(b) Should any phrase, clause, sentence or paragraph herein contained be held invalid or unconstitutional, it shall in nowise affect the remaining provisions of this Agreement, which said provisions shall remain in full force and effect.

(c) This Agreement may be executed in several counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

(d) This Agreement shall be construed and enforced in accordance with the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized officers, have caused this Agreement to be executed in multiple counterparts under seals as of the day and year first above written.

CITY OF EATONTON, GEORGIA

By: 
John Reid, Mayor



(SEAL)
Attest:


Clerk

PUTNAM COUNTY BOARD OF COMMISSIONERS

By: _____
Billy Webster, Chairman

(SEAL)
Attest:

Clerk

EXHIBIT A

COUNTY PROJECTS

Resurfacing / Safety Improvements	\$15,000,000
Right of Way Maintenance	\$ 375,000
Intersection Improvements	<u>\$ 3,000,000</u>
Total County Projects	\$18,375,000

CITY PROJECTS

Resurfacing / Safety Improvements	\$ 3,625,000
Right of Way Maintenance / Drainage Improvements	\$ 1,000,000
Pedestrian Facility / Intersection Improvements	<u>\$ 1,500,000</u>
Total City Projects	\$ 6,125,000

File Attachments for Item:

9. Approval of TSPLOST #2 Projects (staff-CM)

TSPLOST #2	Estimated Collections						
Est. Collections Gross	\$18,375,000						
ROW Maintenance	(\$500,000)			District 1	District 2	District 3	District 4
Intersection imp.	(\$1,000,000)			25%	25%	25%	25%
Est. Collections Net	\$16,875,000			\$ 4,218,750.00	\$ 4,218,750.00	\$ 4,218,750.00	\$ 4,218,750.00
			Total Est	\$ 4,517,500.00	\$ 4,600,000.00	\$ 4,690,000.00	\$ 4,570,000.00
			Balance	(\$298,750.00)	(\$381,250.00)	(\$471,250.00)	(\$351,250.00)
DISTRICT 1							
Road Name	Beginning	Ending	Miles	Cost Estimate			
Parks Mill Rd	Harmony Rd	County Line	3	\$ 100,000.00	\$ 300,000.00	District 3 50%	
Shadow Lake Dr	Parks Mill	County Line	0.3	\$ 200,000.00	\$ 60,000.00		
Glenwood Springs RD	Bridge/Horton	Glenwood Springs DR	4.2	\$ 200,000.00	\$ 840,000.00		
Beaver Dam Rd	Hwy 16	End of Pavement/Keys	2	\$ 200,000.00	\$ 400,000.00		
Lynchburg Rd	Hwy 16	Hwy 16	2.3	\$ 200,000.00	\$ 460,000.00		
McMillen Rd	Browns Chapel	Hillsboro	2.5	\$ 15,000.00	\$ 37,500.00	Striping only	
Marshall Rd	Little Rd	County Line	2.1	\$ 200,000.00	\$ 420,000.00		
Mt Gilead Church	Hwy 300	End of pavement	0.5	\$ 200,000.00	\$ 100,000.00		
Old Macon Circle	Hwy 129	Hwy 129	1.5	\$ 200,000.00	\$ 300,000.00		
Godfrey Rd	City Limits	Glades Rd W	4	\$ 200,000.00	\$ 800,000.00		
Ridgeview	Shadow Lake	Parks Mill	0.2	\$ 200,000.00	\$ 40,000.00		
Central Rd SW	Hillsboro	Browns Chapel	1	\$ 200,000.00	\$ 200,000.00		
Martin Mill Rd NW	Hwy 142	End of pavement	0.4	\$ 200,000.00	\$ 80,000.00		
Franklin Rd	Hwy 441	County Line	0.5	\$ 200,000.00	\$ 100,000.00		
Booger Bear Lane	Little Rd	County Line	0.4	\$ 200,000.00	\$ 80,000.00		
Horton	Glenwood Sprgs	Dead End	1	\$ 200,000.00	\$ 200,000.00		
Striping			1	\$ 100,000.00	\$ 100,000.00		
		TOTALS	24		\$ 4,517,500.00		

District 2							
Oconee Springs Rd	City Limits	Pea Ridge	3	\$ 200,000.00	\$ 600,000.00		
Oconee Springs Rd	Pea Ridge	Texas Chapel	2	\$ 200,000.00	\$ 400,000.00		
Texas Chapel	Oconee Springs	Hwy 16	1.1	\$ 200,000.00	\$ 220,000.00		
Pea Ridge	Scuffleboro Rd	Hwy 16	5	\$ 200,000.00	\$ 1,000,000.00		
Bethel Church	Lower Harmony	Fork in road	1.2	\$ 200,000.00	\$ 240,000.00		
MLK	Pea Ridge	New paving	2	\$ 200,000.00	\$ 400,000.00		
Crooked Creek Rd	Oconee Springs	Wilson Rd	1	\$ 200,000.00	\$ 200,000.00		
Crooked Creek Rd	Pea Ridge	End of pavement	2.2	\$ 200,000.00	\$ 440,000.00		
New Phoenix Rd	Wards Chapel	Old Phoenix Rd	1	\$ 200,000.00	\$ 200,000.00		
Wesley Chapel Rd	Hwy 44	Crooked Creek Rd	4	\$ 200,000.00	\$ 800,000.00		
Striping			1	\$ 100,000.00	\$ 100,000.00		
		TOTALS	22.5		\$ 4,600,000.00		
District 3							
Old Phoenix	Hwy 44	New Phoenix	3.9	\$ 200,000.00	\$ 780,000.00		
Harmony Rd	Lakemore	Parks Mill	3.1	\$ 200,000.00	\$ 620,000.00		
Parks Mill	Harmony Rd	County Line	3	\$ 100,000.00	\$ 300,000.00	District 1 50%	
Wards Chapel	Old Phoenix	New Phoenix	3.6	\$ 200,000.00	\$ 720,000.00		
Angelina Court			0.5	\$ 100,000.00	\$ 50,000.00	District 4 50%	
Texas Chapel			1	\$ 200,000.00	\$ 200,000.00		
Oconee Springs Rd	Pnkerton	Hwy 16	2.1	\$ 200,000.00	\$ 420,000.00		
Jefferson Rd	Harmony Rd	Sugar Creek Trail	1	\$ 200,000.00	\$ 200,000.00		
Hoot Owl Lane	Hwy 44	to the end	0.7	\$ 200,000.00	\$ 140,000.00		
Beaver Rd	Alexander Rd	Hoot Owl Lane	0.5	\$ 200,000.00	\$ 100,000.00		
Martin Oaks Blvd	Shelby	to the end	0.5	\$ 200,000.00	\$ 100,000.00		
Lakeview Estates	Lakeview Drive	to the end	0.4	\$ 200,000.00	\$ 80,000.00		
Long Shoals Rd	Crowe Rd	Recycle Center	1.2	\$ 200,000.00	\$ 240,000.00		
W.Riverbend Dr NE	W Riverbend	to the end	1	\$ 200,000.00	\$ 200,000.00		
E. Riverbend Way		to the end	0.3	\$ 200,000.00	\$ 60,000.00		
Quessenberry Rd	Spring Rd	to the end	1.9	\$ 200,000.00	\$ 380,000.00		
Striping			1	\$ 100,000.00	\$ 100,000.00		
		TOTALS	24.7		\$ 4,690,000.00		

District 4								
Lower Little River Dr			0.2	\$ 200,000.00	\$ 40,000.00			
Little River Dr SW			0.3	\$ 200,000.00	\$ 60,000.00			
Burtom Rd			1.6	\$ 200,000.00	\$ 320,000.00			
Daylight Dr W			0.4	\$ 200,000.00	\$ 80,000.00			
Lake Court W				\$ 200,000.00	\$ -			
Dennis Station	Milledgeville Rd	Lake Sinclair	8.9	\$ 200,000.00	\$ 1,780,000.00			
Flat Rock	all		0.2	\$ 200,000.00	\$ 40,000.00			
Flat Rock Ct	cul-de-sac		0.1	\$ 200,000.00	\$ 20,000.00			
Flat Rock Lane	all		0.1	\$ 200,000.00	\$ 20,000.00			
Flat Rock Rd	all		0.8	\$ 200,000.00	\$ 160,000.00			
Humber Ferry			0.4	\$ 200,000.00	\$ 80,000.00			
Gregory	all		1.1	\$ 200,000.00	\$ 220,000.00			
Angelina Court			0.5	\$ 100,000.00	\$ 50,000.00	District 3 50%		
MLK		Parks	2.7	\$ 200,000.00	\$ 540,000.00			
Parks Rd			2.3	\$ 200,000.00	\$ 460,000.00			
Pea Ridge Rd	Hwy 441	Scuffleboro/MLK	3	\$ 200,000.00	\$ 600,000.00			
Striping			1	\$ 100,000.00	\$ 100,000.00			
			23.6		\$ 4,570,000.00			

File Attachments for Item:

10. Approval of FY 2021 LMIG Safety Action Plan (SAP) Projects and authorization for Chairman to sign documents (staff-CM)

June 4, 2021

Georgia Department of Transportation
643 HWY 15 South
Tennille, GA 31089
ATTN: Matthew Sammons, District 1 State Aid Coordinator

RE: Putnam County – **FY 2021 LMIG Safety Action Plan (SAP)**

Dear Mr. Sammons:

On behalf of the Board of Commissioners, please find attached the required documentation to support the FY 2021 LMIG SAP submittal.

The 2021 LMIG SAP funding will be applied towards seven (7) county roads needing safety upgrades: Godfrey Road, Martin Luther King Jr Drive, Crowe Drive, River Lake Drive, Long Shoals Road, Old Phoenix Road, Dennis Station Road. The project details are included in the Project list spreadsheet. All work will be performed within county right-of-way.

The LMIG Application is attached to this cover letter.

The County appreciates your responsiveness and assistance over the years, and we look forward to the continued successful partnership with the Georgia Department of Transportation.

Sincerely,

Billy Webster
Chairman

cc: Paul Van Haute, County Manager

Attachment: Project Description Spreadsheet
2021 LMIG Application and Signature Page

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE &
IMPROVEMENT GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2021**
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Billy Webster (Name), the Chairman (Title), on behalf of Putnam County Board of Commissioners (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

49222

E-Verify Number

_____ (Signature)

Sworn to and subscribed before me,

Billy Webster (Print)

This ____ day of _____, 20__.

Mayor / Commission Chairperson

In the presence of:

_____ (Date)

NOTARY PUBLIC

LOCAL GOVERNMENT SEAL:

My Commission Expires:

NOTARY PUBLIC SEAL:

Road Name	Beginning	Ending	Length (Miles)	Description of Work	Project Cost	Project Let Date
Godfrey Road			4	Striping, Marking, and RPMs	\$44,000.00	
Martin Luther King Jr Drive	City Limits		2	Striping, Marking, and RPMs	\$22,000.00	
Crowe Drive			.5	Striping, Marking, and RPMs	\$5,500.00	
East River Bend Drive	River Lake Circle	End of Pavement	.25	Striping, Marking, and RPMs	\$2,750.00	
Long Shoals Road			3.5	Striping, Marking, and RPMs	\$38,500.00	
Old Phoenix Road			1.75	Striping, Marking, and RPMs	\$19,250.00	
Dennis Station Road	Twin Bridges Road	Old Milledgeville Highway	4.4	Striping, Marking, and RPMs	\$45,100.00	

File Attachments for Item:

- 11. Awarding of Bids for the SR 44 @ Scott Road Traffic Signal (staff-CM)
 - a. Solicitation 21-42001-002 Traffic Signal Installation
 - b. Solicitation 21-42001-003 Signal Mast Arms/Poles

MEMO

TO: Chairman Webster
Members of the Commission

RE: SR 44 @ Scott Road Signal Installation
Signal Installation Bid vs. Mast Arm/Strain Pole Purchase

Background

Two bid packages were prepared in April to offer the county alternatives for decreasing the turnaround time for installation of a traffic signal while simultaneously decreasing the cost for installation.

The rationale for 2 bids was based on the significant time required for the fabrication of mast arms/strain poles by GDOT approved vendors. The transportation industry in the southeast has experienced a substantial growth in transportation infrastructure over the past decade resulting in various material shortage, coupled with labor shortages associated with COVID-19, has resulted in long lead times for strain poles and mast arms. In addition, GDOT recently approved a new mast arm/mast upright pole design that has increased the cost of mast arms and associated foundation installations. The new mast arm/strain pole specification went into effect on March 16, 2021. The design specification is similar to Florida’s requirements.

Bid Results

Attachment A is the bid package that provides for the county to purchase the mast arm/mast pole uprights directly from a GDOT approved vendor. The low bidder, Utilicom Supply, withdrew their bid due to mistakes in their submittal.

Attachment B is the bid package where the bidders submitted a **BASE Bid** (county to provide the mast arm/pole uprights – see Attachment A) with the contractor installing the signal and performing all the remaining work tasks and an **ALTERNATE Bid** (contractor provides the mast arms and strain poles and performs the complete installation). The low bidder for the **BASE Bid** and the **ALTERNATE Bid** was Reedwick, LLC. Refer to Attachment C.

Upon evaluation of the results in Attachments A and B, the recommendation is to contract with Reedwick, LLC for the complete installation of the signal project (**Alternate Bid**) in the amount of **\$230,234.60**.

It should be noted that several mistakes were detected in Reedwick’s bid submittal (corrections included in the attached). These mistakes did not materially affect the bid outcome.

CIS, Inc. contacted Reedwick to discuss the turnaround time for their strain pole/mast arm vendor to fabricate these materials and it was comparable to the 3rd lowest bidder – Olympica Transportation Products as shown in Attachment A.

County Options

The county could select the 2nd lowest bidder on Attachment A (county purchase directly from the supplier) - Southern Lighting Systems and in combination with the BASE Bid of Reedwick, which would save approximately \$5000. This would also increase the delivery time 3 weeks (from 15 to 18 weeks). Staff would not recommend this option. The cost savings is not significant enough to offset the coordination issues with the supplier and the contractor.

Another option would be to select the highest bidder, Technology International Inc., (shown in Attachment A) which decreases delivery time to 13 weeks. The overall cost would be \$82,536 + \$170,701 = \$253,237. While this appears attractive from a scheduling standpoint, CIS nor Reedwick has worked with this out-of-state supplier of mast arms/strain poles and as such, the unknowns are not worth the risk.

Recommendation

Staff recommendation is to select Reedwick – ALTERNATE BID; in the amount of \$230,234.60.

With Board approval, staff will prepare a contract and obtain signatures. Time is of the essence to contract with Reedwick and issue a NTP. The unit price for the strain poles/mast arms in Reedwick’s bid submittal will likely increase after 30 days from bid submittal – which is June 26, 2021.

Given the time required for GDOT approval of the shop drawings for the poles and mast arms, the fabrication and delivery time and contractor mobilization, the earliest that work could begin at the intersection would be the end of October to mid November 2021.

Enclosures: Attachments A, B & C

BID TABULATION
QUOTE FOR SIGNAL STRAIN POLES/MAST ARM UPRIGHTS
AND
RELATED HARDWARE

BIDS DUE 5:00 PM - 5/17/2021

(BID QUOTES VIA EMAIL)

MANUFACTURER (vendor)	LUMP SUM BID	NUMBER OF DAYS BID PRICE IS VALID	GDOT APPROVED VENDOR	TIME OF ARRIVAL AFTER GDOT APPROVAL
Technology International, Inc. (Lake Marry, FL)	\$82,536	30	yes	13 weeks
Southern Lighting & Traffic Systems (Cumming, GA)	\$55,812	30	yes	18 weeks
Olympica Transportation Products (Atlanta)	\$67,995	30	yes	15 weeks
Utilicom Supply Associates (Norcross, GA)	\$40,994.90	30	yes	23 weeks

NOTE:

1. The purpose of bidding the poles/mast arms separately was in attempt to expedite delivery. The bid prices will be compared to the complete signal installation bids that are due on May 26th.
2. If the poles/mast arm bid price and time of arrival is less vs. a complete signal installation project, then the county can proceed with direct purchase of the strain pole/mast arms from the vendor as follows:
 - Payment to selected vendor within 30 days (contingent on GDOT approval and any required modifications by GDOT)
 - Vendor sends submittal (pole/mast arm design) for GDOT review – 30 days turnaround time unless changes occur
 - After GDOT approval, vendor to send strain poles and mast arm uprights within the time period specified in the bid submittal
 - Delivery to PW; county unloads
 - Contractor for the signal installation to pickup poles when ready to install

Bid Form Page 2 of 7

BASE BID SCHEDULE OF ITEMS

SIGNAL

647-1000	TRAFFIC SIGNAL INSTALLATION & SIGNAL MATERIALS ¹	LUMP	LS	72,481.00	72,481.00
647-2140	PULL BOX, PR-4	LUMP	1	1,430.00	1,430.00
647-3000	INTERNALLY ILLUMINTED STREET SIGN (2 DOUBLE-SIDED & 1 SINGLE)	EA	3	3,510.00	10,530.00
647-3100	INTERNALLY ILLUMINATED STREET NAME SIGN CONTROL ASSEMBLY (INCL. HANGERS)	EA	1	350.00	350.00
682-9950	DIRECTIONAL BORE, 5"	LF	95	14.30	1,358.50
682-9950	DIRECTIONAL BORE, 7"	LF	115	19.80	2,277.00
687-1000	TRAFFIC SIGNAL TIMING	LUMP	LUMP	1,650.00	1,650.00
937-6000	MICROWAVE RADAR DETECTION ASSEMBLY	EA	4	7,950.00	31,800.00
937-8020	TESTING – MICROWAVE DETECTION SYSTEM	LUMP	LUMP	250.00	250.00
937-8520	TRAINING – MICROWAVE DETECTION SYSTEM	LUMP	LUMP	250.00	250.00
SUBTOTAL (Base Bid)				\$	122,736.50

Bid Form Page 3 of 7

ROADWAY

150-1000	TRAFFIC CONTROL	LUMP	LUMP	6,275.00	6,275.00
205-0100	CONSTRUCTION ALLOWANCE ²	LUMP	LUMP	5,000	5,000
210-0100	GRADING COMPLETE	LUMP	LUMP	7,875.00	7,875.00
310-5060	GR AGGR BASE CRS, 6 INCH, INCL MATL	SY	30	33.00	990.00
402-3130	RECYCLED ASPH CONC 12.5 MM SUPERPAVE, GP 2 ONLY, INCL BITUM MATL & H LIME	TN	3	935.00	2,805.00
441-7011	CURB CUT WHEELCHAIR RAMP, TYPE A	EA	2	1,985.00	3,970.00
441-7012	CURB CUT WHEELCHAIR RAMP, TYPE B	EA	2	2,055.00	4,110.00
500-9999	CLASS B CONC, BASE OR PVMT WIDENING	CY	5	470.00	2,350.00
610-9001	REMOVE SIGN	EA	2	165.00	330.00
653-0120	THERMO PLASTIC PVMT MARKINGS, ARROW, TY 2	EA	4	266.00	1,064.00
653-1501	THERMO PLASTIC TRAF STRIPE, 5 IN, WHITE	LF	563	2.20	1,238.00 1,238.60
653-1502	THERMO PLASTIC TRAF STRIPE, 5 IN, YELLOW	LF	419	2.20	921.80
653-1704	THERMO PLASTIC TRAF STRIPE; 24 IN, WHITE	LF	50	13.20	660.00
653-1804	THERMO PLASTIC TRAF STRIPE; 8 IN. WHITE	LF	743	3.35	2,489.05 2,489.20
653-6006	THERMO TRAF STRIPING; YELLOW	SY	50	13.20	660.00
656-0050	REMOVE EXIST SOLID TRAF STRIPE, 5 IN THERMO	LF	1231	3.35	4,123.85
656-0080	REMOVE EXIST SOLID TRAF STRIPE, 8 IN THERMO	LF	90	4.40	396.00
656-0120	REMOVE EXIST SOLID TRAF STRIPE, 12 IN, THERMO	LF	154	6.60	1,016.40
656-0240	REMOVE EXIST SOLID TRAF STRIPE, 24 IN, THERMO	LF	80	6.60	528.00
656-5000	REMOVE EXIST PVMT MARKINGS	EA	4	290.45	1,161.80
SUBTOTAL (Base Bid)				\$	47,964.50

TOTAL (Base Bid)	\$	170,701.00
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Bid Form Page 4 of 7

Note:¹ Strain poles (mast arm uprights) and mast arms to be purchased by the County in the **Base Bid**. This Base Bid shall **only** reflect compensation for labor and means necessary to install said strain poles and mast arms (including all foundation work), signal materials and all other bid items as included in the Bid Schedule and the Signal Plans prepared by SEI

Prices must be entered for all blanks in the schedule. If there is an error in the calculation for the total amount entered, the bid unit price multiplied by the Estimated Quantity will be the bid amount that is considered included in the Base Bid.

Providing items in excess of the amount shown on the plans (only if requested by the County) will be paid at the unit price, upon verification of quantities by the County's site representative.

Note:² To be utilized at the sole discretion of the county

ALTERNATE BID SCHEDULE OF ITEMS

SIGNAL

639-3004	STEEL STRAIN POLE, TYPE IV (w/ 35' MAST ARM) – BLACK POWDER COATED	EA	1	14,785.00	14,785.00
639-3004	STEEL STRAIN POLE, TYPE IV (w/ 55' MAST ARM) – BLACK POWDER COATED	EA	1	31,130.00	31,130.00
639-3004	STEEL STRAIN POLE, TYPE IV (W/ 60' MAST ARM) – BLACK POWDER COATED	EA	1	36,920.00	36,920.00
647-1000	TRAFFIC SIGNAL INSTALLATION & SIGNAL MATERIALS ³	LUMP	LS	49,365.00	49,365.00
647-2140	PULL BOX, PR-4	LUMP	1	1,430.00	1,430.00
647-3000	INTERNALLY ILLUMINTED STREET SIGN (2 DOUBLE-SIDED & 1 SINGLE)	EA	3	3,510.00	10,530.00
647-3100	INTERNALLY ILLUMINATED STREET NAME SIGN CONTROL ASSEMBLY (INCL. HANGERS)	EA	1	350.00	350.00
682-9950	DIRECTIONAL BORE, 5" 350.00	LF	95	14.30	1,358.50
682-9950	DIRECTIONAL BORE, 7"	LF	115	19.80	2,277.00
687-1000	TRAFFIC SIGNAL TIMING	LUMP	LUMP	1,650.00	1,650.00
937-6000	MICROWAVE RADAR DETECTION ASSEMBLY	EA	4	7,950.00	31,700.00 \$31,800
937-8020	TESTING – MICROWAVE DETECTION SYSTEM	LUMP	LUMP	250.00	250.00
937-8520	TRAINING – MICROWAVE DETECTION SYSTEM	LUMP	LUMP	250.00	250.00
SUBTOTAL (Alt. Bid)				\$	182,095.50 ✓

Bid Form Page 6 of 7

ROADWAY

150-1000	TRAFFIC CONTROL	LUMP	LUMP	6,275.00	6,275.00
205-0100	CONSTRUCTION ALLOWANCE ²	LUMP	LUMP	5,000	5,000
210-0100	GRADING COMPLETE	LUMP	LUMP	7,875.00	7,875.00
310-5060	GR AGGR BASE CRS, 6 INCH, INCL MATL	SY	30	33.00	990.00
402-3130	RECYCLED ASPH CONC 12.5 MM SUPERPAVE, GP 2 ONLY, INCL BITUM MATL & H LIME	TN	3	935.00	2,805.00
441-7011	CURB CUT WHEELCHAIR RAMP, TYPE A	EA	2	1,985.00	3,970.00
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500-9999	CLASS B CONC, BASE OR PVMT WIDENING	CY	5	470.00	2,350.00
610-9001	REMOVE SIGN	EA	2	165.00	330.00
653-0120	THERMO PLASTIC PVMT MARKINGS, ARROW, TY 2	EA	4	266.00	\$1,238.60 1,064.00
653-1501	THERMO PLASTIC TRAF STRIPE, 5 IN, WHITE	LF	563	2.20	\$1,238.60 1,238.00
653-1502	THERMO PLASTIC TRAF STRIPE, 5 IN, YELLOW	LF	419	2.20	921.80
653-1704	THERMO PLASTIC TRAF STRIPE; 24 IN, WHITE	LF	50	13.20	660.00
653-1804	THERMO PLASTIC TRAF STRIPE; 8 IN. WHITE	LF	743	3.35	\$2,489.05 3,269.20
653-6006	THERMO TRAF STRIPING; YELLOW	SY	50	13.20	660.00
656-0050	REMOVE EXIST SOLID TRAF STRIPE, 5 IN THERMO	LF	1231	3.35	4,123.85
656-0080	REMOVE EXIST SOLID TRAF STRIPE, 8 IN THERMO	LF	90	4.40	396.00
656-0120	REMOVE EXIST SOLID TRAF STRIPE, 12 IN, THERMO	LF	154	6.60	1,016.40
656-0240	REMOVE EXIST SOLID TRAF STRIPE, 24 IN, THERMO	LF	80	6.60	528.00
656-5000	REMOVE EXIST PVMT MARKINGS	EA	4	290.45	1,161.80
SUBTOTAL (Alt. Bid)				\$	\$48,139.10 47,964.50

TOTAL (Alt. Bid)	\$	\$230,234.60 230,060.00
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Bid Form Page 7 of 7

Note: ² To be utilized at the sole discretion of the county

³ Signal installation and signal materials in accordance with the plans prepared by SEI.

Prices must be entered for all blanks in the schedule. If there is an error in the calculation for the total amount entered, the bid unit price multiplied by the Estimated Quantity will be the bid amount that is considered included in the Base Bid.

Providing items in excess of the amount shown on the plans (only if requested by the County) will be paid at the unit price, upon verification of quantities by the County's site representative.

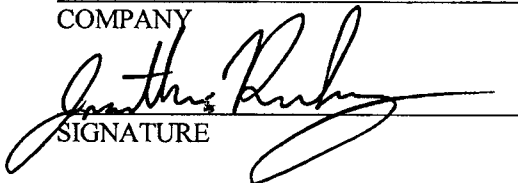
BASE BID TOTAL: \$ 170,701.00

PRINT: One Hundred Seventy Thousand, Seven Hundred and One Dollars

ALTERNATE BID TOTAL: \$ 230,060.00

PRINT: Two Hundred Thirty Thousand and 60 Dollars

Reedwick, LLC
COMPANY


SIGNATURE

Jonathan Reedy
PRINT NAME

May 26, 2021
DATE

CEO
TITLE

ATTACHMENT C



"SR 44 @ SCOTT ROAD TRAFFIC SIGNAL INSTALLATION"

BIDS DUE: May 26, 2021; 3:00 PM

BID OPENING: May 26, 2021; 3:05 PM

BIDDER	ITB FORM, BID PROPOSAL & ADDENDA ACKNOW. (5 total & Response to Questions) (yes/no)	BID BOND (yes/no)	QUALIFICATIONS SIGNATURE & CERTIFICATION (yes/no)	STATEMENT OF BIDDER QUALIFICATIONS (yes/no)	SUBCONTRACTOR LIST (yes/no)	CONTRACTOR DOCUMENTED EXPERIENCE	CONTRACTOR AFFIDAVIT & AGREEMENT E-VERIFY (yes/no)	SUBCONTRACTOR AFFIDAVIT & AGREEMENT E-VERIFY (yes/no)	DISCLOSURE FORM (yes/no)	BID AMOUNT
Lumin B Transp Technologies, LLC	YES No addenda	✓	✓	✓	✓	✓	✓	✓	✓	\$228,964.20 284,776.20
ETG Traffic Signals	YES	✓	✓	✓	✓	✓	✓	✓	✓	199,750.00 268,500.00
Williams Power Signal	YES YES	✓	✓	✓	✓	✓	✓	✓	✓	209,882.18 278,254.64
ALS of North Carolina	YES YES	✓	✓	✓	✓	✓	✓	✓	✓	206,133.67 272,280.15
Reedwick, LLC	YES YES	✓	✓	✓	✓	✓	✓	✓	✓	170,701.00 230,060.00
R.J. Harnie of Assoc, Inc.	YES YES	✓	✓	✓	✓	✓	✓	✓	✓	197,894.00 261,412.00

Acknowledgement that bids were opened and read aloud in a public setting and that results are not final until bid tabulation and submittals are verified and approved by the Board of Commissioners:

CIS, Inc. *[Signature]* 5/26/2021
 County Representative *[Signature]* 5/26/2021

File Attachments for Item:

12. Approval of American Rescue Plan (ARP) Funding for Hazard Pay (staff-CM)

American Rescue Plan (ARP) Hazard Pay for Putnam County Employees

Employees	Total Amount
Full Time Public Safety	\$250,000
Full Time Non-Public Safety	\$151,875
Active Part Time	\$28,125

File Attachments for Item:

13. Authorization for Chairman to sign Technical Assistance Letter to the Middle Georgia Regional Commission for assistance with an IT upgrade of the Administration Building and Courthouse (staff-CM)

June 4, 2021

Ms. Laura Mathis
Executive Director
Middle Georgia Regional Commission
175 Emery Highway, Suite C
Macon, GA 31217

Dear Ms. Mathis:

Putnam County requests technical assistance for an IT upgrade of the Putnam County Administration Building and Courthouse. Please contact Paul Van Haute, County Manager, regarding this application.

Thank you for your assistance in this matter.

Sincerely,

Billy Webster, Chairman
Putnam County Board of Commissioners

File Attachments for Item:

14. Authorization for staff to schedule a Public Hearing for proposed changes to the Putnam County Code of Ordinances - Chapter 6 (Alcoholic Beverages) and Chapter 18 (Buildings and Building Regulations) (staff-CA,CC,P&D)

STATE OF GEORGIA

COUNTY OF PUTNAM

ORDINANCE NO. 2021-_____

AN ORDINANCE TO AMEND THE CODE OF PUTNAM COUNTY, GEORGIA THROUGH THE CREATION OF DIVISION 5 OF ARTICLE II OF CHAPTER 6 TITLED, ALCOHOLIC BEVERAGES, WHICH SHALL PROVIDE FOR THE REGULATION OF ALCOHOL LICENSEES AND REQUIREMENTS RELATING TO OBTAINING AND MAINTAINING BREWERY AND FARM WINERY LICENSES

WHEREAS, the Putnam County Board of Commissioners (hereinafter “County”) desires to establish regulations for the granting, maintaining, and penalties relating to Brewery and Farm Winery licenses;

NOW, THEREFORE, the Board of Commissioners of Putnam County hereby enacts this ordinance pertaining to brewery and winery licensees as follows:

1.

The Code of Putnam County, Georgia is hereby amended by creating **Division 5 – Breweries to Article II – Licensing of Chapter 6 – Alcoholic Beverages** and **Division 6 – Farm Wineries to Article II – Licensing of Chapter 6 – Alcoholic Beverages** and adding **Section 6-130, 6-135, and 6-136 to Chapter 6 – Alcoholic Beverages** and supplementing **Section 6-2 - Definitions**, and shall read as follows:

Section 6-2. – 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.

DIVISION 5.- BREWERIES

Section 6-130. - Additional requirements applicable to licenses for Brewery or Brewpub.

- (a) *Hours of Operation.* For the serving of alcohol, Monday through Sunday, beginning at 8:00 a.m. to 1:30 a.m.; Sunday from 12:30 p.m. until 11:30 p.m.

- (b) Brewery production and sales. A license for on-premises production and on-premises sale of malt beverages may be authorized by the chairman and county commission to persons otherwise entitled to a brewery production and sales of malt beverages license, provided the following conditions are met:
 - (1) The annual fee for a Brewery license shall be based on a schedule developed by the Putnam County Clerk’s Office. Such fee shall be payable to Putnam County.

 - (2) All brewing operations by a brewery shall be conducted within an enclosed building. Production space shall not exceed _____ square feet.

 - (3) Consumption on the premises. Brewery shall be permitted to serve malt beverages produced at the brewer's licensed premises for consumption on the premises, subject to the following restrictions:
 - a. Total sales of malt beverages for consumption on the premises and for consumption off the premises at the brewer's licensed premises shall be less than 3,000 barrels in each calendar year in which the licensee is permitted. For purposes of this section, barrel shall be defined in accordance with state law.

 - (4) Consumption off the premises.
 - a. Total sales of malt beverages for consumption on the premises and for consumption off the premises at the brewer's licensed premises shall be less than 3,000 barrels in each calendar year in which the licensee is permitted. For purposes of this section, barrel shall be defined in accordance with state law.

 - b. Any sales of malt beverages shall not exceed a maximum of 288 ounces per consumer per day.

 - c. Retail sales of growlers in compliance with this section shall be authorized for licensees under this section. The filling of growlers by means of a tapped keg shall not constitute the breaking of a package as contemplated by O.C.G.A. §§ 3-3-26, and 3-4-25, or other provisions of this section. Growlers may be filled from either kegs procured by the licensee from a duly licensed wholesaler for malt beverages not produced on-site or by malt beverages produced on-site, subject to and counting towards the 3,000 barrel limitation cited previously. Only professionally sanitized and

sealed growlers may be filled and made available for retail sale. Each growler must be securely sealed with a tamperproof plastic cap and removed from the premises in its original sealed condition. Consumption on the premises is strictly prohibited. However, samples of tap beers may be made available, but shall not exceed more than one ounce nor shall any one individual be offered more than three samples within a 24-hour period.

- (5) Samples of tap beers may be made available, but shall not exceed more than one ounce nor shall any one individual be offered more than three samples within a 24-hour period.
 - (6) All state regulations relating to the manufacture, sale, and distribution of beer, as revised from time to time, promulgated by the state revenue department, are hereby incorporated into and made a part of this chapter as if fully set out in this section.
- (c) Brewpub license. A holder of a brewery license and restaurant retail license may apply for a brewpub license. A brewery licensee operating a brewpub shall be authorized to operate an eating establishment that shall be the sole retail outlet for such malt beverages and that may offer for sale for consumption on the premises any other alcoholic beverages produced by other manufacturers which are authorized for retail sale under this chapter, provided that such alcoholic beverages are purchased from a licensed wholesaler and, provided further, in addition to malt beverages manufactured on the premises, each brewpub licensee shall offer for sale commercially available canned or bottle malt beverages purchased from a licensed wholesale dealer.
- (1) The annual fee for a brewpub license shall be based on a schedule developed by the Putnam County Clerk’s Office. Such fee shall be payable to Putnam County.
 - (2) Notwithstanding any other provision of this section, a brewery licensee operating a brewpub may sell up to a maximum of 155,000 gallons annually of such malt beverages manufactured on its premises to licensed wholesale dealers and a maximum of 310,000 gallons total annually to retail. Under no circumstances shall such malt beverages be sold by said licensee to any person holding a retailer's license for the purpose of resale.
 - (3) The holder of a brewery license who is operating a brewpub shall not be entitled by virtue of said brewery license to sell alcoholic beverages by the package for consumption off the premises.
 - (4) A brewery licensee operating a brewpub shall pay all state and local license fees and excise taxes applicable to individuals licensed under this chapter as manufacturers, retailers and, where applicable, wholesale dealers.

- (5) Brewpubs are subject to the hours of operation regulations for restaurant retail sales.
- (6) A separate license shall be required for each brewery, and a separate application shall be made for each such place.
- (d) It shall be unlawful for a brewery or brewpub licensee or any employee thereof to be on duty at the licensed premises in an intoxicated condition. "Intoxication" shall be defined as when a licensee's or employee's alcohol concentration is 0.08 grams or more at any time while on duty. For purposes of this section, "on duty" shall mean being paid any salary, wage, or remuneration of any kind for services rendered during the time he or she is on the premises; on the licensed premises for the benefit of or at the direction of the licensee or its management (other than as a customer, patron, or guest) or taking a break during periods of any on-duty employment.
- (e) Subject to the provisions in this article, a brewery or brewpub licensee or employee thereof shall be permitted to taste malt beverages at the licensed premises for quality control or educational purposes only. Such tastings shall not exceed four ounces in volume per hour and eight ounces in volume total within a calendar day.
- (f) No person or corporation who holds a brewery or brewpub license shall operate a brewery or brewpub in such a manner so as to create, promote, suffer or otherwise permit the disruption or disturbance of the quiet enjoyment of the owners of properties located in the same vicinity and general neighborhood of the business premises of the licensee.

DIVISION 6.- WINERIES

Section 6-135. – Farm Winery Licenses.

The alcoholic beverage licenses which may be issued to farm wineries under this chapter are:

- (a) *Wholesaler of farm winery production.* A farm winery shall be granted a wholesale license for sale and distribution as provided by O.C.G.A. § 3-6-21.1. Such license shall be issued upon application and payment of established fees and upon presentation of a receipt for payment of the state annual license tax as provided by the referenced code provisions in this section.
- (b) *Retail package sales of wine.* Each retail package sales license shall require that all sales shall be by and through the farm winery tasting room at the site for which said license is issued.
- (c) *Retail sales of wine.* Each license for retail sales of wine and malt beverages for consumption on the premises shall require that all consumption shall be at the farm winery site for which said license is issued. This site shall include any wedding or dining facilities associated with the farm winery.

- (d) *Multiple farms winery licenses.* A farm winery may apply for and, if approved, may be issued multiple farm winery licenses as provided in subsections (a) through (c) of this section for any single site. At the primary farm winery facility where the wine is produced, such site may be licensed for wholesale, package retail sales and on-premises consumption. For any site other than the primary farm winery facility where the wine is produced, up to the maximum number of such sites as may be permitted by state statute, such site may be licensed for package retail sales and on-premises consumption. The license created in accordance with this article shall be limited to farm winery tasting rooms licensed by the state in accordance with O.C.G.A. § 3-6-21.1 et seq., and the licensee shall be permitted to perform only acts allowed in accordance with such statutes. No license is hereby created authorizing any other use.
- (e) *Alternative provision.* The first license at any site shall have a cost equal to the cost of the county alcoholic beverage license at the time of the application. Any license for two or more categories of sale shall require payment of the additional license fees as provided in the county fee schedule.
- (f) *Ratio of sales.* There shall be no specified or required ratio of alcohol sales to any other income for farm winery operations. Farm wineries shall operate on such days and hours as are provided by the Georgia Farm Winery Act, O.C.G.A. § 3-6-21.1 et seq., as amended from time to time.
- (g) *Renewals.* All applications for renewal of a farm winery license or licenses shall be accompanied by a copy of the current state license. Failure to present a valid copy of a current and valid state license will result in a refusal to renew license. Timely application for renewal is determined by the date on which a complete and proper application has been submitted.
- (h) *Premises consumption.* A farm winery may apply for a license for on-premises consumption of distilled spirits under the terms as provided under article III of this chapter, retail sales of distilled spirits for consumption on the premises.
- (i) *State statutes.* A farm winery may apply for a license for on-premises consumption of wine and malt beverages (not produced under the Georgia Farm Winery Act O.C.G.A. § 3-6-21.1 et seq.) under the terms as provided under article IV, retail sales of malt beverages and wine for consumption on the premises.
- (j) *Compliance with article.* All alcoholic beverage sales other than farm winery sales shall be in accordance with article I, in general, of this chapter.

Section 6-136. - Additional requirements applicable to licenses for Farm Winery.

- (a) *Hours of Operation.* For the serving of alcohol, Monday through Sunday, beginning at 8:00 a.m. to 1:30 a.m.; Sunday from 12:30 p.m. until 11:30 p.m.

- (b) Farm Winery production and sales. A license for on-premises production and on-premises sale of wine may be authorized by the chairman and county commission to persons otherwise entitled to a winery production and sales of wine license, provided the following conditions are met:
 - (1) The annual fee for a Farm Winery license shall be based on a schedule developed by the Putnam County Clerk's Office. Such fee shall be payable to Putnam County.
 - (2) A licensed Georgia farm winery may offer wine samples and make retail sales of its wine and the wine of any other Georgia farm winery in tasting rooms at the winery and at five additional locations Georgia for consumption on the premises and in closed packages for consumption off the premises; provided, however, that notwithstanding any other provisions of this title to the contrary, if the licensee is also issued a license pursuant to O.C.G.A. § 3-4-24, no more than one tasting room for such Georgia farm winery shall be authorized and such tasting room shall be located on the licensed premises of the Georgia farm winery; and provided, further, that the Georgia farm winery shall not sell its wine or the wine of any other farm winery in more than one tasting room, and such tasting room shall be located on the licensed premises of the Georgia farm winery. For purposes of this subsection, the term "licensed premises" shall mean the premises for which the farm winery license is issued or property located contiguous to the farm winery and owned by the farm winery.
 - (3) A licensed Georgia farm winery may sell up to 24,000 gallons per calendar year of its wine at wholesale within the state; provided, however, that such licensee shall not be authorized to sell its wine at wholesale unless such licensed farm winery shall have first offered its products for sale at a fair market wholesale price to a licensed Georgia wholesaler and such wholesaler does not accept the farm winery's product within 30 days of such offer.
 - (4) A licensed Georgia farm winery may also sell, deliver, or ship its wine in bulk or in bottles, whether labeled or unlabeled, in accordance with regulations of the Georgia Revenue Commissioner, to Georgia farm winery licensees and to acquire and receive deliveries and shipments of such wine made by Georgia farm winery licensees.
 - (5) A Georgia farm winery licensee shall be authorized, in accordance with regulations of the Georgia Revenue Commissioner, to acquire and receive deliveries and shipments of wine in bulk from out-of-state producers and shippers in an amount not to exceed 40 percent of its annual production, provided that the Georgia farm winery licensee receiving any such shipment or shipments files timely reports with the Georgia Revenue Commissioner and keeps such records of the receipt of such shipment or shipments as may be required by the Georgia Revenue Commissioner.

- (6) A Georgia farm winery licensee may sell its wine and the wine of any other farm winery licensee for consumption on the premises at facilities located on the premises of the winery or on property located contiguous to the winery and owned by the winery or by an affiliate of the winery.
 - (7) A Georgia farm winery licensee may sell distilled spirits, malt beverages, and wines not produced by a farm winery for consumption in its tasting rooms and at facilities located on the premises of the winery or on property located contiguous to the winery and owned by the winery or by an affiliate of the winery, provided that any alcoholic beverages sold pursuant to this paragraph shall be purchased by the winery from a licensed wholesaler at wholesale prices.
 - (8) For the purposes of this section, affiliate means any person controlling, controlled by, or under common control with a farm winery.
- (c) Brewpub license. A holder of a brewery license and restaurant retail license may apply for a brewpub license. A brewery licensee operating a brewpub shall be authorized to operate an eating establishment that shall be the sole retail outlet for such malt beverages and that may offer for sale for consumption on the premises any other alcoholic beverages produced by other manufacturers which are authorized for retail sale under this chapter, provided that such alcoholic beverages are purchased from a licensed wholesaler and, provided further, in addition to malt beverages manufactured on the premises, each brewpub licensee shall offer for sale commercially available canned or bottle malt beverages purchased from a licensed wholesale dealer.
- (1) The annual fee for a brewpub license shall be based on a schedule developed by the Putnam County Clerk's Office. Such fee shall be payable to Putnam County.
 - (2) Notwithstanding any other provision of this section, a brewery licensee operating a brewpub may sell up to a maximum of 155,000 gallons annually of such malt beverages manufactured on its premises to licensed wholesale dealers and a maximum of 310,000 gallons total annually to retail. Under no circumstances shall such malt beverages be sold by said licensee to any person holding a retailer's license for the purpose of resale.
 - (3) The holder of a brewery license who is operating a brewpub shall not be entitled by virtue of said brewery license to sell alcoholic beverages by the package for consumption off the premises.
 - (4) A brewery licensee operating a brewpub shall pay all state and local license fees and excise taxes applicable to individuals licensed under this chapter as manufacturers, retailers and, where applicable, wholesale dealers.

- (5) Brewpubs are subject to the hours of operation regulations for restaurant retail sales.
 - (6) A separate license shall be required for each brewery, and a separate application shall be made for each such place.
- (d) It shall be unlawful for a farm winery licensee or any employee thereof to be on duty at the licensed premises in an intoxicated condition. "Intoxication" shall be defined as when a licensee's or employee's alcohol concentration is 0.08 grams or more at any time while on duty. For purposes of this section, "on duty" shall mean being paid any salary, wage, or remuneration of any kind for services rendered during the time he or she is on the premises; on the licensed premises for the benefit of or at the direction of the licensee or its management (other than as a customer, patron, or guest) or taking a break during periods of any on-duty employment.
- (e) Subject to the provisions in this article, a farm winery licensee or employee thereof shall be permitted to taste wine at the licensed premises for quality control or educational purposes only. Such tastings shall not exceed four ounces in volume per hour and eight ounces in volume total within a calendar day.
- (f) No person or corporation who holds a farm winery license shall operate a farm winery in such a manner so as to create, promote, suffer or otherwise permit the disruption or disturbance of the quiet enjoyment of the owners of properties located in the same vicinity and general neighborhood of the business premises of the licensee.

EXPLANATION OF DOCUMENTS:**Red language equals added text.****Struck through language equals deleted text.**Chapter 18 - BUILDINGS AND BUILDING REGULATIONS¹¹

Footnotes:

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Editor's note— A resolution of July 17, 2007, repealed ch. 18, which consisted of §§ 18-1—18-75, and enacted new provisions to be designated ch. 18, §§ 18-1—18-84, to read as herein set out. Former ch. 18 pertained to similar subject matter and derived from a resolution of Aug. 20, 1996; and an amendment of Nov. 1, 2002.

Cross reference— Environment, ch. 30; floods, ch. 34; planning, ch. 42; roads and bridges, ch. 46; solid waste, ch. 50; zoning, ch. 66.

State Law reference— Water Well Standards Act of 1985, O.C.G.A. § 12-5-120; access to and use of public facilities by physically handicapped persons, O.C.G.A. § 30-3-1 et seq.; ordinances relating to repair, closing and demolition of dwellings unfit for human habitation or buildings or structures that imperil health, safety or morals, O.C.G.A. § 36-61-11; authority to demolish structures where drug crimes are committed, O.C.G.A. § 41-2-7; authority to repair, close or demolish unfit buildings or structures, O.C.G.A. § 41-2-7; county or municipal ordinances relating to unfit buildings or structures, O.C.G.A. § 41-2-9 et seq.; fire escapes in buildings, O.C.G.A. § 8-2-50.

ARTICLE I. - IN GENERAL

Sec. 18-1. - Self-inspection exemption.

The Board of Commissioners, pursuant to 1996 Ga. Laws, page 1632, exempts the county from the alternative inspection procedure as set forth in O.C.G.A. § 8-2-26(d).

(Res. of 7-17-2007(1))

Secs. 18-2—18-35. - Reserved.

ARTICLE II. - CONSTRUCTION CODES¹²

Footnotes:

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State Law reference— Construction standards generally, O.C.G.A. § 8-2-1 et seq.; minimum state construction codes, O.C.G.A. § 8-2-25; enforcement of minimum state construction codes, O.C.G.A. § 8-2-26; authority to adopt technical codes, Ga. Const. art. IX, § II, ¶ III(a)(12).

Sec. 18-36. - Adoption of technical codes.

The following technical building and construction codes, including appendices where noted, as set forth in O.C.G.A. § 8-2-20 are adopted by reference as the official codes of the county and may be amended for later editions or amendments as required by the Georgia Uniform Codes Act, O.C.G.A. § 8-2-25:

- (a) International Building Code (International Code Congress);
- (b) National Electrical Code;

- (c) International Fuel Gas Code;
- (d) International Mechanical Code;
- (e) International Plumbing Code;
- (f) International Residential Code;
- (g) International Energy Conservation Code;
- (h) International Fire Code;
- (i) International Property Maintenance Code;
- (j) International Existing Buildings Code.

(Res. of 7-17-2007(1))

Sec. 18-37. - Enforcement of article.

- (a) This article shall be enforced by the planning and development department. Citations for violations may be issued by this department.
- (b) Any person violating this article shall be tried before the magistrate court of the county. Upon conviction, a violation of this article may be punished as provided in chapter 1, section 1-13.

(Res. of 7-17-2007(1))

Sec. 18-38. - Quality and workmanship not regulated.

Quality control of materials and workmanship is not within the purview of this chapter except as it relates to the purposes stated herein.

Sec. 18-39. - No warranty or guaranty.

The inspection or permitting of any building, system or plan, under the requirements of this chapter shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy, nor any guaranty of compliance with the codes. Neither Putnam County, nor any employee thereof, shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

Sec. 18-40. - Other applicable ordinances.

The applicant is advised that other applicable provisions, including special agricultural setback provisions, exist in the Putnam County Zoning Ordinance, and that other requirements contained in the Putnam County development regulations, the Putnam County Flood Damage Prevention Ordinance, and the Putnam County Soil Erosion and Sedimentation Ordinance may apply, and the applicant is advised to check with the zoning department and engineering department. Issuance of a building permit is not a guaranty that the erection of the structure is lawful and in compliance with all other applicable ordinances.

Sec. 18-41. - Restriction on employees

No employee connected with the building inspections department, except one whose only connection is as a member of the board established by this chapter, shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof unless he is the owner of such, nor shall any employee engage in any other work which is inconsistent with his duties or conflict with the interests of the department.

Sec. 18-42. - Supremacy and preemption.

The provisions of this chapter shall not be held to deprive any federal or state agency, or Putnam County, of any power or authority which it had on the effective date of the adoption of this chapter or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

Secs. 18-43—18-70. - Reserved.

ARTICLE III. - BUILDING PERMITS AND REQUIREMENTS

Sec. 18-71. - Building permit required.

~~(a) It shall be unlawful for any building to be located, erected, moved, expanded or structurally altered for a cost in excess of \$1,000.00 unless a permit is specifically required herein (ex. temporary electrical pole, moving building on or across public thoroughfares, etc.) without obtaining a building permit issued by the planning and development department in conformity with this chapter. All permits issued shall be posted at the construction entrance and displayed on the premises described in the permit during construction or reconstruction. Any building permit shall automatically expire six months from the date of issuance if construction has not begun or has been abandoned. Construction or reconstruction not in compliance with the building permit issued, or without a building permit as required in this section, shall constitute a misdemeanor for which the violator, if found guilty, may be punished as provided by law. Each day upon which a violation occurs shall be considered a separate offense under this section.~~

(a) Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, or change the occupancy of a building or a structure, or to erect, install, enlarge, alter, repair, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the standard building codes, or to cause any such work to be done, shall first make application to the director and obtain the required permit for the work, except as exempted below. Any time a new non-residential business is beginning operation in an existing structure, or any time a new tenant is to occupy an existing non-residential structure, such person or entity shall be required to notify the director and obtain an inspection prior to obtaining a business license and/or beginning tenancy (such requirements shall not apply to residential tenants such as apartment renters). It shall be unlawful to commence construction of a building or structure requiring a permit without first obtaining a permit, as required herein. It shall be unlawful to commence any land disturbance activity for the construction of any building; to commence construction of any building; to commence the moving or alteration of any building; or to commence the development of land for a use not requiring a building, until all necessary permits for such work have been issued. Building permits shall be required as listed in this chapter, and land disturbance permits as required by the Putnam County Soil Erosion and Sedimentation Control Ordinance. All land development or construction shall comply with the codes and ordinances in effect in Putnam County at the time the permit is issued. Any building permit shall automatically expire six months from the date of issuance if construction has not begun or has been abandoned. Construction or reconstruction not in compliance with the building permit issued, or without a building permit as required in this section, shall constitute a misdemeanor for which the violator, if found guilty, may be punished as provided by law. Each day upon which a violation occurs shall be considered a separate offense under this section.

- (1) Lot dimensions with boundary line prepared by a licensed surveyor in addition to the site plans and drawings described above, to ascertain precise dimensions;
- (2) Shape, size, height and location of the structures proposed to be erected, demolished, altered or moved, and of any buildings already on the lot; yard dimensions and the use of structures, including the number of dwelling units within each structure;
- (3) Easements (public and private);
- (4) Watercourses;
- (5) ~~Fences;~~ A septic permit from the health department (if on septic);

- (6) ~~Street names and street right-of-way lines;~~ A sewer tap permit from the water department if on sewer and not in an approved subdivision (i.e. is on an existing lot);
- (7) ~~Other information regarding abutting property as directly affects the application;~~ and ~~A water tap permit from the water department if not in an approved subdivision (i.e. is on an existing lot);~~
- (8) ~~Identity of owner and location by tax map and parcel number, verified by the tax assessor's office on the permit form.~~ A driveway permit may be required from the department of transportation if the property fronts on a state highway or road or any access is desired to a state highway, or from Putnam County if the property fronts on a county road or any access is desired from a county road, and those departments should be consulted;
- (9) Such other information as may be requested for determining whether the provisions of this chapter are being observed and complied with; and
- (10) Such other information as may be requested by the building official or elsewhere in this chapter.

(Res. of 7-17-2007(1))

Sec. 18-72. - Permit applications.

- (a) *Application required.* Prior to the issuance of any permit required or authorized by the building code, an application therefore shall be submitted in writing to the planning and development department on forms furnished for such purpose by the department. Such application shall be signed in the spaces provided by the qualified applicant, the owner of the property or his authorized agent, and, where required, the architect or engineer. The applicant shall become the permit holder upon issuance of a permit and shall be held responsible for the supervision and conduct of all work covered thereby. The application shall serve as the basis for determination of issuance of a permit and shall be factual evidence upon which any interested party may rely as to the information provided thereon.
- (b) *Application contents.* Building permit applications shall be accompanied by a copy of a dimensional sketch or preliminary site plan, signed by the owner or his authorized agent, and include, at a minimum, the following:
 - (1) Lot dimensions with boundary line prepared by a licensed surveyor in addition to the site plans and drawings described above, to ascertain precise dimensions;
 - (2) Shape, size, height and location of the structures proposed to be erected, demolished, altered or moved, and of any buildings already on the lot; yard dimensions and the use of structures, including the number of dwelling units within each structure;
 - (3) Easements (public and private);
 - (4) Watercourses;
 - (5) Fences; A septic permit from the health department (if on septic);
 - (6) Street names and street right-of-way lines; A sewer tap permit from the water department if on sewer and not in an approved subdivision (i.e. is on an existing lot);
 - (7) Other information regarding abutting property as directly affects the application; and A water tap permit from the water department if not in an approved subdivision (i.e. is on an existing lot);
 - (8) Identity of owner and location by tax map and parcel number, verified by the tax assessor's office on the permit form. A driveway permit may be required from the department of transportation if the property fronts on a state highway or road or any access is desired to a state highway, or from Putnam County if the property fronts on a county road or any access is desired from a county road, and those departments should be consulted;
 - (9) Such other information as may be requested for determining whether the provisions of this chapter are being observed and complied with; and

(10) Such other information as may be requested by the building official or elsewhere in this chapter.

(c) *Changes to application.* In the event of a change in any material fact given in the application, which served as a basis for issuing the permit, the permit holder shall immediately file an amended application detailing such changed conditions. If the change in the application is a change in the person responsible for the work, the owner shall immediately stop the work and notify the planning and development department in writing, detailing such changed conditions and any other information as required or, in lieu thereof, a new permit application shall be filed immediately by a new qualified applicant. If such changed conditions are determined to be in compliance with the building code and other applicable regulations, an amended building permit will be issued at a minimum fee if the changed conditions shall not be greater than those permitted in the original permit.

(d) *Qualifications and responsibilities of applicant.*

(1) Except as provided in subsection (c)(2), (c)(3) or (c)(4) of this section, application for permits shall be accepted from and permits issued only to contractors who are qualified as provided in this article to perform the kind of work included in the particular permit for which application is made. It shall be the duty and responsibility of every contractor, builder, electrician, plumber or mechanical contractor who shall make contracts for the erection or construction or repair of buildings, or any portion thereof for which a permit is required, and every contractor or builder making such contracts and subletting the same, or any part thereof, shall be required to:

a. Purchase and maintain an occupational license. The fee is as listed in the schedule of fees. Such license shall be registered with the planning and development department.

b. Any contractor not licensed by the state must purchase and maintain a license bond (or an equivalent) in the amount of \$25,000.00. Such bond shall be conditioned that all work performed by the contractor or under his supervision shall be performed in accordance with the provisions of this building code and other pertinent laws and regulations. He will pay all fees and penalties properly imposed upon him for violations of the building code. The planning and development department shall be so named on the license bond.

(2) The owner of commercial property, except that designated for farming and agricultural purposes, may make application for a permit, supervise and do the work in connection with construction, repair, alteration or maintenance where the total value of such work, including labor and materials, does not exceed \$1,000.00, and where none of the work to be done is required by law to be performed by a licensed contractor. All work performed in the case of buildings or structures classified as group E-educational, or group I-institutional or group A-assembly occupancy shall be performed only by a licensed contractor.

(3) The owner of residential or agricultural property may make application for a permit, supervise and do the work in connection with the construction, maintenance, repair, alteration or addition to a dwelling, including farm and agricultural buildings and structures, regardless of the size or cost of such work under the following conditions:

a. Such dwelling, farm or agricultural building is intended for the use and or occupancy of the owner making such application and not intended for sale. In this connection, no more than one permit shall be issued to an owner for the construction of a new dwelling (not including permits issued for alterations, additions and repairs to an existing dwelling) during any 12-month period.

b. The planning and development department may require proof that the applicant is the owner of the dwelling upon or in which construction is to take place, and nothing in this section is to be construed to invalidate the requirement for applying for and obtaining permits, paying fees, calling for required inspections, and complying with all plans, specifications, codes, laws and regulations applicable.

(4) A maintenance craftsman may obtain a permit for work to be done by him on the building or premises owned by his employer where such work is in the same category as the craftsman is qualified and where such work is limited to the maintenance, repair and minor alterations.

(5) The director shall act upon an application for a permit without unreasonable or unnecessary delay, within 30 days from the submission of an application deemed complete. If the director is satisfied that the work described in an application for a permit and the contract documents filed therewith conform to the requirements of the standard building codes and other pertinent laws and ordinances, he shall issue a permit to the applicant.

(Res. of 7-17-2007(1))

Sec. 18-73. - Permit fees.

(a) *Permits not valid.* No building, construction, electrical, mechanical, miscellaneous or other permit issued by the planning and development department shall be valid until fees prescribed by this section shall have been paid.

(b) *Permit fees for work commenced prior to obtaining permits.* In all cases where building, construction, electrical, plumbing, mechanical or other work for which a permit is required is commenced before such permit is obtained, any permit fee due to the county for a permit for such work shall be twice the amount of the regular permit fee specified in this article which would have been due had such permit been obtained prior to commencing work. In no event shall such fee be less than an amount listed in the schedule of fees in addition to the regular permit fee. Payment of such increased fee shall not be a defense in any prosecution for any such work, for which a permit is required. Any work performed prior to the issuance of a building permit that has not been inspected by the county, and that is not easily inspected, or has been covered up, shall be inspected by an independent engineer that can certify that such work complies with the building code.

(c) *Reinspection fees.* When extra inspection trips are made for a permit holder due to any of the following reasons, an addition fee in an amount listed in the schedule of fees shall be charged for each such additional inspection:

- (1) Wrong address given on call for inspection;
- (2) Work not ready for inspection at time specified;
- (3) Required corrections not made within time specified;
- (4) Failure to request required inspections; and
- (5) Additional work done after inspection has been made.

(d) *Refund of fees.* Where no work has been done under a valid permit for which fees have been paid and a written request for refund of fees is made by holder thereof within six months of the date of original issuance, the of the planning and development department may authorize the refund of 85 percent of such fee upon surrender of the permit and cancellation of the permit, providing no refund shall be made of a plan review fee.

(Res. of 7-17-2007(1))

Sec. 18-74. - Schedule of building or construction permit fees.

For the purpose of determining fees, floor area shall be the gross overall outside floor area of a building at each story, including all portions under a roof. Where a building permit fee is paid for a new building or addition, separate permits and fees shall not be required for fences, walls, awnings, masonry fence walls, site work or other components normal to building construction. Separate fees shall be paid for electrical, plumbing, mechanical, miscellaneous or other permits shown elsewhere in this schedule. Fees can be found in the schedule of fees located at the planning and development department. Permit fees shall be as follows:

- (a) New buildings and additions.

- (1) For each square foot of enclosed area or fractional part of residential space, for each story below and above grade.
- (2) For each square foot of garage, storage building or barn space.
- (3) For each square foot of open shed space.
- (4) For commercial space.
- (b) New construction other than buildings, including towers, pylons, storage tank foundations, structural elements of industrial complexes not within a building, and similar construction.
- (c) Alterations (including major repair to buildings or other structures).
- (d) Moving buildings/modular and manufactured homes on or across public thoroughfares, when the move is not in conjunction with a building permit.
- (e) The manufactured home fee, including 200-amp electrical.
- (f) Masonry fences and walls: For each 50 linear feet or fractional part thereof.
- (g) Swimming pools: For all permanent swimming pool installations aboveground or in-ground, including fencing.
- (h) Demolition of buildings and for demolition of structures other than buildings.
- (i) Temporary permits.
- (j) Minimum fee for any building permit, based upon the fee formulas contained in subsections (b) through (l) of this section.
- (k) Golf course or recreational development area: A base fee plus a per acre fee.
- (l) Development/subdivision permit: A flat fee. See chapter 28, development regulations.
- (m) Electrical permit fees. Electrical permit fees for service installations (conductors and equipment for delivering energy from the electrical utility supply system, residential and commercial). Each service or subservice requiring a utility-owned meter shall be considered a service for fee purposes.
- (n) Plumbing permit fees. Plumbing permit fees for new residential or commercial service shall include a base fee and a per fixture fee. Renovations or additions to a room shall be charged a fee.
- (o) Mechanical permit fees. Mechanical permit fees for new residential or commercial service HVAC system and charges per ton of air conditioning equipment and 20,000 BTU of heat equipment. Additions or changes of equipment shall require a fee.
- (p) Renewal of permits.
- (q) Reinspection fees. Fees for reinspection shall be an amount listed in the schedule of fees and charges.
- (r) Miscellaneous permit fees. Tents for assembly, home occupation licenses, occupation registration, temporary camper, carnivals, rodeos, sporting events, public events (specific duration of less than one year) and tent revivals permits.

(Res. of 7-17-2007(1))

Sec. 18-75. - Plans and specifications.

(a) Each application for a permit shall be accompanied by two sets of plans and specifications, except as outlined in section 18-74.

(b) All plans for buildings, structures, additions or alterations to group E-educational, group I-institutional, and group A-assembly occupancy, regardless of size, and all buildings or structures three or more stories in height or greater than 5,000 square feet in area (except those classified as one-family and two-family dwellings, expressly exempted by the chief building inspector, and those buildings or structures for farm or agricultural purposes), such designer shall be an architect or engineer legally registered under the laws of the state regulating the practice of architecture or engineering, and shall affix his official seal to such plans, specifications and accompanying data.

(c) Plans shall be original drawings or prints of the structure, mechanically reproduced at the original scale on substantial paper, showing completely all foundations, wall sections, floor plans, roof plans and elevations at a convenient scale; a plot plan showing the actual shape and dimensions of the lot to be built upon; the exact sizes and location on the lot of the buildings or structures to be erected or altered, the location and number of required off-street parking and loading spaces; such other information as may be required to determine compliance with the building code and this chapter; complete structural, mechanical, plumbing and electrical plans; and such other reasonable information as may be required to clearly show the nature, character and location of the proposed work. Computations, stress diagrams, shop drawings, floor plans of existing buildings to which additions are proposed and other data necessary to show compliance with the building code shall be included when required by the planning and development department. Any specifications in which general expressions are used to the effect that "work shall be done in accordance with the building code" or "to the satisfaction of the of the planning and development department," shall be deemed imperfect and incomplete, and every reference to the building code shall be by section or subsection number applicable to the materials to be used, or to the methods of construction proposed.

(d) The may authorize the issuance of a permit without plans and specifications for minor alterations, repairs and small or unimportant work, but in no instance where the work is of a structural nature. The issuance of a permit without plans and specifications will still require the necessary inspections and compliance with the building code and all other pertinent regulations.

(e) It shall be unlawful to use roof or wall covering material that has not been approved by the applicable building code as exterior covering material except in the event a building is damaged by natural or manmade disaster, or suffers a roof leak, other leak, or other damage. In such cases, temporary materials may be applied to a building to provide a temporary repair for no more than 60 days from the date of the damage. One 60-day extension can be requested from the director, for cause, if the structure is not able to be properly repaired with approved exterior covering material within 60 days. Examples of materials that are not approved as exterior covering materials include, but are not limited to, tarpaulins, plastic sheeting, and OSB. This restriction shall not apply to [a] building that would not require a building permit to construct, such as outbuildings and storage buildings.

(Res. of 7-17-2007(1))

Sec. 18-76. - Examination of plans.

All plans and applications shall be examined in the order received, except those plans that have been previously examined. If the application or the plans do not conform to the requirements of all pertinent laws, such applications shall be rejected in writing, stating the reasons therefore. Such plans may be returned for correction of the tracings. Penciled notations on such plans may be accepted for only minor corrections. If the application, plans and specifications meet the approval of the building code, the plans shall be stamped "approved," and the permit shall be issued.

(Res. of 7-17-2007(1))

Sec. 18-77. - Approval of other authorities.

In addition to verifying compliance with the building code, the planning and development department shall require that the laws, rules and regulations of any other regulatory authority having jurisdiction, where such laws, rules and regulations are applicable and are known, shall be satisfied before a permit shall be issued. The department shall require such evidence, as is reasonable, to show such other approvals. The department shall not thereby be held responsible for enforcement of such other regulations it is not specifically authorized to enforce. The following are some, but not necessarily all, other agencies having jurisdiction on some or all projects:

- (1) The county road department, the sheriff's office, the state highway department, and the City of Eatonton's police department for the moving of buildings, structures and heavy equipment over, temporary construction over, storage of material on, construction operations over or temporary blocking of streets or other public spaces;
- (2) The county road department for the installation of a driveway culvert installed on county property;
- (3) The county health department for the permitting of wells, septic tanks and water and sewer systems;
- (4) The land department of Georgia Power for the permitting of docks, ramps and bulkheads that are within their jurisdiction; and
- (5) The state highway department for permitting driveway approaches on any state road.

(Res. of 7-17-2007(1))

Sec. 18-78. - Permit types.

- (a) Building permits, as issued by the planning and development department shall be required for:
 - (1) The erection or construction of any building or structure and the adding to, enlarging, repair, improving, altering, covering or extending of any building or structure;
 - (2) The moving of any building or structure within, into, through, or out of the county;
 - (3) The demolition of any building or structure;
 - (4) The erection, remodeling, relocating, repair, altering or removal of any sign; or
 - (5) The installation or alteration of a swimming pool.
- (b) Electrical permits shall be required for the installation, repair, alteration, addition to or changing of any electrical wires, fixtures, apparatus, raceways, conduit or any part thereof, which generates, transmits, transforms or utilizes electrical energy in any form for lights, heat or power.
- (c) Plumbing permits shall be required for the installation, repair, alteration, addition to or changing of any plumbing system or appurtenances thereto, domestic water supply or distribution systems, plumbing fixtures and traps, sanitary and storm sewers, liquid waste piping, or water and sewer-using equipment. No plumbing permit shall be required for the repair of leaks, unblocking of sewers or waste pipes, repair or replacement of faucets or water closets, repair of valves, repair or cleaning of septic tanks.
- (d) Mechanical permits shall be required for the installation, alteration or major repair of:
 - (1) Boilers or steam-activated machinery, including the appurtenances and piping thereto;
 - (2) Heat-producing appliances, furnaces or other heating apparatus, including piping or flues, or accessories thereto, except electrical and other appliances that are fully portable and require no physical connection to piping or flues;
 - (3) Air conditioning or refrigeration systems;
 - (4) Mechanical ventilating systems, including air distribution ductwork;

- (5) Gas systems or piping;
 - (6) Elevators, lifts, escalators, hoists or other transporting devices;
 - (7) Paint-spraying equipment or other process equipment that produces explosive or flammable vapors;
 - (8) Fire sprinklers, standpipes, fire hose cabinets or other fire protection apparatus; and
 - (9) Mechanical equipment of any kind that is regulated by the building code.
- (e) Renewal of permits.
 - (f) Reinspection fees.
 - (g) Miscellaneous permits include, but are not limited to, tents for assembly, home occupation licenses, occupation registration, temporary camper, carnivals, rodeos, sporting events, public events (specific duration of less than one year), and tent revivals.

(Res. of 7-17-2007(1))

Sec. 18-79. - Requirements for safe work.

All work performed relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures, including work on the building or structure itself, or the building or structure's electrical, gas, mechanical or plumbing system, shall be done in a safe manner, in compliance with the requirements of the standard building codes and this article. Work not done in compliance with these requirements, whether it requires a permit, may be subject to citation, stop work order, or other civil remedy by the director.

Sec. 18-80. - Existing buildings.

(a) General. Alterations, repairs or rehabilitation work may be made to an existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes, provided that the alteration, repair or rehabilitation work conforms to the requirements of the technical codes for new construction. The director shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction.

(b) Change of occupancy. If the occupancy classification of any existing building or structure is changed, the building, electrical, gas, mechanical and plumbing systems shall be made to conform to the intent of the technical codes, as required by the director.

Sec. 18-81. - Special historical buildings.

The provisions of the standard building codes relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or county as historic buildings when such buildings or structures are judged by the director to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation, or moving of buildings within fire districts.

Sec. 18-82. - Property maintenance.

All buildings, structures, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards, which are required by the standard building codes when constructed, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings, structures, electrical, gas, mechanical and plumbing systems.

Sec. 18-83. - Illegal lots.

Building permits may only be issued on lots of record. No building permit shall be issued on any illegal lot, as such is defined in the Putnam County Zoning Ordinance. There are lots within Putnam County, that, while their existence may be recorded in the office of the Clerk of Putnam Superior Court, were not lawfully created in accordance with the laws of Putnam County as described herein, or at the time of their creation, and are not lots of record. Putnam County will not issue a building permit for such lots.

Sec. 18-84. - Partially-built structures.

The county finds that partially built and subsequently abandoned homes and other building and structures are occurring more frequently and are an aesthetic harm to the community; they also reduce property values of adjacent and nearby property; they create a public safety hazard in that they can be dangerous; and they invite illicit activity. The county finds such structures to be a nuisance. Therefore, it shall be unlawful for a property owner to leave a residential, commercial or industrial structure in a partially-built status for more than six months with no substantial progress occurring on the construction. Partially-built means foundations that are poured or erected; basements that have been dug and partially completed; and structures that have been framed or dried-in (siding, roofing, windows and doors in place) but not completed. For homes that have been damaged by fire or disaster after completion, see section 10.1 of appendix A, the zoning ordinance. It shall be permissible to finish the exterior of a commercial shopping center or other commercial or industrial building without building-out the inside. It shall also be a violation for a partially completed building or structure to remain unfinished without a certificate of occupancy more than 30 days after the expiration of its building permit (building permits expire one year from issuance unless extended; see section 18-168). The director shall be authorized to issue citations to the property owner or builder, and shall be authorized to seek abatement of the nuisance in magistrate court or superior court."

Sec. 18-85. - Minor repairs exempted.

Ordinary minor repairs may be made without a permit, provided that such repairs shall not violate any of the provisions of the standard building codes.

Sec. 18-86. - Swimming pools.

Any swimming pool shall be enclosed with a fence that is in compliance with the standard building code (International Residential Code), including but not limited to Appendix G. Public swimming pools must also comply with applicable regulations of the Putnam County Board of Health

Sec. 18-87. - Accessory buildings.

Accessory buildings in residential and agricultural zoning districts shall not require site plans. However, such applications must be provided with certification that such buildings will meet all applicable setbacks and comply with any relevant special agricultural zoning setbacks contained in the Putnam County Zoning Ordinance. Placement of and requirements for accessory buildings is governed by the zoning ordinance.

Sec. 18-88. - Pending violations and stop-work orders.

No building permit shall be issued to any applicant currently in violation of this chapter, or any other ordinance of Putnam County. No building permit shall be issued to any applicant currently subject to a stop-work order under this chapter, or any other ordinance of Putnam County.

Sec. 18-89. - Compliance with licensing requirements.

It shall be the duty of every contractor who contracts for the installation or repairs of building, structure, electrical, gas, mechanical, sprinkler or plumbing systems, for which a permit is required, to comply with all state or local rules and regulations concerning licensing which the county has adopted. In cases where the state requires a contractor to have obtained a state license before they are permitted to perform work, the contractor shall supply the local government with their license number before receiving a permit for work to be performed.

Sec. 18-90. - Inspections.

Field inspections will be made to determine that the building, construction or structural alteration or use is being pursued in accordance with the site plan for which a development or building permit has been issued and in compliance with this chapter. These inspections and reports of findings shall be made as soon as practicable after inspection is requested by the developer. When a violation is found to exist, a notice of violation will be posted on the site. See section 18-84 for enforcement and penalties of this chapter.

(Res. of 7-17-2007(1))

Sec. 18-91. - Certificate of occupancy.

Upon completion of construction but prior to occupancy or use for the purpose constructed, and prior to utility hookup, the property owner or his agent shall notify the planning and development department and request final inspection of the premises. The inspection will be conducted as quickly as is reasonably practicable after such request. A certificate of occupancy will be issued only if such construction comports with all applicable local, state or national rules, regulations, statutes, laws, ordinances, and the terms of this chapter. No electricity, gas or water may be supplied to the premises until such certificate of occupancy is issued.

(Res. of 7-17-2007(1))

Sec. 18-92. - Unsafe buildings.

An unsafe building is defined as any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a fire hazard and/or other hazards incident to the construction, alteration, repair, demolition, use and occupancy of such building, structures or premises. The International Property Maintenance Code, with the exceptions of Section 111, Means of appeal, will regulate this Code; all appeals will be made according to chapter 66, subsection 66-156(d) and subsection 66-157(c).

(Res. of 7-17-2007(1); Amend. of 1-12-2010)

Sec. 18-93. - Manufactured housing site requirements.

- (a) No structure not now located within the county shall be used as a residence and individually sited unless it has been constructed in conformity with the requirements of the U.S. Department of Housing and Urban Development under 42 USC 5401, currently meet all fire and safety requirements of such standards, and has more than 450 square feet of living area. No pre-HUD (mobile) home may be transported on or across county roads.
- (b) Any manufactured home shall be completely enclosed (skirted) with materials of brick, block, concrete or siding of like or similar character to the unit, or other nonrigid materials that must be affixed to a solid backing not less than one-half inch thick.

- (c) All manufactured homes individually sited must have at each door a landing that is a minimum of 36 inches by 36 inches; be attached to a permanent foundation; and have all towing devices, wheels, axles and removable hitches removed.
- (d) All manufactured homes to be individually sited shall comply with the following:
 - (1) In existing subdivisions that have specific covenants providing for individual siting of such homes, the setbacks provided in the covenants shall control, but shall not be less than the standard residential setback required by chapter 66, zoning.
 - (2) In existing subdivisions that allow the siting of such homes, the standard residential setbacks provided in chapter 66, zoning.
- (e) All manufactured homes individually sited must be placed upon permanent foundations constructed in accordance with applicable building codes and state law and shall be installed in accordance with manufacturers' instructions and O.C.G.A. § 8-2-131 and state fire marshal rules and regulations.
- (f) The following items must be completed before final power inspection for manufactured homes and site-built homes:
 - (1) Completion of skirting/underpinning as sited in subsection (b) above;
 - (2) Construction of porches/decks at each exit as sited in subsection (c) above;
 - (3) Installation of driveway pipe and gravel at driveway entrances onto county/state/federal roads;
 - (4) Construction of well house, if applicable;
 - (5) Permanent posting of street number; and
 - (6) Connection to water and sewer facilities, if applicable.

(Res. of 7-17-2007(1))

Sec. 18-94. - Minimum standards for pre-owned manufactured homes.

These standards are applicable only to those pre-owned manufactured homes built under the Federal Manufactured Housing Construction and Safety Standards (HUD Code) and defined as a manufactured home under O.C.G.A. 8-2-131(3). Construction and safety standards for a pre-owned HUD Code manufactured home should not exceed the HUD Code standard in effect at the time the home was produced.

- (a) *Definitions.*
 - (1) *Pre-owned manufactured home.* Any manufactured home as defined in O.C.G.A. 8-2-131(3) that has been previously utilized as a residential dwelling.
 - (2) *Retailer.* A retailer shall be synonymous with dealer as defined in O.C.G.A. 8-2-131(2).
 - (3) *Assignee.* Any bank, financial institution or any person purchasing a retail installment contract, that has as security a manufactured home.
- (b) *Facilities required.*
 - (1) *Sanitary facilities.* Every pre-owned manufactured home shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in working condition when properly connected to an approved water and septic/sewer system. Every plumbing fixture and water and waste pipe shall be in a sanitary working condition free from leaks, and obstructions.
 - (2) *Hot and cold water supply.* Every kitchen sink, lavatory and tub or shower in a pre-owned manufactured home must be connected to a supply of both cold and hot water.

(3) *Water-heating facilities.* Every pre-owned manufactured home shall have water-heating facilities in a safe, working condition.

(4) *Heating facilities.* Every pre-owned manufactured home shall have heating facilities in safe, working condition. Where a central heating system is not provided, each manufactured home shall be provided with facilities whereby heating appliances may be connected. Unvented fuel-burning heaters shall be prohibited except for gas heaters listed for unvented use and the total input rating of the unvented heaters is less than 30 BTU per cubic foot of room content. Unvented fuel-burning heaters shall be prohibited in bedrooms. In lieu of inspecting the heating facilities of a pre-owned manufactured home, the retailer, assignee, or county may request a heating inspection by a qualified third party. Approval by such a person will be accepted as compliance with those portions of the safety standards established herein which pertain to heating systems. The county will not be responsible for any cost incurred by or due to a third party.

(5) *Smoke detector.* Every pre-owned manufactured home shall be provided with a State of Georgia-approved smoke detector, installed in accordance with the manufacturer's recommendations and listing.

(6) *Windows.* Every habitable room excluding bathrooms, kitchens, and hallways shall have at least one window that can be opened, facing directly to the outdoors.

(7) *Ventilation.* Every habitable room shall have at least one window or skylight which can be opened, or such other device that will ventilate the room.

(8) *Electrical.*

a. *Distribution panels.* Distribution panels shall be in compliance with the approved listing, complete with required breakers or fuses, with all unused openings covered with blank covers approved and listed for that purpose. Connections shall be checked for tightness. Panels shall be accessible.

b. *Electrical system.* The electrical system (switches, receptacles, fixtures, etc.) shall be properly installed, wired and shall be in working condition. The pre-owned manufactured home shall be subjected to an electrical continuity test(s) to assure that all metallic parts are properly bonded.

c. *Third-party inspection.* The retailer, assignee, or county may, in lieu of inspecting the electrical system of a pre-owned manufactured home, request an electrical inspection by a qualified third party. Approval by such a person will be accepted as compliance with those portions of the safety standards established herein which pertain to electrical systems. The county will not be responsible for any cost incurred by or due to a qualified third party.

(9) *Exterior walls.* The exterior of the home shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls to the occupied spaces of the pre-owned manufactured home.

(10) *Exterior siding.* The exterior siding of the pre-owned manufactured home shall be free of rot and rust and must be uniform in appearance.

(11) *Roofs.* Roofs shall be structurally sound and have no obvious defects, which might admit rain or cause moisture to collect on the interior portion of the home.

(12) *Interior floors, walls and ceiling.* Every floor, interior wall and ceiling shall be kept in sound condition to prevent the admittance of rain or moisture.

(c) ~~Homes purchased for repair. No home may be occupied until standards herein are met.~~ HUD Code. Every pre-owned manufactured home located in the jurisdiction shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. § 5401-5445 (the HUD Code) and shall not have been altered in such a way that the home no longer meets the HUD Code.

(Res. of 7-17-2007(1))

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 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.

(Res. of 7-17-2007(1))