

**CITY OF SKY VALLEY
EMERGENCY CALLED COUNCIL MEETING
TUESDAY, JUNE 27, 2023, AT 10:00 A.M.
3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM)
SKY VALLEY, GEORGIA**

THE PURPOSE OF THIS EMERGENCY CALLED MEETING IS TO APPROVE THE EXPENDITURE FOR A 350/3500 DUAL AXLE DIESEL TRUCK, A DUAL WHEEL TANDEM AXLE GOOSE NECK TRAILER, AND TO ADOPT THE 8% HOTEL/MOTEL TAX RATE BEFORE THE EFFECTIVE DATE OF JULY 1, 2023

AGENDA

- 1. Call to Order**
- 2. Invocation/Pledge of Allegiance**
- 3. Approval of Minutes**
 - June 20, 2023-Public Hearing
 - June 20, 2023-Regular Council Meeting
- 4. Adoption of Agenda**

NEW BUSINESS

- 5. Consider approval to purchase one (1) 350/3500 dual axle diesel truck for public works in an amount not to exceed \$80,000 (T-SPLOST funded)**
- 6. Consider approval to purchase one (1) dual wheel tandem axle goose neck trailer in an amount not the exceed \$30,000 (T-SPLOST funded)**

OLD BUSINESS

- 7. Consider approval of Ordinance to increase Hotel/Motel tax from 5% to 8% - 2nd Reading**
- 8. Consider approval of Ordinance to approve Disorderly House Ordinance - 2nd Reading**

OTHER BUSINESS

- 9. Public Forum and General Comments**
 - ❖ ANY PERSON WITH BUSINESS BEFORE THE COUNCIL, NOT SCHEDULED ON THE AGENDA AS A PUBLIC HEARING MAY SPEAK TO THE COUNCIL FOR A MAXIMUM OF FIVE MINUTES
 - ❖ THE SPEAKER MUST IDENTIFY BY NAME/ADDRESS BEFORE SPEAKING
 - ❖ NO FORMAL ACTION CAN BE TAKEN
- 10. Adjournment**

You may join the meeting at:

<https://us02web.zoom.us/j/81739060937>

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 call 706-746-2204 promptly to allow the City to make reasonable accommodations for those persons.

**MINUTES OF THE CITY OF SKY VALLEY PUBLIC HEARING HELD ON A TUESDAY, JUNE 20, 2023
AT 3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM) SKY VALLEY GA 30537**

MEMBERS PRESENT: Mayor Steil, Councilors Darrah, Oliver, Turner, Allred, and Curtis

STAFF PRESENT: City Manager Streetman, City Clerk Fleming, and Communications Specialist Van Camp

Intro:

The purpose of this public hearing is to receive public comments on the proposed ordinance to increase the hotel/motel tax rate from 5% to 8% with an effective date of July 1, 2023.

Hotel/motel tax increase from 5% to 8%

Mayor Steil asked City Manager Streetman to go over the pending Ordinance to change the current Hotel/Motel Tax from 5% to 8%. City Manager Streetman stated that House Bill 59 was passed at the 2023 regular session of the Georgia General Assembly authorizing imposition of an excise tax of up to eight percent. The distribution of the funds would also be changed: 43.75% to a Destination Marketing Organization, such as Forward Rabun, 37.5% to the City's General Fund, 18.75% to a Tourism Product Development such as a brick & mortar, pickleball courts, and hiking trails. This would give the city the ability to do more things.

Councilor Curtis stated that this would help with marketing efforts and help with the burden of the Police Department concerning short-term rentals and septic measures. This would also help with not having to increase property taxes. Karla Stahl, 74 Red Wolf Trail, commented on the process of collecting the tax as the formula is hard to figure and also there is a lot of paperwork to keep up with. She requested that the formula be changed and asked who was going to monitor the submission. Councilor Allred stated that the formula is a state statute. Councilor Darrah stated that the process will be addressed under the pending Short Term Rental Ordinance.

As no further comments were made, the public hearing adjourned at 9:19 A.M.

Respectfully submitted:

Hollie Steil, Mayor

Attested:

Karen Fleming, City Clerk

**MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JUNE 20, 2023 A TUESDAY AT 10:00 AM
AT 3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM) CITY OF SKY VALLEY, GEORGIA**

MEMBERS PRESENT: Mayor Steil, Councilors Darrah, Oliver, Turner, Allred, and Curtis

STAFF PRESENT: City Manager Streetman, City Clerk Fleming, City Attorney Kidd, Public Works Superintendent Shope, Water Coordinator English, Building Inspector Pyburn, Lt. Baumes, and Communications Specialist Van Camp

1. Call to Order

Mayor Steil called the meeting to order at 10:00 A.M.

2. Invocation/Pledge of Allegiance

Councilor Turner led the invocation and pledge of allegiance.

3. Approval of Minutes

April 18, 2023 – Regular Council Meeting

Councilor Darrah made a motion to approve the minutes as written, seconded by Councilor Curtis, unanimously approved.

4. Adoption of Agenda

Councilor Oliver made a motion to adopt the agenda as presented, seconded by Councilor Curtis, unanimously approved.

5. Mayoral/Council Remarks

Mayor Steil thanked all that came to the open house, Rick Story from Forward Rabun, conducting a ribbon cutting, and the city staff for their help in making it a success. Also, thanked the Public Works department for the work that they performed on the front entrance irrigation.

Councilor Curtis stated that he had questions pertaining to items 10 and 12 of the agenda.

6. City Manager Report

City Manager Streetman also thanked all for the hard work that was put in for the open house. A new roof has been installed at City Hall. Due to weather related issues, the insurance covered the cost of the roof. Working on finalizing the Independence Day events and have started on the 2024 budget. Currently the city is a little over 50% of the current budget. Food Truck Fridays have been a success as the city is trying to help with the promotions of small businesses.

7. Departmental Reports

PW Superintendent Shope stated that his crew is busy with summer duties such as mowing, cleaning out of ditches, and 4th of July preparations. Water Coordinator English discussed some recent water line breaks. work going into the locating of water lines for the updating of water map, and the preventive maintenance being performed on tanks, pumps, and well houses. Building Inspector Pyburn stated that he is settled into his new office, which is in the same building but a different office. The 911, green SV signs, can now be purchased at Tropical Rayz in Clayton as well as the mapping department. Ninety-eight permits have been issued as of date and four new homes under construction.

8. Committee Reports

Special Projects Chairman, Bruce Turner, stated that the committee is currently working on the Independence Day Event and will move on to Fallfest after the 4th. Mayoral Advisory Committee

Chairman, Bill Oliver, stated that the next meeting will be this Thursday and will be discussing options concerning a sewer system and EV charging stations in Sky Valley. Marketing Committee Chairman, Gordon Brand, stated that on May 18th, Media Specialist were in Sky Valley, and they spoke highly of their visit. He went over the current map and magazine ads. Planning & Zoning Chairman Dan McAfee stated that the committee is finalizing the Short-Term Rental Ordinance which will be brought before the Council.

NEW BUSINESS

9 Consider approval of Ordinance to increase Hotel/Motel tax from 5% to 8% - 1st Reading

City Manager Streetman went over the proposed Ordinance and stating that this increase was passed at the 2023 regular session of the Georgia General Assembly. If the Ordinance is approved, the revenue would help with keeping the property taxes down.

No action taken.

10. Consider approval of Ordinance to approve Disorderly House Ordinance – 1st Reading

Mayor Steil went over the proposed Ordinance, specifically Section 1. City Manager Streetman stated that the Ordinance would give the Police Department more authority to control incidents. Questions were made by Councilor Curtis concerning the language such as “gaming, drinking, or other mis-behavior”. City Attorney Kid stated that state law language was used to make up the Ordinance and all would have to be illegal activities to be cited.

No action taken.

11. Consider approval to add Monday July 3rd as a city holiday for 2023

City Manager Streetman stated that since the 4th fell on a Tuesday that he would like to request that Monday the 3rd be added as a staff holiday as well.

Councilor Curtis made a motion to approve the 3rd as a holiday for 2023, seconded by Councilor Darrah, unanimously approved.

12. Consider approval of Resolution to create a police vehicle replacement plan as recommended by GMA (Georgia Municipal Association)

City Manager Streetman went over the recommendations of Steve Shields with GMA. This is just a guideline as a planning tool for the five-year capital plan. Councilor Curtis questioned if the city adopts such particular standards doesn't that endanger getting rid of vehicles before their time? City Manager Streetman said that each vehicle would be accessed, such as mileage and maintaining, before replacing.

Consensus of remarks were favorable of the Ordinance as First Responders need reliable vehicles.

Councilor Turner made a motion to approve the Resolution, seconded by Councilor Allred, unanimously approved.

13. Consider approval of Resolution to declare city equipment as surplus for liquidation - (2) 2017 Subaru Foresters

City Manager Streetman stated that two out of four Subarus have already been replaced and the two that are left have transmission issues and over 70,000 miles. GovDeals could be used to auction off.

Councilor Curtis made a motion to approve the Resolution to declare the Subarus as surplus, seconded by Councilor Darrah, unanimously approved.

OTHER BUSINESS

14. Public Forum and General Comments

Dale Fenwick, 36 Big Bear, stated that unauthorized golf carts need to be addressed on city roads and that Mud Creek Trail needs some maintenance performed. A discussion concerning the old covered bridge near the overlook ensued.

15. Adjournment

There being no further business to come before Mayor and Council, Councilor Allred made a motion to adjourn, seconded by Councilor Darrah, unanimously approved.

The meeting adjourned at 11:25 A.M.

Respectfully submitted:

Hollie Steil, Mayor


Attested:

Karen Fleming, City Clerk



MEMORANDUM

TO: Sky Valley Mayor & Council

FROM: Jason Streetman 

RE: Justification & Recommendation for purchasing a 350/3500 truck

DATE: June 23, 2023

At present, we have two (2) heavy duty trucks (2009 F550 & 2013 F350) that are equipped with dump beds and are utilized to haul rock, asphalt, dirt, and various water and road related supplies and materials. They can also plow snow and brine roads if needed and have a great deal of rust.

Although they are capable of towing and have done so in the past, with the amount of rust and wear on the chassis' of the trucks from years of heavy use; they have become dangerous to do so. In addition, with the weight of the machines being towed, a goose neck trailer is ideal.

Case in point, earlier in the month, the tow hitch on the F350 broke off while towing the Kubota Excavator down Sky Valley Way. When this happened, the trailer slammed down onto the pavement and broke off the trailer jack and crashed into the back of the F350.

This breakage event to the F350 caused the truck to violently tilt and rock from side to side while our driver struggled to regain control and prevent a roll over. The break was due to vehicle age, wear, and rust, and trailer and machine weight. The F550 is even more rusty than the F350.

This request to purchase a flat bed truck with a goose neck attachment and goose neck trailer will allow public works to safely haul the heavy equipment such as the excavator, skid steer, and roller paver. On a side note, the weight of the equipment and recent damage to the existing trailer has put it into disrepair as the jack snapped off and broke the rear axle.

The existing trailer is NOT a goose neck and not rated for the weight of our existing equipment. This means there is a potential to be cited for being overweight if we were ever to be pulled over or be in a wreck. Finally, because the two existing trucks have dump beds, you cannot attach a goose neck attachment to them.

Attached are four (4) quotes for 350/3500 dual axle diesel trucks with a flat bed and gooseneck attachment. The recommendation is to go with the Ford F350 from John Megel Ford in the amount of \$74,917.00.

We are still reviewing goose neck trailers and do not anticipate one costing more than \$30,000.00.



2742 Highway 129 S - Cleveland, GA 30528
Phone: (706) 865-2168

Guest Proposal

Salesman _____ Date 6/22/23

Buyer CITY OF SKY VALLEY Business phone _____ Home phone 706-490-8068

Co-Buyer _____ Business phone _____ Home phone _____

Address, City, State & Zip 3608 HIGHWAY 246, DILLARD, GA 30537

Vehicle Being Purchased

Stock # T60480 VIN 1FD8W3HT5PEC67810 Mileage _____ Year 2023 Make FORD

Model SUPER DUTY F-35 Model Type W3H Body XL 4WD CREW CAB Color OXFORD WHITE Cyl 8

Vehicle Options INCLUDES: FLATBED WITH GOOSENECK HITCH

Vehicle Being Traded:

VIN _____ Mileage _____ Lienholder _____

Year _____ Make _____ Model _____ Address _____

Body _____ Color _____ Cyl _____

Trade allowance _____ Phone _____

Payoff _____ Good thru _____ Quoted by _____

Loan number _____ Verified by _____

Proposal:

Selling price 74325.00

Accessories .00

Taxes .00

Fees 592.00

Insurance .00

Service contract _____

Trade payoff _____

Total cash price 74917.00

Trade allowance .00

Down payment .00

Rebate .00

Unpaid balance due 74917.00

Outside Lender:

Name _____

Address _____

Phone _____

Service Contract:

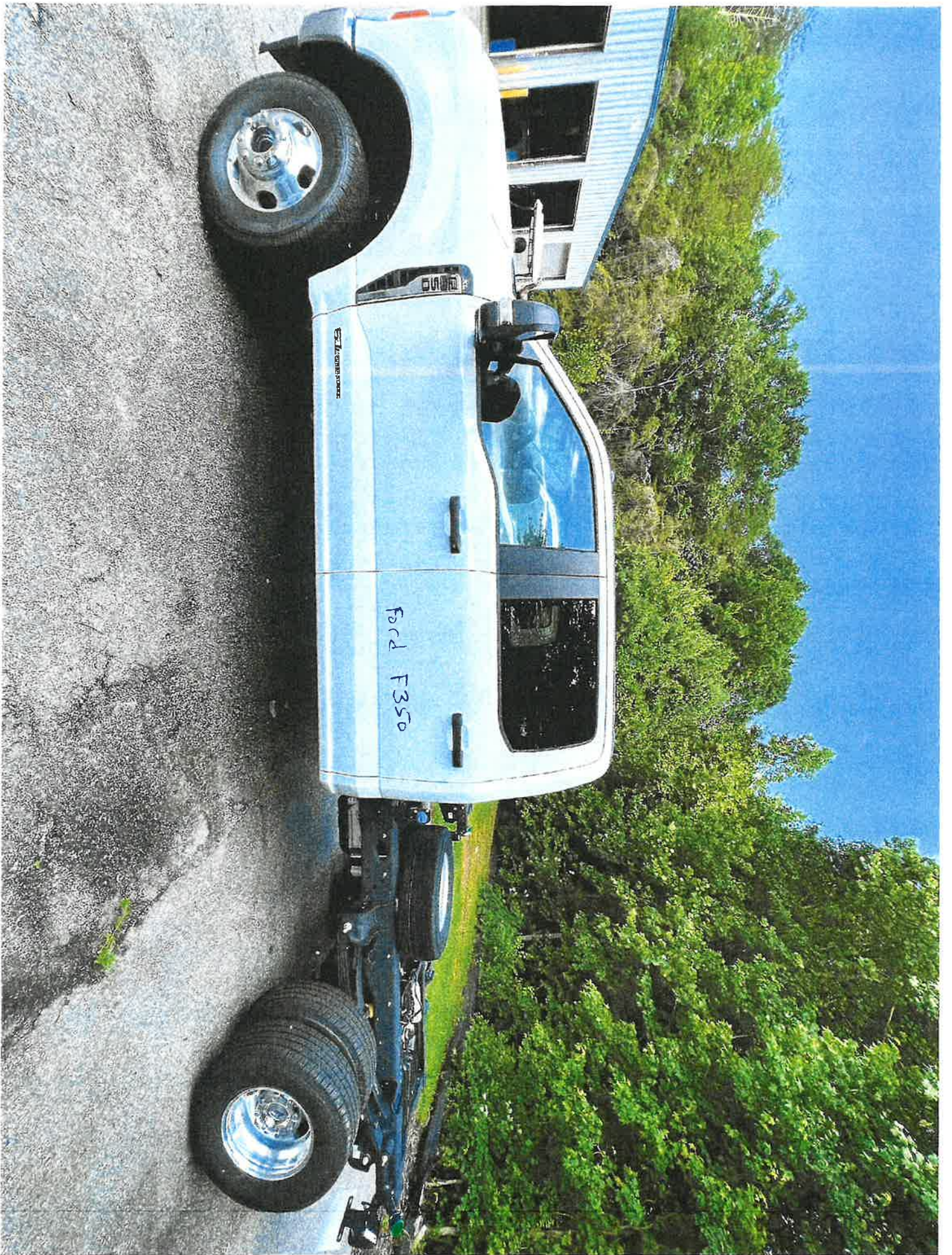
Plan Name _____

Price _____

Months/Miles _____

Deductible _____

Plan _____ Product _____





www.edmunds.com/superstores.com | 86 North Fairview Rd, Lavonia, GA 30553 | (800) 453-3433

BUYER

CITY OF SKY VALLEY
 3608 HWY 246
 DILLARD, GA 30537
Cell #: (706) 490-8068
Email: svgasafety@gmail.com

CO-BUYER

Deal #: 49478
Deal Type: Retail
Deal Date: 06/21/2023
Print Time: 03:38pm

Salesperson: JOHN DAVID MURDOCK

VEHICLE

New ✓	Stock #:	Description:	VIN:	Mileage:
Used	T23018	2023 DODGE TRUCK RAM 3500	3C7WRTCL1PG546855	
Demo				

TRADE

AFTERMARKETS

VTR	\$	299.00		
			Sale Price:	\$ 78,928.00
			Total Financed Aftermarkets:	\$ 299.00
			Total Trade Allowance:	\$ 0.00
			Trade Difference:	\$ 79,227.00
			Doc Fee:	\$ 399.00
			State & Local Taxes:	\$ 5,255.32
			Total License and Fees:	\$ 80.00
			Total Cash Price:	\$ 84,961.32
			Total Trade Payoff:	\$ 0.00
Total Aftermarkets:	\$	299.00	Delivered Price:	\$ 84,961.32
			Cash Down Payment + Deposit:	\$ 0.00
			Sub Total:	\$ 84,961.32
			Service Agreement:	\$ 0.00
			Maintenance Agreement:	\$ 0.00
Amount Financed:	\$	84,961.32	GAP Insurance:	\$ 0.00
			Credit Life, Accident & Health:	\$ 0.00
			Other:	\$ 0.00
			Amount Financed:	\$ 84,961.32

price includes flat bed & goose neck attachment



Ram 3500

Hayes Chevrolet
Baldwin, GA

BUYER		CO-BUYER		Deal #:	
CITY OF SKY VALLEY 3608 HIGHWAY 246 DILLARD, GA 30537 Cell #: (706) 490-8068 Email: SVGASAFETY@GMAIL.COM				52449	
				Deal Type: Retail	
				Deal Date: 06/22/2023	
				Print Time: 12:16pm	
				Salesperson: THOMAS JOSEPH RINEFIERD	
VEHICLE					
New	<input checked="" type="checkbox"/>	Stock #:	Description:	VIN:	Mileage:
Used	<input type="checkbox"/>	C421001	2024 CHEVROLET TRUCK SILVERADO 3...	1GB4YTEY8RF126986	
Demo	<input type="checkbox"/>				
TRADE					
AFTERMARKETS			MSRP: \$ 82,175.00		
			Discount: \$ 2,200.00		
			Sale Price: \$ 79,975.00		
			Total Financed Aftermarkets: \$ 0.00		
			Total Trade Allowance: \$ 0.00		
			Trade Difference: \$ 79,975.00		
			Doc Fee: \$ 449.00		
			State & Local Taxes: \$ 0.00		
			Total License and Fees: \$ 52.95		
			Total Cash Price: \$ 80,476.95		
			Total Trade Payoff: \$ 0.00		
Total Aftermarkets: \$ 0.00			Delivered Price: \$ 80,476.95		
			Cash Down Payment + Deposit: \$ 0.00		
			Sub Total: \$ 80,476.95		
Amount Financed: \$ 80,476.95			Amount Financed: \$ 80,476.95		

Price includes
flat bed and goose
neck attachment





JACKY JONES CDR HAYESVILLE

222 NC HIGHWAY 69 HAYESVILLE, NC 28904
PHONE: 828-389-1958



Deal #0044074 Cust #102462 Stock #T5211

Sold To: SKY VALLEY

Address:

Salesman:

County:

Date: 06/22/2023
Lien:

Stock Number	Year	Make	Body Style	Motor Number	New	Used	Car	Truck
T5211	2022	RAM	CAB CHASSIS	3C7WRTCLXNG400970	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

ALL USED CARS SOLD AS IS - NO GUARANTEE

I hereby acknowledge and accept the terms of this agreement and further certify the car I am trading in is free and clear of all liens and encumbrances except as otherwise stated herein. Any warranties on the item/items sold hereby are those made by the manufacturer. The seller, Jacky Jones expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and Jacky Jones neither assumes nor authorizes any person to assume for it any liability in connection with the sale of this item/items.

NON-LEASED VEHICLES ODOMETER DISCLOSURE STATEMENT

Federal law and state law require that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement result in fines and/or imprisonment.
I, JACKY JONES CDR HAYESVILLE state that the odometer now reads _____ (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

Check one box only

- (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.
- (2) I hereby certify that the odometer reading is NOT the actual mileage. WARNING-ODOMETER DISCREPANCY

Make RAM Model CHASSIS 3500 Body Type CAB CHASSIS
VIN 3C7WRTCLXNG400970 Year 2022

Transferor's Signature _____
Printed Name JACKY JONES CDR HAYESVILLE
Transferor's Street Address 222 NC HIGHWAY 69
City HAYESVILLE State NC ZIP 28904
Date of Statement 06/22/2023
Transferor's Signature _____
Printed Name SKY VALLEY
Transferor's Street Address _____
City _____ State _____ ZIP _____

ADDITIONAL PRODUCTS	Price
GPS TRACKING 1	269.00
ESP Contract	
GAP	
SALES TAX	
Doc Fee	499.00
Title Fee + Tag Fee	
-TOTAL PRICE	88263.00

Trade In Allowance \$	Year & Make:	Customer Deposit \$
<u>NA</u>		<u>NA</u>
VIN#	COD	Rebate
	<u>86263.00</u>	<u>2000.00</u>
Lien Holder: On Trade In:	Net Equity	
	<u>NA</u>	
Account Owing \$	Net Equity	
<u>NA</u>	<u>NA</u>	
Subscribed & Sworn to before me this		
<u>22</u> Day of <u>June</u> , <u>2023</u>		
Notary Public	Total	
<u>W/ Flatbed & 900 se neck</u>	<u>86263.00</u>	





EX of gooseneck trailer to be purchased.

CITY OF SKY VALLEY, GEORGIA

AN ORDINANCE TO BE ENTITLED

AN ORDINANCE TO AMEND PREVIOUS ORDINANCES TO INCREASE THE EXCISE TAX ON ROOMS, LODGINGS, OR ACCOMMODATIONS (HOTEL/MOTEL TAX), TO REFLECT RECENT CHANGES TO STATE LAW; TO PROVIDE FOR EFFECTIVE DATES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH AND FOR OTHER PURPOSES.

WHEREAS, the governing body of the City of Sky Valley, a political subdivision of the State of Georgia, is authorized under Title 48, Chapter 13, Article 3, Section 51 of the Official Code of Georgia Annotated to levy certain excise taxes; and

WHEREAS, the City of Sky Valley is designated as a "special district" pursuant to Title 48, Chapter 13, Article 50.1 of the Official Code of Georgia Annotated for the purpose of implementing an excise tax on rooms, lodging and accommodations; and

WHEREAS House Bill 59 of the 2023 Regular Session of the Georgia General Assembly authorizes imposition of an excise tax of up to eight percent (8%) by the City of Sky Valley, pursuant to O.C.G.A. § 48-13-51 (b); and

WHEREAS, the governing body of the City of Sky Valley, is required under Title 48, Chapter 13, Article 3, Section 51 of the Official Code of Georgia Annotated to make available a designated portion of funds so collected for the purpose of promoting, attracting, stimulating, and developing conventions and tourism by a destination marketing organization in the City of Sky Valley; and

WHEREAS, the City of Sky Valley is authorized under Title 48, Chapter 13, Article 3, Section 51 of the Official Code of Georgia Annotated to make available a designated portion of funds so collected for the purpose of tourism product development in the City of Sky Valley with any balance of the funds so designated for the purpose of promoting, attracting, stimulating, and developing conventions and tourism by a destination marketing organization in the City of Sky Valley;

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED AND IT IS HEREY ORDAINED AND RESOLVED that the Mayor and City Council of the City of Sky Valley resolves to adopt an Excise Tax Ordinance pursuant to said authority; and therefore, the Mayor and City Council does publish, state and promulgate the following ordinance:

SECTION 1: That Ordinance 04-08 be amended thereof as follows:

ARTICLE E. HOTEL/MOTEL TAX

Section 1. LEVY OF TAX Pursuant to O.C.G.A. §48-13-51 authorizing each municipality in the State of Georgia to impose, levy, and collect an excise tax upon the furnishing for value to the public of any room or rooms, lodging, or accommodations furnished by any person or legal entity licensed by or required to pay business or occupation taxes to the municipality for operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished for value, including short term vacation rental units, there is hereby levied an excise tax on all charges imposed upon the public for the furnishing of any room or rooms, lodgings, or accommodations within the City of Sky Valley.

This tax shall be imposed upon every person or entity who is furnished for value any room or rooms, lodging, or accommodations furnished by any person or legal entity licensed by or required to pay business or occupation taxes to the municipality for operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished for value, including short term vacation rental units payable to the person or entity providing such room, lodging or accommodations. The tax shall not apply to charges for rooms, lodgings, or accommodations which are provided:

- For continuous occupancy of more than thirty consecutive days; the tax shall apply to the charges for accommodations during the first thirty days of continuous occupancy; the tax shall not apply to the charges of accommodations during the thirty-first day and beyond;
- to any persons who certify that they are staying in such room, lodging, or accommodation as a result of the destruction of their home or residence by fire or other casualty;
- for the use of meeting rooms and other such facilities or any rooms, lodgings, or accommodations provided without charge;
- to officials or employees of the Georgia state government or any of its instrumentalities, and to officials or employees of Georgia local governments (municipalities, counties, and school districts), when such official or employee is traveling on official public business and provides documentation thereof issued by the governmental unit. Occupancy may be for any period and charges may be paid by any means. Member institutions of the University System of Georgia are instrumentalities of the State.
- to foreign nationals who are members of their legation (diplomatic mission) in this country and who provide documentation thereof issued by the United States Department of State. Occupancy may be for any period.
- to employees of the United States Government and its instrumentalities for accommodations furnished for any period when the charges are paid exclusively by check or other negotiable instrument issued by the United States of America or any of its instrumentalities. Unless the

charges are paid directly by the U. S. Government or one of its instrumentalities, such employees (including military personnel) are not exempt from this tax.

Section 2. RATE

The hotel/motel tax rate shall be (8 %) eight percent of taxable charges to the public for lodging accommodations within the City of Sky Valley. The hotel/motel tax shall be levied at this rate and the resulting revenues shall be used pursuant to the provisions of O.C.G.A. §48-13-51(b).

Section 3. RETURN; PAYMENT OF TAX

Each person or firm collecting said tax shall on or before the (20TH) twentieth day of each month transmit to the City of Sky Valley a return showing the total charges for the furnishing of rooms, lodging, and accommodations during the preceding calendar month and the tax amount due and shall remit the tax levied herein. The United States Postal Service's postmark shall constitute evidence of the date of transmittal and remittance. Such return shall be submitted on a form prescribed by the City of Sky Valley.

Section 4. PENALTIES

When any person liable hereunder fails to make a return or pay the full amount of the required tax, a penalty shall be added to the tax in the amount of \$5.00 or five percent, whichever is greater, if the failure is for not more than 30 days. An additional penalty of five percent or \$5.00, whichever is greater, shall be charged for each additional 30 days or portion thereof during which the failure continues. The penalty for any single violation shall not exceed 25 percent or \$25.00 in the aggregate, whichever is greater. Interest shall be charged monthly in addition to the above penalties at an annual rate equal to the Federal Reserve prime rate plus 3 percent from the date the tax is due until the date the tax is paid. However, if such failure is due to providential cause shown to the satisfaction of the Revenue Director in affidavit form attached to the return, and remittance is within 10 days of the due date, such returns may be accepted exclusive of penalties and interest. In the case of a false or fraudulent return or the failure to file a return, where willful intent exists to defraud the City of any tax due herein, a specific penalty of fifty percent of the tax due shall be assessed. All penalties and interest imposed herein shall be payable and collectible by the Revenue Department in the manner as if they were a part of the tax imposed.

Section 5. EXECUTION AND FI FA

In any case where a person or firm liable for paying hotel/motel taxes as provided herein fails to do so, the Revenue Director shall be authorized to determine the amount of taxes due using the best information available, either by return filed or by other means, and to execute and record one or more FI FAs for such unpaid taxes. Any FI FA so executed and recorded shall constitute a lien on the real property of the facility for which the tax is due, and such portion of any other real property owned by said person or firm as may be required to satisfy the total amount due in taxes and penalties.

Section 6. CONDITION FOR DOING BUSINESS

Payment of hotel/motel taxes as provided by this ordinance is a condition for doing business within the City as a hotel or motel, and failure to pay the tax shall be grounds for revocation of business tax certificate in accordance with Article V of Section 22 of this ordinance.

Section 7. CITY EXAMINATION OF RECORDS AUTHORIZED

For the purpose of ascertaining the correctness of any return required to be filed by this Article, or to determine the amount of taxes due, any authorized representative of the City of Sky Valley shall have free and complete access at all reasonable times to any books, papers, records, or other information bearing upon said return or taxes due.

Section 8. USE OF TAX PROCEEDS

Pursuant to O.C.G.A. §48-13-51(b), the City shall expend an amount equal to 37.5 percent for general fund purposes. In each fiscal year, the City shall expend an amount equal to 43.75 percent of the total taxes collected for the purpose of promoting tourism, conventions, and trade shows under a contract with a private sector nonprofit organization as defined by O.C.G.A. §48-13-50.2(3). In addition, the City shall expend an amount equal to 18.75 percent of the total taxes collected for the purpose of tourism-related projects.

Section 9. EFFECTIVE DATE

The effective date for the eight percent hotel motel tax rate shall be July 1, 2023. All previous laws and regulations shall apply until the effective date is reached.

SECTION 10: CONFLICTS REPEALED

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2023.

APPROVED:

HOLLIE STEIL, MAYOR

JIM CURTIS, COUNCILOR

BILL OLIVER, COUNCILOR

TONY ALLRED, COUNCILOR

BRUCE TURNER, COUNCILOR

TIM DARRAH, COUNCILOR

ATTEST:

APPROVED AS TO FORM:

**KAREN FLEMING
CITY CLERK**

**DOUGLAS KIDD
CITY ATTORNEY**

First reading and introduction June 20, 2023.

Second reading and adoption June _____, 2023

**AN ORDINANCE TO ESTABLISH PROHIBITIONS FOR DISORDERLY HOUSES
AND ENFORCEMENT THEREOF**

WHEREAS, the City of Sky Valley, Georgia is a municipality duly constituted and existing pursuant to Georgia law;

WHEREAS, the Constitution of the State of Georgia provides in Article IX, Section 2, Paragraph 3 that the governing authority of the City may adopt reasonable Ordinances to protect and improve public health, safety, and the welfare of the citizens of the City of Sky Valley; and

WHEREAS, the requirements contained in this ordinance are appropriate for the regulation of disorderly houses;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Sky Valley, Georgia, by the lawful authority vested in them, that Section 24 is hereby added to the Code of Ordinances as the following:

SECTION 1:

Sec. 24-26- Disorderly House Prohibited

A person who keeps and maintains, either by himself or others, a common, ill-governed, and disorderly house, to the encouragement of gaming, drinking, or other misbehavior, or to the common disturbance of the neighborhood or orderly citizens, is guilty of a misdemeanor.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall become effective upon the mayor affixing her signature below.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2023.

APPROVED:

HOLLIE STEIL, MAYOR

JIM CURTIS, COUNCILOR

BILL OLIVER, COUNCILOR

TONY ALLRED, COUNCILOR

BRUCE TURNER, COUNCILOR

TIM DARRAH, COUNCILOR

ATTEST:

**KAREN FLEMING
CITY CLERK**

APPROVED AS TO FORM:

**DOUGLAS KIDD
CITY ATTORNEY**

First reading and introduction June 20, 2023.

Second reading and adoption June _____, 2023