

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
MAY 27, 2014
TUESDAY, 10:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

AGENDA

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- April 22, 2014 Regular Meeting
- April 30, 2014 Special Meeting

ADOPTION OF AGENDA

MAYOR'S REMARKS

COUNCIL REMARKS

CITY MANAGER & DEPARTMENT REPORTS – EXCEPTIONS AND QUESTIONS

SPECIAL GUESTS

- Forest Service Presentation – FireWise Community

OLD BUSINESS

- 2nd Reading and Approval of Ordinance Establishing Standards for Telecommunications Antennae and Towers

NEW BUSINESS

- Approval of Resolution Adopting the Rabun County Hazardous Mitigation Plan
- Redefining Golf Cart Crossings on City Streets
- Slowing Traffic on Sky Valley Way – Speed Tables/Stop Signs
- Approval of Resolution Declaring Surplus Property
 - 2005 Chevrolet Impala
 - 1999 Ford Crown Victoria
 - 2000 Ford Crown Victoria
 - 1985 Chevrolet Blazer
 - 2002 Ford Explorer
- Police Take Home Vehicles
- Personal Transportation Vehicles

- Beautification Projects
- Discussion of November and December Meeting Dates
- Approval of logo design

PUBLIC FORUM AND GENERAL COMMENTS

ADJOURNMENT

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
APRIL 22, 2014
TUESDAY, 10:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Goodgame called the meeting to order.

Those present: Mayor Goodgame, Council President Larsen, Councilors Carr, Greene, Howard, and Whatley, Attorney Dickerson, Chief Dills, and City Clerk Cantrell.

Cathy Turner gave the invocation. Mayor Goodgame led the Pledge of Allegiance.

Councilor Greene made a motion to approve the minutes of the March 25 Regular Meeting, 2nd Councilor Carr, unanimously approved.

Councilor Greene made a motion to adopt the agenda, 2nd Council President Larsen, unanimously approved.

MAYOR'S REMARKS

Mayor Goodgame gave an update on the cell tower. The lease has been signed by the property owner. Verizon will submit application to the city for installation and to FCC. They are still predicting it to be completed in the fourth quarter of this year.

Mayor Goodgame said the old lodge is in terrible condition. He is trying to meet with Harrison Merrill to discuss the possibility of Mr. Merrill donating properties to the city in exchange for the city demolishing the lodge. We need property because we have no locations available for future projects such as a recycling center or equipment storage. Mayor Goodgame said he met previous Mayor, Jim Martindale, who is a retired contractor, at the lodge to look for any signs of asbestos. They did not find asbestos.

The park is completed and ready for use. It is dog friendly. A dog waste station is provided, and we ask that you pick up after your dog so the park is clean for everyone. The park has swings and a horseshoe pit.

The spring cleanup day is April 23. So far, we have 30 volunteers. The main focus will be Highway 246 and Bald Mountain Road. The Club is hosting a happy hour for the volunteers at 5:00. Volunteers are bringing snacks, and you can purchase drinks.

The first Mayoral Advisory Committee meeting went well. It was very helpful to have input from former mayors and other community leaders.

Councilor Whatley chairs the Public Safety Committee. At their meeting, they discussed use of golf carts on streets and speed breakers.

Councilor Greene chairs the Maintenance and Public Works Committee. They discussed garbage collection, recycling, and right-of-way maintenance.

The Marketing Committee meets on May 6th. The UGA grad student who chose marketing Sky Valley as his project will present his final project on April 29th on campus in Athens. His work will be taken into consideration as we move forward with a marketing plan.

Former Councilor, Ray Becker is currently at a meeting of the Rabun County Water and Sewer Authority. Clayton did not join the Authority, and that leaves more funding available. Mayor Goodgame said he met with Authority Board Member Randy Speed to discuss the City joining the Authority. The Authority is interested in installing sewer, but if we receive sewer, we will have to turn over our water system. We want to make sure that, if this option is pursued, that we maintain our current water service level and have an on-site employee.

Mayor Goodgame reminded everyone that the committee meetings are to discuss and come up with ideas and proposals to present to the Council. The Council must approve any changes.

Mayor Goodgame said Helen Kleiber is working with City Hall staff to raise money for flagpoles being installed at City Hall. Flyers are available if anyone wants to contribute. Anyone contributing \$25 or more will have their honoree's name memorialized on a display in the City Hall building.

COUNCIL REMARKS

Councilor Green said he has enjoyed the committee meetings and the discussions. He reminded everyone that the meetings are open to public and invited people to attend. The committees are to bring up issues and encourage people to get involved in their local government.

Council President Larsen said the city did a good job cleaning up the park and pond. He asked if anyone has an image of the pond from 1990 or earlier, preferably an aerial picture, showing the original delineation of the pond. He said this will help for future reference to maintain the pond.

Council President Larsen said that last November, the Sky to Summit run brought over 200 people to Sky Valley. The event had great reviews, with many people saying how beautiful Sky Valley is. He said they are anticipating 300 people this year, and this could be a great marketing opportunity.

Councilor Howard thanked everyone for coming to the meeting, and said he appreciated the involvement we are seeing with the committees.

Councilor Whatley said that volunteers from Scaly Mountain cleaned up on Hwy 246/106 from the NC State Line to the Scaly post office.

Councilor Whatley said that all of the city's concerns with the cell tower were addressed in the agreement.

CITY MANAGER & DEPARTMENT REPORTS – EXCEPTIONS AND QUESTIONS

Mayor Goodgame highlighted a few items in the City Manager's report. A 10-percent penalty will be applied to delinquent taxes on April 24th. Please contact city hall if you are renting your house as a vacation rental. Please call city hall if you are doing any work to your house to see if a permit is required.

OLD BUSINESS

- Approval of Ordinance to Authorize Special Permit for Shooting Animal Pests

Mayor Goodgame said this came about from a request we received from the Club regarding the nuisance created by geese on the golf course. Councilor Greene made a motion to approve the ordinance, 2nd Council President Larsen. Councilor Whatley said we need to set the number of days the permit is good for and the permit fee. He recommended amending the motion to approve the ordinance with the permit being valid for 14 days and a \$10 permit fee. Councilor Greene amended his motion to include these changes, 2nd Council President Larsen, unanimously approved.

- 2014 General Election – to be conducted by City or County

City Clerk Cantrell presented the options available for the election to be conducted by Rabun County instead of by the City. Councilor Carr made a motion to enter into an agreement with the County for them to conduct our elections, 2nd Councilor Greene. Discussion followed about the cost difference. Councilor Whatley said that it is less expensive for us to conduct our own elections, and that he likes the votes being by paper ballot so people can see them, and they could be recounted if requested. Mayor Goodgame said that his personal preference would be to keep the elections here. He said the concern he heard while campaigning was about the security of the absentee ballots. City Clerk Cantrell explained the absentee ballot procedure. The absentee ballots are sealed in an unmarked white envelope which is then sealed in a yellow envelope with the elector's oath. These ballots are placed in a locked absentee ballot box and the box is stored in the safe-room at night. It is opened on election day. She said that we do need a larger absentee ballot box and added that she can put out educational information so that everyone knows the process that can address the security concerns. The motion failed 1:4 with Councilor Carr voting aye, and Councilors Greene, Howard, Larsen, and Whatley voting nay.

NEW BUSINESS

- Appointment of Sue Cillo to Marketing Committee

Mayor Goodgame said he would like to add Sue Cillo to the Marketing Committee. Council President Larsen made a motion to approve adding Sue Cillo to the Marketing Committee, 2nd Councilor Whatley, unanimously approved.

- Approval of Ordinance Establishing Standards for Telecommunications Antennae and Towers

Mayor Goodgame explained that the Council can approve the first reading of the Ordinance, and then we need to have a public hearing by the Planning and Zoning Commission per zoning procedure laws. This can be on the agenda next month for final approval. Councilor Whatley made a motion to approve, 2nd Council President Larsen, unanimously approved.

- Police Vehicles

Mayor Goodgame said the two police vehicles purchased last year are in good condition. The older vehicles are in poor condition, and we do not have enough money in the budget to repair them. He said that these two items, police vehicles and declaration of surplus property will be postponed until the May meeting so that we can have a recommendation that best serves everyone.

- Approval of Resolution Declaring Surplus Property - Postponed
 - 2005 Chevrolet Impala
 - 1999 Ford Crown Victoria
 - 2000 Ford Crown Victoria
 - 1985 Chevrolet Blazer
 - 2002 Ford Explorer

PUBLIC FORUM AND GENERAL COMMENTS

None.

Councilor Whatley made a motion to adjourn, 2nd Councilor Carr, unanimously approved.

Respectfully submitted:

Hughel Goodgame, Mayor

Attested:

Mandi Cantrell, City Clerk

SPECIAL CALLED COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
APRIL 30, 2014
WEDNESDAY, 10:00 AM
CITY HALL, 3444 HWY 246 SKY VALLEY, GA

MINUTES

Mayor Goodgame called the meeting to order.

Those present: Mayor Goodgame, Council President Larsen, Councilors Carr, Greene, Howard, and Whatley, City Manager Lapeyrouse, and City Clerk Cantrell.

Council President Larsen made a motion to adopt the agenda, 2nd Councilor Carr, unanimously approved.

Council President Larsen made a motion to move into executive session to discuss the possible acquisition of real estate, 2nd Councilor Greene, unanimously approved.

Council President Larsen made a motion to reconvene regular session, 2nd Councilor Greene, unanimously approved.

Councilor Whatley made a motion to authorize Mayor Goodgame to move forward, as discussed in executive session, and discuss the possible acquisition of real estate with the property owner, 2nd Councilor Carr, unanimously approved.

Councilor Howard made a motion to adjourn, 2nd Councilor Whatley, unanimously approved.

Respectfully submitted:

Hughel Goodgame, Mayor

Attested:

Mandi Cantrell, City Clerk



SKY VALLEY POLICE DEPARTMENT

Fact Sheet for April 2014 Report

This Month

Suspicious:	4/01	Evergreen Ln	Flashlight/Light shine into residen.
	4/06	W. Sugarbush	Suspicious truck
	4/13	Knob Dr	Housing cleaning in Occup Unit
	4/21	Big Bear	Furniture/Tools Strown – Wind
	4/26	Evergreen Ln	Flashlight/Light shine into residen.
Animal:	4/15	Rivera	2 O'Possum stuck in dumpster
Mutual Aid:	4/13	Hwy 106	Vehicle Accident
	4/24	Paradise Lane	Abandon Animals
Unsecure Residence:	4/07	Eagle Circle	Garage left open
	4/07	Button Lane	Door Unsecure
	4/30	Big Bear	Door Unsecure
Water/Tree/Infrastruct	4/06	Saddleback Drive	Water Leak
	4/12	Putter Lane	Culvert blocked water into house
	4/13	Schonberg	Power Out
	4/19	Schonberg	Water Tank
	4/20	Tractor Shed	Dumpster Full
Mileage:	2943		



SKY VALLEY POLICE DEPARTMENT MONTHLY STATISTICS

INCIDENT	MONTH	YTD 2014	MONTH	YTD 2013	STAT
Fire	0	0	0	0	
Medical Emergency	0	9	2	8	
Vehicle Accident	1	3	0	1	
Family Violence	0	0	0	0	
Fight/Assault	0	0	0	1	
Suicide/Death	0	2	1	2	
Missing Person	0	2	0	0	
Burglary	0	0	0	0	
Theft	0	2	0	1	
Suspicious Activity	4	14	3	9	
Suspicious Person	0	0	1	3	
Suspicious Vehicle	1	6	4	12	
Alarm	0	1	1	3	
Investigation	0	1	1	2	
DUI/ Public Drunk	0	0	0	0	
Drug Related	0	0	0	0	
Juvenile	0	0	0	0	
Stationary Patrol	0	0	0	0	
Traffic Control	1	1	1	1	
Traffic Stop	1	4	0	2	
Mutual Aid	1	9	0	2	
Animal	1	6	0	1	
Lost & Found	1	2	0	0	
Complaint	0	3	2	4	
City Ord. Violation	1	1	1	2	
All Others	0	5	6	12	
Assisting Residents	0	6	7	17	
Escorting Visitors	0	8	0	2	
Residential Check	38	101	025	204	
Discovered Unsecure	3	4	0	0	
Welfare Check	1	4	2	6	
Water/Tree/Infrastructure	05	29	5	17	
Vehicle Assistance	00	28	3	11	
Arrested	0	1	0	0	
Incarcerated	0	1	0	0	
Warning	0	0	0	0	
Citations	0	5	0	0	
Total Calls	22	152	39	124	
911 Calls	0	16	0	0	
Mileage	2943	14,298	5057	17,675	
April 2014					

Balance Sheet - as of April 30, 2014

General Funds	
General Fund Cash	1,075,619.11
Municipal Court	9,345.00
Petty Cash	300.00
Accounts Receivable	16,009.11
Due from Other Funds	42,673.99
Total Assets	1,143,947.21
Liabilities	
Deferred Revenue (Property Taxes)	0.00
Due to Other Funds	0.00
Funds Remaining for 2014 Budget	673,433.99
Total Liabilities	673,433.99
Fund Balance	470,513.22
Local Restrictions on Fund Balance	
Admin & General Government	49,962.86
Roads	74,220.54
Police	0.00
Housing & Development	15,000.00
Total Locally Restricted Funds	139,183.40
Total Locally Unrestricted Fund Balance	331,329.82
Enterprise Funds	
Combined Utility Fund Cash	846,399.11
Accounts Receivable	43,494.64
Total Current Assets	889,893.75
Liabilities	
Prepaid Accounts	6,233.19
Deposits for Water Service	700.00
Due to Other Funds	42,673.99
Total Liabilities	49,607.18
Restricted Funds	
GEFA Debt Service Reserve	53,211.00
Net Assets	787,075.57
Local Restrictions on Funds	
Water	928.00
Solid Waste	23,829.05
Total Locally Restricted	24,757.05
Hotel/Motel Tax Fund	
Accommodations Tax Received	1,428.57
SPLOST	
SPLOST Funds Received	205,112.95

**City of Sky Valley General Fund
Budget Performance
April 2014**

	Apr 14	Jan - Apr 14	YTD Budget	% of Budget
Income				
33.4000 · GA government grants/contracts	0.00	0.00	22,550.00	0.0%
33.9000 · Other Grants (GMA, GIRMA, etc)	0.00	0.00	3,000.00	0.0%
37.1000 · Donations - Private Sources	1,550.00	1,550.00		
39.1000 · Interfund (Use of Fund Balance)	0.00	0.00	50,000.00	0.0%
60110 · Ad valorem - property	0.00	833,339.97	832,140.00	100.14%
60120 · Ad valorem - vehicles	0.00	16,439.74	8,610.00	190.94%
60140 · Penalties, Fife's, interest	590.80	7,306.69	5,000.00	146.13%
60210 · Insurance premium tax	0.00	0.00	13,000.00	0.0%
60220 · Beverage Excise tax	7.40	30.52	750.00	4.07%
60230 · Franchise tax	1,439.73	42,222.26	50,000.00	84.45%
60235 · Fines & forfeitures	0.00	718.45	4,000.00	17.96%
60240 · Business license	145.00	1,230.00	3,200.00	38.44%
60250 · Permits	874.00	2,752.40	9,950.00	27.66%
60270 · Zoning applications	0.00	0.00	100.00	0.0%
60271 · Sales of Reports, Copies, Etc.	158.00	330.49	500.00	66.1%
60280 · Real estate transfer tax	30.69	250.43	1,500.00	16.7%
60281 · Intangible tax	0.00	236.59	6,000.00	3.94%
69110 · Interest income	414.82	882.43	2,400.00	36.77%
69115 · Transfer from hotel/motel tax	0.00	0.00	1,000.00	0.0%
69150 · Refunds & Reimbursements	45.00	1,804.20	1,000.00	180.42%
69990 · Miscellaneous	100.00	126.06	500.00	25.21%
70000 · Sale of surplus property	0.00	5,405.00	4,000.00	135.13%
Total Income	5,355.44	914,625.23	1,019,200.00	89.74%
Roads				
510000 · Personal Services	13,572.66	50,768.47	130,425.00	38.93%
520000 · Purchased / Contracted Services	2,404.16	9,479.01	36,075.00	26.28%
530000 · Supplies	5,795.38	12,897.68	46,500.00	27.74%
540000 · Capital Outlays	0.00	0.00	80,000.00	0.0%
Total Expense	21,772.20	73,145.16	293,000.00	24.96%
Police				
510000 · Personal Services	28,620.77	101,884.83	281,705.00	36.17%
520000 · Purchased / Contracted Services	4,035.92	11,917.16	31,045.00	38.39%
530000 · Supplies	1,977.07	5,705.35	25,750.00	22.16%
Total Expense	34,633.76	119,507.34	338,500.00	35.31%
Administration & General Government				
510000 · Personal Services	16,682.91	53,958.31	162,210.00	33.26%
520000 · Purchased / Contracted Services	13,420.30	22,004.11	53,100.00	41.44%
530000 · Supplies	2,141.05	4,310.97	28,450.00	15.15%
540000 · Capital Outlays	1,520.21	1,520.21		
Total Expense	33,764.47	81,793.60	243,760.00	33.56%

**City of Sky Valley General Fund
Budget Performance
April 2014**

	Apr 14	Jan - Apr 14	YTD Budget	% of Budget
Housing & Development				
510000 · Personal Services	1,136.32	5,602.44	25,860.00	21.67%
520000 · Purchased / Contracted Services	379.89	536.94	6,940.00	7.74%
530000 · Supplies	257.43	902.35	3,100.00	29.11%
Total Expense	1,773.64	7,041.73	35,900.00	19.62%
Elections				
520000 · Purchased / Contracted Services	0.00	93.00	4,900.00	1.9%
Total Expense	0.00	93.00	4,900.00	1.9%
Executive				
520000 · Purchased / Contracted Services	1,545.05	1,793.05	3,125.00	57.38%
530000 · Supplies	0.00	0.00	75.00	0.0%
Total Expense	1,545.05	1,793.05	3,200.00	56.03%
Legislative				
520000 · Purchased / Contracted Services	5,620.25	6,038.25	11,200.00	53.91%
530000 · Supplies	0.00	0.00	300.00	0.0%
Total Expense	5,620.25	6,038.25	11,500.00	52.51%
Judicial				
510000 · Personal Services	238.81	851.23	2,470.00	34.46%
520000 · Purchased / Contracted Services	252.65	502.65	1,970.00	25.52%
Total Expense	491.46	1,353.88	4,440.00	30.49%
Fire & Rescue	14,500.00	29,000.00	58,000.00	50.0%

City of Sky Valley Enterprise Funds

Budget Performance

April 2014

	Apr 14	Jan - Apr 14	YTD Budget	% of Budget
Water				
Income				
34.4210 · Water charges	28,033.49	109,554.13	325,000.00	33.71%
34.9000 · Other charges for services	70.00	210.00	280.00	75.0%
36.1000 · Interest revenue	126.68	507.73	1,500.00	33.85%
39.1000 · Interfund Transfers	0.00	0.00	57,220.00	0.0%
Total Income	28,230.17	110,271.86	384,000.00	28.72%
Expense				
51.1000 · Personal Services - Wages	8,241.08	31,974.08	138,565.00	23.08%
52.1000 · Purchased profess & tech svcs	7,917.48	14,412.58	44,980.00	32.04%
53.1000 · Supplies	6,838.38	20,030.29	58,900.00	34.01%
54.0000 · Capital Outlay	0.00	0.00	15,000.00	0.0%
58.0000 · Debt Service	10,043.95	40,175.80	126,555.00	31.75%
Total Expense	33,040.89	106,592.75	384,000.00	27.76%
Net Income	-4,810.72	3,679.11	0.00	100.0%

Solid Waste				
Income				
34.4100 · Sanitation	9,260.00	37,028.00	112,000.00	33.06%
34.4210 · Water charges	1,362.00	1,362.00		
Total Income	10,622.00	38,390.00	112,000.00	34.28%
Expense				
51.1000 · Personal Services - Wages	6,159.09	22,713.98	64,545.00	35.19%
52.1000 · Purchased profess & tech svcs	2,189.46	6,020.14	34,700.00	17.35%
53.1000 · Supplies	1,002.70	3,007.27	12,755.00	23.58%
53.1710 · Miscellaneous Expense	286.85	286.85		
Total Expense	9,638.10	32,028.24	112,000.00	28.6%
Net Income	983.90	6,361.76	0.00	100.0%

Totals Report For 2012 Taxes

April 2014

Tax Commissioner

	Billed	Collected	Adjustments	Outstanding
2012 Ad Valorem Tax	834,170.00	831,967.82	238.19+	2440.37
Interest	2,288.10	1,970.90		317.20
Penalty	3,089.91	2,845.87		244.04
Costs	6,646.00	6,646.00		0
Totals	846,194.01	843,430.59	238.19+	3,001.61

Collected: 99.71%

*outstanding total is Georgia Windstream Inc which is still under appeal. Will collect once appeal is completed.

Totals Report For 2013 Taxes

April 2014

Tax Commissioner

	Billed	Collected	Adjustments	Outstanding
2013 Ad Valorem Tax	838,547.44	816,728.23	5,810.10-	16,009.11
Interest	1513.99	893.89	0	620.10
Penalty		0	0	
Costs		0	0	0
Totals	840,061.43	817,622.12	5,810.10-	16,629.21

Collected: 98.07%



*Departmental Report
by the City Manager*

May, 2014

Announcements -

City Hall Closed for Holiday/Alternate Garbage Pick-up Day

City Hall will be closed on Monday, May 26th in observance of Memorial Day. Garbage will be picked up on Tuesday, May 27th and Thursday, May 29th. Garbage pick-up will resume to twice per week at that time.

Council Meeting

The June Council meeting date has been changed to Tuesday, June 17th at 10 AM in the Fellowship Hall due to a conflict with the GMA Annual Convention.

Committee Meetings

We have had a busy month of Committee Meetings. All Committee Meetings are open to the public. Minutes of the meetings will be posted on the City's website at www.skyvalleyga.com.

The Marketing Committee will meet again this Thursday, May 22nd at 10 AM in the Timeshare Meeting Room. Please park in the bottom parking lot and save upper parking for Timeshare guests and those requiring handicap parking accessibility.

The Beautification Committee will gather for their first meeting this Thursday, May 22nd at 2 PM in the Lakeside Room of the Club.

Housing & Development -

Permits

Please be reminded that work done on your home may likely require a permit. When in doubt, please contact the Building Inspector's Office or City Hall. If you are found to be doing work without a permit, your first offense will subject you to a penalty fee equal to double the cost of the permit, a \$50 minimum. The homeowner is ultimately responsible for making sure his/her contractors obtain the necessary permits. Permits are required for, but not limited to, all structural, mechanical, electrical, plumbing, soil & erosion, roofing, decking, stairs, concrete, tree cutting, additions and remodeling. Many repair permits have no cost associated with them but are still required and will still be subject to the penalty fee if they are not properly obtained.

Public Works -

The Public Works Department has been busy chipping, collecting bagged leaves, cleaning ditches and mowing right-of-ways. Public Works will be assisting with the City Hall signage and flag pole project which will get started this month.

Tree Cutting/Trimming/Topping

Please don't forget that any tree with a trunk that is 8" or more in diameter or 25" or more in circumference at 18" above the ground requires a permit for cutting, trimming & topping. You are allowed to remove limbs from a tree up to twelve feet above the ground without a permit. If you had to obtain a permit to cut, it would not qualify for city chipping service. Contractors are responsible for the removal of all tree cuttings and debris within fourteen days.

Chipping Service

Homeowner chipping service is done during the 2nd and 4th week of the month, weather permitting. Please take this schedule into consideration when planning your trimming. The City provides 15 minutes of chipping service to every homeowner each month at no cost. Chipping service is then provided at a rate of \$100/hour for any time exceeding the first 15 minutes. Cuttings must be less than 8" in diameter and must be stacked in one direction on the right-of-way, out of the road and not in an area that will block culverts or otherwise impede storm water drainage. We cannot chip small yard debris, vines, thorn bushes, small shrubbery clippings, railroad ties, landscape timbers, or similar type items. The chipping service is designed for limbs and small trees only. All other yard waste must be bagged.

Leaves and Yard Waste Pick-up

Yard waste is collected separately from household garbage on the 2nd and 4th Tuesday of each month. It shall not be placed for pickup prior to 72 hours before the pickup date. Yard waste shall be bagged and placed for pickup within 5 feet of the roadway. Please do not mix household garbage in with this material. Unscheduled special collection arrangements can be made for an additional fee. Please call City Hall for all yard debris pick-up.

Mulch

Mulch from our chipping service is available for purchase from the City for \$25 per load delivered.

Solid Waste -

Garbage service will begin twice per week after Memorial Day. Don't forget that garbage should not be placed out for pick-up any earlier than the morning of the service. Animals scatter garbage even when put in the underground cans. We are having a huge problem with bears. Please understand that our garbage collectors are not responsible for picking up any garbage that is not properly bagged once they arrive. The dumpster at the tractor barn on Knob Drive can be utilized when you need to take your garbage somewhere prior to a garbage collection day. This is especially important when your garbage contains food items. NO garbage other than regular household garbage should be put out by the road or in the dumpster. **Any contractors found dumping lumber, carpeting, paint, etc. in the dumpsters will be cited.** Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road. Construction debris should be hauled to the transfer station on Boggs Mountain Road in Tiger.

Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road. For the first quarter of 2014, the city has hauled 20.75 tons of garbage to the landfill compared to 22.78 tons during the first quarter of 2013. That is an improvement of over 9%. I encourage everyone to keep up the good work.

Reduce... Reuse... Recycle...

Reduce the amount and toxicity of trash you throw away

Reuse containers and products

Recycle as much as possible and buy products with recycled content



Housing & Development Departmental Data Report	For month ending April 30, 2014		
	Apr-14	YTD	2013 YTD
New Residential & Commercial permits issued	0	0	0
All other addition, remodel and repair permits	8	35	31
Certificates of Occupancy issued	1	1	0
Total New Construction not yet finalized	0		2
Total Other Construction not yet finalized	1		6
Notices to Comply issued	0	0	1
Stop Work Orders issued	1	1	0
Tree Cutting permits issued	5	9	8
Code & Ordinance Violations cited	0	0	0
Fees Collected			
	Apr-14	YTD	2013 YTD
New Residential or Commercial Permits	\$0.00	\$0.00	\$0
Other Addition, Remodel, Repair Permits	\$499.00	\$2,033.00	\$2,292
Tree Cutting Permits	\$375.00	\$720.00	\$645
Land Disturbing Permits	\$0.00	\$0.00	\$100
Fines Collected for for Ordinance Violations	\$0.00	\$0.00	\$0

ORDINANCE 14 – 04

AN ORDINANCE ESTABLISHING STANDARDS FOR TELECOMMUNICATIONS ANTENNAE AND TOWERS IN THE CITY OF SKY VALLEY, AND FOR OTHER PURPOSES

Whereas, the City of Sky Valley has determined that it is important to create standards for locating telecommunications antennae and towers as more specifically set forth in the purposes noted in this ordinance; and

Whereas, the City of Sky Valley wishes to promote for the City of Sky Valley the availability of wireless telecommunications service.

Therefore be it hereby ordained as follows:

I. The Code of Ordinances of the City of Sky Valley is hereby amended as follows:

SECTION 1. PURPOSES. This ordinance is designed and intended to balance the interests of the residents of the City of Sky Valley, telecommunications providers, and telecommunications customers in the siting of telecommunications facilities within the City of Sky Valley so as to protect the health, safety and integrity of residential neighborhoods and foster, through appropriate zoning and land use controls, a competitive environment for telecommunications carriers that does not unreasonably discriminate among providers of functionally equivalent services and shall not prohibit or have the effect of prohibiting the provision of personal wireless services, and so as to promote the City of Sky Valley as a proactive city in the availability of wireless telecommunications service. To that end, this ordinance shall:

A. Provide for the appropriate location and development of telecommunications facilities to serve the residents and businesses of the City of Sky Valley;

B. Protect the City of Sky Valley's built and natural environment by promoting compatible design standards for telecommunications facilities;

C. Minimize adverse visual impacts of telecommunications facilities through careful design, siting, landscape screening and innovative camouflaging techniques;

D. Avoid potential damage to adjacent properties from tower or antennae failure through engineering and careful siting of telecommunications tower structures and antennae;

E. Maximize use of any new and existing telecommunications towers so as to minimize the need to construct new towers and minimize the total number of towers throughout the City;

F. Maximize and encourage use of alternative telecommunication tower structures as a primary option rather than construction of additional single-use towers; and

G. Encourage and promote the location of telecommunications facilities in approved areas.

SECTION 2. DEFINITIONS. As used in this ordinance, terms shall have the meanings indicated in Article III of the City of Sky Valley Zoning Ordinance.

SECTION 3. EXCLUSIONS. The following shall be exempt from this ordinance:

A. Any tower and antenna under seventy (70) feet in total height and owned and operated by an amateur radio operator licensed by the Federal Communications Commission;

B. Any device for over-the-air reception of television broadcast signals, multi-channel multi-point distribution service or direct broadcast satellite service; or

C. Any telecommunications facilities located on property owned, leased or otherwise controlled by the City of Sky Valley provided a license or lease authorizing telecommunications facility has been approved by the governing body.

D. Any monopole tower and antenna up to seventy (70) feet in total height except as otherwise authorized.

E. Any antenna located on any existing structure. (i.e. existing towers, water tanks, buildings, utility poles, streetlights, etc.)

F. Any antenna located on a new or existing utility pole to include poles used/or lighting for City owned recreation facilities (i.e. ball fields, tennis courts, etc.) or on new structures properly permitted (i.e. bell towers, steeples, clock towers, streetlights, etc.)

G. Any monopole tower and antenna one hundred (100) feet or less located in an electrical substation.

H. Any telecommunications facilities operative on the effective date of this ordinance.

SECTION 4. PLACEMENT OF TELECOMMUNICATIONS FACILITIES BY ZONING DISTRICT.

A. All towers are only permitted in the following zoning districts:

- (1) Commercial and Municipal (CM)
- (2) Maintenance (M)

SECTION 5. PREFERRED LOCATION SITES.

A. Publicly used structures: Publicly used structures are preferred locations throughout the city because they appear in virtually all neighborhoods, are dispersed throughout the city, and due to their institutional or infrastructure uses are generally similar in appearance to or readily adaptable for telecommunications facilities. Therefore, telecommunications facilities should be less noticeable when placed on publicly used structures than when placed on commercial or residential structures. Publicly used structures include facilities such as police or fire stations.

B. Co-Location Sites: Any existing site on which a legal wireless telecommunications facility is currently located shall be a Preferred Location Site regardless of the underlying zoning designation of the site, provided, however, that locations which meet this criteria shall be subject to the design and siting components of this ordinance and co-location sites shall not become an "antenna farm" or otherwise be deemed by the Director or the governing authority to be visually obtrusive.

SECTION 6. REQUIREMENTS FOR TELECOMMUNICATIONS FACILITIES.

A. General Requirements for All Telecommunications Facilities: The requirements set forth in this Section shall govern the location and construction of all telecommunications facilities governed by this ordinance.

1. Building Codes and Safety Standards: To ensure the structural integrity of telecommunications facilities, the owner of a telecommunications facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such telecommunications facilities that are published by the FCC as amended from time to time. Owners of telecommunications facilities shall conduct periodic inspections of such facilities at least once every three years to ensure structural integrity. Inspections shall be conducted by a structural engineer licensed to practice in Georgia. The results of such inspection shall be provided to the City of Sky Valley Planning Department.

2. Regulatory Compliance: All telecommunications facilities must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate communications towers and antennae. If such standards and regulations are changed then the owners of the telecommunications facilities governed by this ordinance shall bring such communications towers and antennae into compliance with such revised standards and regulations within the date established by the agency promulgating the standards or regulations.

3. Security: All telecommunications facilities shall be enclosed by decay-resistant security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device. This requirement may be waived by the Planning Department if it is deemed that this would produce negative visual clutter or obstruct a view corridor.

4. Lighting: No illumination is permitted on telecommunications facilities unless part of a approved public lighting program or required by the FCC, FAA or other state or federal agency of competent jurisdiction in which case the Director may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding uses and views.

5. Advertising: No advertising is permitted on telecommunications facilities.

6. Visual Impact:

a. Telecommunications facilities shall, subject to applicable standards of the FAA or other federal or state agencies, be maintained with a galvanized metal finish, painted a neutral color, or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness. Telecommunications facilities located in residentially zoned areas shall be painted in a neutral color or textured to match the existing environment to minimize visual obtrusiveness. If federal or state regulations require, telecommunication facilities shall maintain a galvanized steel finish or other required finish.

b. If an antenna is installed on a structure other than a tower and is generally visible to the public, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Roof mounted antennas shall be made visually unobtrusive by screening to match existing air conditioning units, stairs, elevator towers, or other background.

c. Antennas mounted on architecturally significant structures or significant architectural details of the building shall be covered by appropriate casings, which are manufactured to match existing architectural features found on the building.

d. Where feasible, antennas can be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.

e. Towers or roof mounted antennas shall not be placed in direct line with significant view corridors, as designated by the City of Sky Valley or by any state or federal law or agency. For purposes of this ordinance a significant view corridor shall be defined as an area to be kept free of obstructions or structures which interfere with the view of any scenic area, or historic building or area. A view corridor shall be established by ordinance of the City of Sky Valley, by zoning restrictions adopted in accordance with the ordinances of the City of Sky Valley, or by any state or federal law or agency in accordance with provisions of federal laws or duly adopted regulations.

f. Any equipment shelter or cabinet must be concealed from public view or made compatible with the architecture of the surrounding structures or placed underground. Equipment shelters shall be screened from public view and may use landscaping or materials and colors consistent with the surrounding structures. The shelter or cabinet must be regularly maintained.

7. Landscaping:

a. Landscaping shall be used to effectively screen the view of the tower compound from adjacent public ways, public property and residential property.

b. Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be replanted to replace that lost.

c. The Director may waive or modify the landscaping requirement where lesser requirements are desirable for adequate visibility for security purposes or for continued operation of existing bona fide agricultural or forest uses such as farms, nurseries and tree farms. In certain locations where the visual impact of the tower would be minimal, such as remote agricultural or rural locations or developed heavy industrial areas, the landscaping requirement may be modified or waived by the City after review by the City Planning and Zoning Commission.

8. Maintenance Impacts: Equipment at a transmission facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector and local street, access for maintenance vehicles shall be exclusively by means of the collector street. Access drives and maintenance vehicle parking shall be paved unless the requirement is waived by the City Planning and Zoning Commission.

9. Principal, Accessory and Joint Uses:

a. Accessory structures used in direct support of a tower shall be allowed but not be used for offices, vehicle storage or other outdoor storage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the tower.

b. Towers may be located on sites containing another principal use in the same buildable area. Joint use of a site is prohibited when a proposed or existing principal use includes the storage, distribution or sale of volatile, flammable, explosive or hazardous materials such as propane, gasoline, natural gas and dangerous chemicals.

10. Lot Size and Setbacks:

a. The site shall be of a size and shape sufficient to provide an adequate setback from the base of the tower to any property line abutting a residential district, public property, or public street. Such setback shall be sufficient to:

(1) Provide for an adequate vegetative, topographic or other buffer as required by the City;

(2) Preserve the privacy of surrounding residential property; and

(3) Protect adjoining property from the potential impact of tower failure by being large enough to accommodate such failure on the site, based on the engineer's analysis required in Section 7.

11. The proposed project must not disrupt the overall community character. For purposes of this ordinance, the term overall community character shall be determined by applying the criteria set forth in the Zoning Ordinance of the City of Sky Valley, Georgia.

B. Additional Requirements for Towers:

1. Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the zone district as much as possible. Wireless communication towers shall be integrated through location and design to blend in with existing characteristics of the site to the extent practical (i.e. camouflaging through integration with structures or appearance such as artificial trees, etc.).

2. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.

3. At a tower site the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment. (i.e. artificial tree appearance, steeples, decorative fencing, etc.)

4. Towers greater than 70 feet in height shall not be located any closer than 1500 feet from an existing tower unless technologically required or visually preferable as determined by the City through a variance request.

5. When a tower is adjacent to a residential use, it must be set back from the nearest residential lot line a distance at least equal to its total height.

6. Towers shall not be sited where they will create visual clutter or negatively affect specific view corridors as designated by the City of Sky Valley or any state or federal law or agency.

7. Placement of more than one tower on a lot shall be permitted, provided requirement number 4 above is met along with all setback, design and landscape requirements as to each tower. Structures may be located as close to each other as technically feasible, provided tower failure characteristics of the towers on the site will not lead to multiple failures in the event that one fails.

SECTION 7. APPLICATION PROCEDURES.

A. Special Use Permits:

1. A request for a Special Use Permit shall be initiated by application to the Planning Department and handled in accordance with the Special Use Permit provision of Article 19 of the City of Sky Valley Zoning Ordinance. The applicant may obtain a Special Use Permit pursuant to the City of Sky Valley Zoning Ordinance provided that all of the requirements of this ordinance have been satisfied and further, that the benefits of and need for the proposed tower are greater than any possible depreciating effects and damage to the neighboring properties.

2. In granting a special use permit, the City of Sky Valley may impose additional zoning conditions to the extent determined necessary to buffer or otherwise minimize adverse effects of the proposed tower or antenna on surrounding properties.

B. General Application Requirements for All Building and Special Use Permits.

Application for a building permit or special use permit for any telecommunications facility shall be made to the Director. An application will not be considered until it is complete. The following information shall be submitted when applying for any Building Permit, Special Use Permit or other permit or variance included in this ordinance:

1. Basic Information:

a. Site plan or plans to scale specifying the location of telecommunications facilities, transmission building and/or other accessory uses, access, parking, fences, landscaped areas; and adjacent land uses.

b. Landscape plan to scale indicating size, spacing and type of plantings required by the City of Sky Valley.

c. An Impact Statement fully describing the effects that the proposed telecommunications facility will have on the environment and surrounding area including the impacts on adjacent residential structures and districts, impacts on structures and sites of historic significance and impacts on streetscapes and significant view corridors. The Impact Statement shall include a description of anticipated maintenance needs for the telecommunications facility, including frequency of service, personnel needs, equipment needs, and traffic noise or safety impacts of such maintenance.

d. Report from a professional structural engineer licensed in the State of Georgia, documenting the following:

i. Telecommunications facility height and design, including technical, engineering, economic, and other pertinent factors governing selection of the proposed design;

ii. Total anticipated capacity of the telecommunications facility, including number and types of antennae which can be accommodated;

iii. Evidence of structural integrity of the tower structure (i.e. Engineers statement that structure is built to meet or exceed Standard Building Code); and

iv. Structural failure characteristics of the telecommunications tower(s) over seventy (70) feet and demonstration that site and setbacks are of adequate size to contain debris.

v. Setbacks for telecommunication tower(s) seventy (70) feet and less shall not be closer to a residential structure than the height of the tower or closer to a residential property line than forty (40) feet.

e. A definition of the area of service to be served by the antenna or tower and whether such antenna or tower is needed for coverage or capacity.

f. The identity of a community liaison officer to resolve issues of concern to neighbors and residents relating to the construction and operation of the facility. Include name, address, telephone number, facsimile number and electronic mail address, if applicable.

g. The existing towers and tall structures located within the geographic service area should be identified on a map along with written justification as to the need for a new tower in place of an existing structure.

2. A map indicating all existing tower and antennae sites located within the City and within two (2) miles of the City boundaries.

3. The applicant must provide any other information which may be requested by the Planning Department and/or City Council to fully evaluate and review the application and the potential impact of a proposed telecommunications facility.

C. Grant or Denial of Permit:

1. The Building Inspector shall review the completed application for a Building Permit or Special Use Permit and shall issue a grant or denial of a Building Permit or forward the application for consideration for a Special Use Permit pursuant to the Zoning Ordinance of the City of Sky Valley within a reasonable time.

2. Any decision to deny a building permit or Special Use Permit pursuant to the Zoning Ordinance of the City of Sky Valley shall be supported by substantial evidence in a written record.

SECTION 8. CO-LOCATION. Application and owner shall allow other future wireless communications companies including public and quasi-public agencies using similar technology to collocate antenna equipment and facilities on the tower unless specific technical constraints prohibit said co-location. Applicant may negotiate any type of agreement for co-location but shall not charge fees, which are so unreasonable as to prohibit co-location.

SECTION 9. APPEALS. Appeals from any decision of the Planning Department shall be to the Zoning Board of Appeals pursuant to the Zoning Ordinance of City of Sky Valley. Any decision on a request to build a tower or for a Special Use Permit for a tower shall be in writing, and any denial of any such request or Special Use Permit shall be supported by substantial evidence and a written record.

SECTION 10. NUISANCES. Telecommunications facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times in such a manner as to not be a nuisance as defined by the ordinances of the City of Sky Valley.

SECTION 11. REMOVAL OF ANTENNAE AND TOWERS. All telecommunications facilities shall be maintained in compliance with standards contained in applicable building and technical codes so as to ensure the structural integrity of such facilities. If upon inspection by the Director or his designee any such telecommunications facility is determined not to comply with the minimum Standard Building Code or to constitute a danger to persons or property, then upon notice being provided to the owner of the facility and the owner of the property if such owner is different, such owners shall have thirty (30) days to bring such facility into compliance. In the event such telecommunications facility is not brought into compliance within thirty (30) days, the City may provide notice to the owners requiring the telecommunications facility to be removed. In the event such telecommunications facility is not removed within thirty (30) days of receipt of such notice, the City may remove such facility and place a lien upon the property for the costs of removal or seek costs incurred through court action. Delay by the City in taking action shall not in any way waive the City's right to take action. The City may pursue all legal remedies available to it to insure that telecommunications facilities not in compliance with the minimum Standard Building Code standards or which constitute a danger to persons or property are brought into compliance or removed. The City may seek to have the telecommunications facility removed regardless of the owners' or operator's intent to operate the tower or antenna and regardless of any permits, federal, state or otherwise, which may have been granted.

SECTION 12. ABANDONED TOWERS.

A. Any telecommunications facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, whether or not the owner or operator intends to make use of it or any part of it. The owner of a telecommunications facility and the owner of the property where the facility is located shall be under a duty to remove the abandoned telecommunications facility. If such antenna and/or tower is not removed within sixty (60) days of receipt of notice from the City notifying the owner(s) of such abandonment, the City may remove such tower and/or antenna and place a lien upon the property for the costs of removal or seek costs incurred through court action. The City may pursue all legal remedies available to it to insure that abandoned telecommunications facilities are removed. Delay by the City in taking action shall not in any way waive the City's right to take action. The City may seek to have the telecommunications facility removed regardless of the owners' or operator's intent to operate the tower or antenna and regardless of any permits, federal, state or otherwise, which may have been granted.

B. If the owner of an abandoned tower or antenna wishes to use such abandoned tower or antenna, the owner first must apply for and receive all applicable permits and meet all of the conditions of this ordinance as if such tower or antenna were a new tower or antenna.

SECTION 13. PRE-EXISTING TOWERS/NON-CONFORMING USE.

A All telecommunications facilities operative on the effective date of this ordinance shall be allowed to continue their present usage as a non-conforming use and shall be treated as a non-conforming use in accordance of the City of Sky Valley. Routine maintenance, including replacement with a new tower or antenna of like construction and height, shall be permitted on such existing telecommunications facilities. New construction other than routine maintenance shall comply with the requirements of this ordinance. The Planning Department may approve the addition of twenty (20) feet to any existing tower whereby it can be shown that this would provide for co-location and eliminate the need for a new tower and it is determined that adequate site area exists for the location of any equipment buildings. Approval of an additional twenty (20) feet applies to all zoning districts, however, additions greater than twenty (20) feet shall require a Special Use Permit.

B. A telecommunications facility that has received City approval in the form of either a building permit or special use exception, but has not yet been constructed or placed in operation shall be considered an existing telecommunications facility so long as such approval is current and not expired.

C. Placement of an antenna on a non-conforming structure shall not be considered an expansion of the non-conforming structure.

SECTION 14. COORDINATION WITH FEDERAL AND/OR STATE LAW AND REGULATION. Whenever the City Council finds that the application of this ordinance would not be in compliance with federal and/or state law and regulation or unreasonably discriminate among providers of functionally equivalent services or prohibit or have the effect of prohibiting the provision of personal wireless services, a Special Use Permit waiving any or all of the provisions of this ordinance may be granted.

II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

III. This ordinance will become effective upon adoption by the city council as provided by the Charter of the City of Sky Valley

It is so ordained and approved by vote of the city council of the City of Sky Valley this _____ day of _____, 2014.

Hughel Goodgame, Mayor

Robert Larsen, Council President

Liz Carr, Council Member

Martin Greene, Council Member

Neil Howard, Council Member

David K. Whatley, Council Member

Attest:

Mandi Cantrell, City Clerk

DRAFT

RESOLUTION 14-_____

WHEREAS, The City of Sky Valley has participated in the development of the Rabun County Hazard Mitigation Plan (2013); and

WHEREAS, This plan has been developed in accordance with the rules and standards established by the State of Georgia, and has been reviewed and approved by the Hazard Mitigation Division of the Georgia Emergency Management Agency.

NOW THEREFORE BE IT RESOLVED that the City Council of Sky Valley, Georgia hereby officially adopts the Rabun County Mitigation Plan (2013).

Adopted this _____ day of _____, 2014.

Hughel Goodgame, Mayor
City of Sky Valley

Mandi Cantrell, City Clerk
City of Sky Valley

(Seal)

RESOLUTION 14-_____

CITY OF SKY VALLEY

RESOLUTION DECLARING PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes for the City of Sky Valley.

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including disposal, sale or trade-in on new equipment:

- 1984 Chevrolet Blazer, VIN 1G8ED18J9EF191378
- 1999 Ford Crown Victoria, VIN 2FAFP71W84X170529
- 2000 Ford Crown Victoria, VIN 2FAFP71W2YX119074
- 2002 Ford Explorer, VIN 1FMZU72E62UC63498
- 2005 Chevrolet Impala, VIN 2G1WF55K249331649

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

It is so resolved and approved by vote of the City Council of the City of Sky Valley this _____ day of _____, 2014.

Approved:

Hughel Goodgame, Mayor

Attest:

Mandi Cantrell, City Clerk

Reflective Rubber Speed Bumps

SAFE and easy for one person to transport and install!



Durable because they are made of 100% Recycled Tires.

Flexible - so they conform to the pavement.

Highly Visible - Reflective Yellow stripes & 'Cat-Eye' Reflectors.

Portable - can be easily moved for snow removal, paving or to simply change traffic flow.

Bumps are 2 1/4" tall x 12" wide and come in two lengths; 4' & 6' long.

Two models of rubber bump to choose from:

Standard Bump - For everyday applications. Has two 1 1/4" channels that run the length of the bump (*great to protect cable, conduit or pipe from traffic*).

Heavy-Duty Bump - Solid rubber (no channels) for demanding applications - High traffic areas or heavy vehicles like trucks and buses.

GREEN BENEFITS:

Each of our 6' reflective rubber speed bumps saves 5.1 tires from going into landfills!

Four mounting methods to choose from!



6' Recycled Rubber Speed Bump

6' long x 12" wide x

2.25" tall. Available

in 60 and 65 lbs.



ORDINANCE 14-_____

AN ORDINANCE TO PROVIDE FOR THE USE AND OPERATION OF PERSONAL TRANSPORTATION VEHICLES ON THE MUNICIPAL STREETS; TO PROVIDE FOR THE REGISTRATION OF PERSONAL TRANSPORTATION VEHICLES; TO PROVIDE FOR OPERATIONAL AND EQUIPMENT REQUIREMENTS FOR PERSONAL TRANSPORTATION VEHICLES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THEREFORE, THE COUNCIL OF THE CITY OF SKY VALLEY HEREBY ORDAINS:

SECTION ONE

The Municipal Code of the City of Sky Valley is amended by adding a new Ordinance known as the "Sky Valley Personal Transportation Vehicle Ordinance."

Sec. 1000. Findings and Intent.

This ordinance is adopted to address the interest of public safety. Personal transportation vehicles are not designed or manufactured to be used on public highways, streets and roads, (hereafter "public roads") and the City of Sky Valley in no way advocates their operation on the public roads within its jurisdiction. Adoption of this ordinance is not to be relied upon as a determination by the City of Sky Valley that operation of personal transportation vehicles on public roads is safe or advisable if done in accordance with this Ordinance. By regulating such operation the city is merely addressing safety issues. All persons who operate or ride in personal transportation vehicles do so with their own judgment and at their own risk, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. Notwithstanding any law to the contrary, the City of Sky Valley has no liability in negligence, nuisance or under any other cause of action for losses resulting from the use of personal transportation vehicles on roads, sidewalks, recreation paths, rights-of-way or other public property under this Ordinance. Any person who operates personal transportation vehicle is responsible for procuring appropriate insurance as may be required by any State of Georgia law or this Chapter as a condition of operating personal transportation vehicle on the roads of the City of Sky Valley.

Sec. 1100. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section:

All-terrain vehicle means any motorized vehicle designed for off-road use which is equipped with four low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering.

Authorized street means the public roadways of the city that:

- Has a posted speed limit of 25 miles per hour or less;
- Provides for no more than one lane of vehicular traffic per direction;
- Is not designated as part of either the state or federal highway system;
- Has not been designated as an Unauthorized Street by ordinance or resolution by the City Council.

Golf car or golf cart means any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour on a level road surface with a 0.5% grade comprising a straight course composed on a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface.

Gross weight means the weight of a vehicle without load plus the weight of any load thereon.

Implement of husbandry means a vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

Low-speed vehicle or LSV means any four-wheeled electric vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles.

Multi-purpose off-highway vehicle means any motorized vehicle having features specifically intended for utility use and having the following characteristics:

- Has the capability to transport persons or cargo or both;
- Operates between 25 miles per hour and 50 miles per hour;
- Has an overall width of 80 inches or less, exclusive of accessories or attachments;
- Is designed to travel on four or more wheels;
- Contains a nonstraddle seat;
- Has a gross vehicle weight rating of less than 4,000 pounds; and
- Has a minimum cargo capacity of 350 pounds.

Personal transportation vehicle or PTV means any motor vehicle having no fewer than three wheels, an unladen weight of 1,300 pounds or less with a maximum level ground speed of less than 20 miles per hour or any motor vehicle with a minimum of four wheels, an unladen weight of 1,375 pounds or less, capable of transporting not more than eight persons with a maximum level ground speed of less than 20 miles per hour. The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and

outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multi-purposed off-highway vehicle.

Public Road means the entire width between the boundary lines of every right-of-way or place open to the use of the public for purposes of vehicular travel within the boundaries of the City of Sky Valley, including streets and alleys.

Sidewalk means that portion of public property of a street between the curb lines and the adjacent property lines, intended for use only by pedestrians.

Recreation Path means a right-of-way adjacent to motor vehicle travel lanes or other portion of public property of a street between the curb lines and the adjacent property lines, or in any other designated public right-of-way or public property designated by signs for shared use by personal transportation vehicles, bicycles, and pedestrians. Such paths may be designated by resolution of the City Council.

Unladen Weight means the weight of a vehicle without load as per the manufacturer's specifications for such vehicle.

Unauthorized Street means the public roadways of the city that has been designated by the City Council by ordinance or resolution as an unauthorized street.

Valid Motor Vehicle Driver's License means any current and valid certificate issued by the state, other state of the United States of America, or international agency which permits persons to operate motor vehicles on the public roads of the state.

Vehicle means every motor vehicle, except all-terrain vehicles, motorcycles, motor driven cycles, multipurpose off-highway vehicles, personal transportation vehicles, and low-speed vehicles, designed for carrying ten passengers or less and used for the transportation of persons.

Sec. 1200. Registration/transfer requirements.

Before any personal transportation vehicle may be operated over an authorized street of the city it shall be registered with and inspected by the Sky Valley Police Department. If the personal transportation vehicle is compliant with local and State law, then a decal shall be issued from that department signifying its registration. The registration requirements include the following specifics:

- (1) Only those persons 18 years of age or older may register a personal transportation vehicle;
- (2) The person registering the PTV is the Owner of the PTV;
- (3) The decal received from the Sky Valley Police Department upon registration shall be attached and displayed upon the PTV so as to be plainly visible.

(4) The registration application shall be made on a form supplied by the City and shall contain the following information:

- Name and address of owner;
- Model, make, name and identification number;
- Current driver's license number of owner and all authorized drivers; and
- Such other information with the City may require.

(5) The registration application shall be accompanied by a fee of \$15.00;

(6) The registration application shall be accompanied by evidence of personal liability insurance coverage consistent with the minimum requirements of Georgia law for operational motor vehicles.

(7) The registration shall be effective for a period of five (5) years, until such time as revoked or the PTV is transferred to a new owner. If the registered owner transfers ownership of the PTV, the registered owner must notify the Sky Valley Police Department of the transfer;

(8) It shall be the Owner of the PTV's responsibility to ensure the information on the application remains current and accurate.

Sec.1300. Revocation.

The registration permit may be revoked if:

- (1) The permit holder no longer has a valid driver's license;
- (2) The owner or driver of a PTV fails to abide by the rules and regulations of this article;
- (3) The owner or driver of a PTV fails to abide by the traffic laws in the use of a PTV on an Authorized Street,

Sec. 1400. Transfer.

Upon transfer of ownership of the PTV to a person who intends to operate it over the Authorized Streets of the city, the new owner must register the PTV as outlined hereinabove in Section 1200. Such registration by the new owner must occur within ten days of the transfer of ownership.

Sec. 1500. Operation regulations.

(a) It shall be unlawful to operate a PTV on any street within the City of Sky Valley that is not an Authorized Street.

(b) Only those persons who hold a valid motor vehicle driver's license and who are on the approved driver's list provided by the owner to the Sky Valley Police Department at the time of

registration may drive a PTV on the Authorized Streets and those areas accessible by the public of the city.

(c) All drivers of a PTV shall abide by all traffic regulations applicable to vehicular traffic when using the Authorized Streets of the city.

(d) Every driver of a PTV shall be granted all the rights and shall be subject to all of the rules of the road and duties applicable to the driver of any other vehicle.

(e) All PTVs are entitled to a full use of a lane of the Authorized Streets of the city and no motor vehicle shall be driven in such a manner as to deprive any PTV of the full use of a lane.

(f) The driver of a PTV shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(g) No driver of a PTV shall operate a PTV between lanes of traffic or between adjacent lines of rows of vehicles.

(h) PTVs shall not be operated two or more abreast in a single lane.

(i) The driver of a PTV operating on an Authorized Street may cross a multi-lane road only at a signalized intersection designated for such purpose.

(j) The driver of a PTV operating on an Authorized Street may cross a state or federal route only at intersections that have been designated for such purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices.

(k) All laws and ordinances relative to alcohol and its use, including open container laws, shall apply to traffic on streets of the city shall also apply to drivers and occupants of PTVs.

(l) All drivers and passengers must remain seated at all times during the operation of the PTV. No person may sit on the lap of another passenger or the driver.

(m) Personal transportation vehicles shall not be operated on sidewalks at any time.

(n) A PTV may be operated over Authorized Streets only during daylight hours unless such PTV is equipped with functional headlights, taillights and front and back turn signals.

(o) Personal transportation vehicles may be operated only over those certain residential streets where the speed limit is 25 mph or less.

Sec. 1600. Equipment.

Each PTV shall be equipped with each of the following safety devices:

(a) A braking system sufficient for the weight and passenger capacity of the vehicle including a parking brake;

(b) A reverse warning device functional at all times when the directional control is in the reverse position;

(c) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position.

(d) Head lamps;

(e) Reflex reflectors;

(f) Tail lamps;

(g) A horn;

(h) A rearview mirror;

(i) Safety warning labels;

(j) Hip restraints and hand holds or a combination thereof;

(k) Amber strobe light so as to warn approaching travelers to decrease their speed because of the danger of colliding with such vehicle. Such amber strobe light shall be mounted in a manner so as to be visible under normal atmospheric conditions from a distance of 500 feet from the front and rear of such vehicle; and

(l) A rear mounted orange warning triangle center mounted no less than 3 feet and no more than 5 feet above the ground.

Sec.1700. Unauthorized Streets

Use of PTVs is prohibited on the following unauthorized streets:

(a) Any street or highway with a posted speed limit of more than 25 miles per hour.

(b) Any street or highway that has more than one lane of vehicular traffic per direction.

(c) Any street or highway designated as part of either the state or federal highway system.

(d) GA Highway 246.

(e) Bald Mountain Road

(f) NC Highway 106

(g) Old Mud Creek Road

Sec. 1800. Exceptions.

(a) The provisions of this Ordinance and the authority granted by this Ordinance shall not apply to PTVs owned by golf courses, country clubs, or other such organized entities which own such PTVs and make them available to or for use by members or the public on a rental or licensed basis, **provided that such PTVs are used only on the premises of such golf courses, country clubs, or other such organized entities.**

(b) The provisions of this Ordinance do not apply to implements of husbandry, road machinery, road rollers, farm tractors, or three-wheeled motorcycles used only for agricultural purposes.

(c) The provisions of this Ordinance do not apply to Low Speed Vehicles which are allowed on roads as long as they abide by state laws on their use on the roadways.

(d) Other motorized carts which do not qualify as a legal PTV and are currently being used by the Club or Timeshares on Authorized Streets within the city for maintenance purposes shall be allowed if such cart is registered with the Sky Valley Police Department within ten (10) days of the effective date of this Ordinance. Upon discontinued use or lapse in registration of such cart, no additional motorized carts shall be approved that do not comply with this Ordinance.

Sec. 1900. Liability.

Nothing in this article shall be construed as an assumption of liability by the City of sky Valley for any injuries to persons or property which may result from the operation of a personal transportation vehicle or by the failure of the city to revoke said permit.

Sec. 2000. Penalties.

Any person who violates the terms of this Ordinance shall be punished as follows:

In addition to whatever violations the driver of the PTV may be subject to pursuant to Georgia law and elsewhere found within the Code of Ordinances and the City Charter, the registered owner of the PTV shall be subject to the following civil penalties:

(1) For the first offense, a fine of not less than \$50.00; if not timely paid, revocation of the permit;

(2) For the second offense, a fine of not less than \$100.00; if not timely paid, revocation of the permit.

(3) For the third offense, the registration for the PTV shall be revoked. In the event the registrations revoked under this section, the PTV cannot thereafter be re-registered by the same owner or any family member for a period of two years. Further, such other penalties shall be applied as provided in the Code of Ordinances and City charter in the sound discretion and judgment of the presiding Judge of the Municipal Court of the City of Sky Valley.

Sec. 3000. Severability.

In the event any section, subsection, sentence, or word of this ordinance is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this article, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this article. The city governing authority declared that it would have enacted the remaining parts of this article if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

Sec. 4000. Conflicting Ordinances.

Any ordinance or any portion of an ordinance that conflicts with this Ordinance is hereby revoked.

Sec. 5000. Effective date.

This ordinance will become effective _____.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this ____ day of _____, 2014.

Approved:

Hughel Goodgame, Mayor

Bob Larsen, Council President

Liz Carr, Councilor

Attest:

Martin Greene, Councilor

Mandi Cantrell, City Clerk

Neil Howard, Councilor

David K. Whatley, Councilor