

**CITY OF SKY VALLEY  
COUNCIL WORK SESSION  
SEPTEMBER 12, 2023 AT 10:00 AM  
3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM)  
SKY VALLEY, GA 30537**

**AGENDA**

- 1. Call to Order**
- 2. Adoption of Agenda**
- 3. Discuss proposed Short-Term Rental Ordinance**
- 4. Discuss proposed Trash Ordinance amendment**
- 5. Discuss proposed Fee Ordinance amendment**
- 6. Adjournment**

**You may join the meeting at:**

<https://us02web.zoom.us/join/84913106291>

Meeting ID: 849 1310 6291

*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.*

**AN ORDINANCE TO ESTABLISH REGULATIONS FOR SHORT-TERM RENTALS WITHIN THE CITY OF SKY VALLEY, GEORGIA; TO PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE AND TO PROVIDE SAFETY AND OPERATIONAL STANDARDS, AND ADMINISTRATION, LICENSING, PENALTIES, AND ENFORCEMENT**

**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 short-term rentals to provide for the regulation, taxation, and safety of the occupants of short-term rentals and to provide for the peace, safety, and tranquility for the citizens of Sky Valley;

**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 41 is hereby added to the Code of Ordinances as the following:

**SECTION 1:**

**Sec. 41-01- Purpose and intent.**

- (a) The purpose of this ordinance is to establish regulations for the use of rental dwelling units as short-term rentals and to ensure collection and payment of required excise and occupational tax fees. *Short-term rental* means a rental period of 30 days or less. It may also refer to a property that is rented for such time periods.
- (b) This ordinance is not intended to regulate hotels or inns. This ordinance is not limited to boarding, lodging, or rooming houses, or units located within structures that are commercial in nature.

**Sec. 41-02- Applicability.**

- (a) It shall be unlawful for any owner of any property within the incorporated limits of the City of Sky Valley to rent or operate a short-term rental of property contrary to the procedures and regulations established in this ordinance, other provisions of Code, health department requirement(s), requirement(s) of the City of Sky Valley for water, sewage, or sanitation, or any other applicable state law or rule.
- (b) The restrictions and obligations contained in this ordinance shall apply to short-term rentals at all times during which real properties are marketed or used as short-term rentals.

**Sec. 41-03- Property owner(s)**

- (a) *Property owner(s)*. The owner(s) or owner's agent shall ensure the short-term rental is used in a manner that complies with all applicable codes, laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit. The owner shall further ensure occupants and/or guests of the rental do not create disturbances, engage in disorderly conduct, or violate any City Code, law, rule, or regulation pertaining to the use and occupancy of the subject short-term rental unit.

**Sec. 41-04- Occupational license for short-term rental and transferability.**

- (a) *Required occupational license and short-term rental.*

- (1) It shall be unlawful for any owner, individual, business organization or partnership within the incorporated limits of the City of Sky Valley to rent or operate a short-term rental unit, building, or structure without proper license or contrary the procedures and regulations established in this ordinance, other provisions of Code, or any applicable state law.
- (2) The owner or owner's agent shall pay the required occupation license fee and shall comply with all applicable provisions of this ordinance.
- (3) The owner shall be required to report and pay all excise fees monthly by the twentieth (20<sup>th</sup>) day of the following month on each location, unit, area, space, room, building or structure at the fee percentage approved by the city council as defined in O.C.G.A § 48-13-51.
- (4) No person, individual, or agency of a short-term rental shall rent, lease, or otherwise allow the occupation of or otherwise exchange for compensation all or any portion of a short-term rental without first obtaining an occupational license for each short-term rental and providing for payment of excise fees with the city clerk.
- (5) An occupational license for short-term rental application may be denied if the applicant has had a prior short-term rental for the same location revoked within the previous twelve (12) month period;
- (6) An owner of a short-term rental unit shall submit an application for an occupational license for short-term rental with the required information updated to the city on an annual basis. The application shall be furnished on a form specified by the city, accompanied by a non-refundable license fee as established by the city council. The requirements of the application shall be set by the policy of the City Council.
- (7) Any false or inaccurate information provided in the application may be grounds for denial or revocation of the license, including denial of future licenses.

- (b) *License fee(s)/renewal.*

- (1) The short-term rental license application shall be accompanied by an initial license application fee as set by the City Council and be subject to an annual renewal fee as set by the City Council;
- (2) All licenses granted by this ordinance shall expire one year from the date of issuance. Renewal applicants shall file a renewal application accompanied by the required fee with

the city clerk on or before the expiration date. If a short-term rental license expires due to non-renewal by the expiration date, a new application and license shall be required.

- (3) The short-term rental license is non-transferable, and should ownership of the rental property change, a new license shall be required.

**Sec. 41-05- Transferability of occupational license for short-term rental.**

No short-term rental license issued under this ordinance shall be transferred, assigned, or used by any individual other than the owner for which it was assigned or upon any other location than the one for which it was issued.

**Sec. 41-06- Occupancy.**

The number of overnight occupants at the short-term rental shall be subject to a maximum occupancy as determined by the occupancy definition as listed in International Codes, as cited in Section 8-25 of the Sky Valley Code of Ordinances.

Exceeding the maximum occupancy shall be a serious violation of the life and safety requirements of this ordinance and shall authorize the police department to remove all individuals that exceed the maximum allowable occupants for the structure or unit. Violation of this section can result in revocation of a short-term rental license.

**Sec. 41-07- Life and safety minimum requirements.**

The licensee shall comply with all fire and safety requirements as defined in city ordinances, NFPA 101 the Life Safety Code, and the requirements of the Georgia Safety Fire Commissioner as defined in Chapter 120 and O.C.G.A § tit. 25 Ch. 12.

**Sec. 41-08- Life and safety inspections.**

All short-term rental units or locations shall be required to certify to the city the property complies with all fire and safety requirements as defined in city ordinance, NFPA 101 the Life Safety Code, and the requirements of the Georgia Safety Fire Commissioner as defined in Chapter 120 and O.C.G.A § tit. 25 Ch. 12., prior to the issuance of any license.

The city reserves the right to inspect or authorize the inspection of the premises of any license applicant or licensee for the purpose of determining the eligibility of an applicant for a license, the eligibility of a license renewal, or to ensure the premises' compliance with state minimum standard building codes, pursuant to O.C.G.A § 8-2-26.

**Sec. 41-09- Suspension or revocation of short-term rental license.**

- (a) Any short-term rental license issued under this ordinance for the operation of a short-term rental shall be immediately revoked in the event the owner no longer owns the short-term rental property.
- (b) A short-term rental license shall be immediately suspended or revoked upon learning that an applicant furnished fraudulent or untruthful information in the application for license or omitted information required in the application for license or fails to pay all fees, taxes, utilities (water-sewer), or other charges imposed under the provisions of this ordinance or city codes.

- (c) A short-term rental license shall be suspended for a violation of the fire or the life safety requirements of this ordinance. Such violation shall be such that an unsafe condition exists where a fundamental safety precaution or device defined in this ordinance or adopted codes is rendered inoperable or does not exist.
- (d) Other than for those reasons set forth in parts (a), (b), and (c) of this section; suspension, revocation or forfeiture of a short-term license issued by the City of Sky Valley shall occur only after notice and opportunity for a hearing before the city council pursuant to Sections 12 and 13.

**Sec. 41-10- Violation of this ordinance.**

Except when defined in this ordinance requiring an appearance before the city council, penalty(s) for violation of this ordinance shall be at the discretion of the municipal judge who possesses the authority to fix punishment in accordance with the City Charter, ordinances, and state law or by a court of competent jurisdiction.

**Sec. 41-11- Civil penalty.**

The city council shall possess the authority to impose a civil penalty against any entity that is licensed for short-term rentals which may include suspension or revocation of license, fine, and forfeiture as determined for violations of this ordinance. Civil penalties shall not relieve the owner, individual, business organization, or partnership from mitigating specified violations and may include fines and penalties as may be prescribed by the municipal court or a court of competent jurisdiction.

**Sec. 41-12- Enforcement.**

- (a) Penalties, including notice of code violation or citation, may be imposed and the short-term rental license may be suspended or revoked in the manner provided in this subsection.
- (b) Any complaints to or response by the City regarding a short-term rental shall result in a notice of the complaint and shall be directed to the owner. Such notice may be made electronically or in writing. The owner or owner's agent is required to visit the short-rental location and shall ensure that compliance is obtained within seven (7) days after verbal or written notice. Depending on the severity of the complaint, upon request, the owner or owner's agent shall be required to immediately attempt to resolve the complaints and ensure compliance.

The short-term rental shall not be occupied by renters if the violation is safety-related placing occupants in an elevated risk hazard. Additionally, notice may be delivered by emergency dispatch verbally to the owner, requiring the appropriate individual to respond to the short-term rental location as may be required by police officers, law enforcement, the fire department, or the zoning administrator.

- (c) The building inspector/code enforcement officer or city designer shall conduct an investigation whenever there is a reason to believe that the owner is unsuccessful either by failure or refusal to comply with the provisions of this ordinance. The investigation may include an inspection without limitation of the premises, a review of response and incident report(s), online searches, a review of citations or notice(s), and

interview and documentation of community members affected by the event; all of which may constitute evidence of a violation of this ordinance, Code, or state law.

Should the investigation support a finding that a violation occurred, the building inspector/code enforcement officer or city designee shall issue written notice of the violation and advance the accusation to the city council or municipal court as may be deemed appropriate. The notice shall be served by certified mail or personally and shall specify all pertinent facts (as deemed necessary by the building inspector/code enforcement officer or city personnel) to set forth grounds for the imposition of penalties or for suspension or revocation of the license.

**Sec. 41-13- Hearing on denial, suspension, or revocation.**

Upon receipt of notice pursuant to Section 41-12 and setting forth a specific date, time, and place of hearing; the owner may appear in person to present evidence either to deny, confirm, or mitigate the accusation. A decision of the city council or municipal court may be appealed to the Superior Court of Rabun County.

**Sec. 41-14- Short-term Rental Monitoring Service**

The city of Sky Valley may partner with a third-party- internet-based short-term rental monitoring service or company, its affiliates, subsidiaries, and/or assignees to provide the City with address identification and rental activity monitoring of short-term rental properties in the city.

**Severability clause.**

Should any word, phrase, sentence, paragraph, or section of this ordinance or the application thereof to any person, individual, business organization, partnership, or circumstance be held invalid by a court of competent jurisdiction; such invalidity shall not affect the other provisions of this ordinance. This ordinance is hereby declared severable.

Any modification of federal or state law or regulation which would affect a change in the provisions of this ordinance is hereby incorporated herein by reference and made a part hereof.

**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:

\_\_\_\_\_  
HOLLIE STEIL, MAYOR

\_\_\_\_\_  
JIM CURTIS, COUNCILOR

\_\_\_\_\_  
BILL OLIVER, COUNCILOR

\_\_\_\_\_  
TONY ALLRED, COUNCILOR

\_\_\_\_\_  
TIM DARRAH, COUNCILOR

\_\_\_\_\_  
BRUCE TURNER, COUNCILOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
KAREN FLEMING  
CITY CLERK

\_\_\_\_\_  
DOUGLAS KIDD  
CITY ATTORNEY

First reading and introduction August 15<sup>th</sup>, 2023

Second reading and adoption September \_\_\_\_\_, 2023

STATE OF GEORGIA

ORDINANCE NO. \_\_\_\_\_

COUNTY OF RABUN

Chapter 30 - SOLID WASTE<sup>[1]</sup>

**CITY OF SKY VALLEY, GA**

**SOLID WASTE ORDINANCE**

**AN ORDINANCE TO DEFINE TERMS AND PHRASES RELATING TO THE COLLECTION AND DISPOSAL OF TRASH, WASTE, GARBAGE AND RECYCLING; TO REGULATE THE RECEPTACLES AND CONTAINERS FOR THE SAME; TO PROVIDE FOR THE MANNER OF PREPARATION OF THE SAME FOR COLLECTION; TO PROVIDE FOR THE MANNER OF COLLECTION OF CONSTRUCTION MATERIAL, TRASH AND GARBAGE FROM COMMERCIAL ESTABLISHMENTS AND PLACES OF RESIDENCE; TO PROHIBIT THE DEPOSIT OF TRASH, DEBRIS OR LITTER UPON VACANT LOTS; TO PROHIBIT BURYING REFUSE, POLLUTING WATERS, OR SPILLING TRASH, GARBAGE AND OTHER DEBRIS UPON CITY STREETS; TO PROVIDE FOR KINDS OF COLLECTION SERVICE TO BE OFFERED, THE DAYS OF COLLECTION AND A SCHEDULE OF CHARGES THEREFOR; TO PROVIDE PENALTIES FOR VIOLATION AND TO REPEAL ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

The Council of the City of Sky Valley hereby ordains:

Footnotes:

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**State Law reference**— Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.; local solid waste management plans, O.C.G.A. § 12-6-31.1; litter control, O.C.G.A. § 16-7-40 et seq.



## ARTICLE I. - IN GENERAL

Secs. 30-1—30-18. - Reserved.

## ARTICLE II. - COLLECTION

Sec. 30-19. - Definitions.

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

*Business trash* means every waste accumulation of dust, paper, paper cartons, cardboard cartons, excelsior, rags, or other accumulations, other than garbage or household trash, which are usually attendant to the operation of stores, offices, and similar businesses.

*Commercial establishment* means any hotel, motel, restaurant, food store, hospital, school, church, business or any nonresidential establishment at which garbage or trash may be generated.

*Exposed materials and equipment* means any accumulation of materials, including waste building materials, new building materials not associated with ongoing building projects, building materials other than those stored in authorized outdoor storage yards, and similar materials; and any accumulation of used or new equipment, such as refrigerators or other appliances, plumbing fixtures or equipment, generators, small commercial trailers, and similar equipment, stored out of doors and exposed to view from any public street or right-of-way.

*Foreign material* means construction or building waste and includes such materials as sand, stone, brick, wood, concrete, metal, plaster, concrete or plaster block, paving, roofing, pipe, shingles, lawn renovating debris, sod, dead sod, tree stumps, discarded furniture, large household appliances such as stoves, refrigerators, air conditioners, washing machines, clothes dryers, water heaters, mattresses, and television sets.

*Garbage* means every waste accumulation of animal or vegetable matter that attends the preparation, use, cooking processing, handling, or storage of meats, fish, fowl, fruits, vegetables, or other matter which is subject to decomposition, decay, putrefaction, or the generation of noxious or offensive gases or odors, or which during or after decay, may serve as breeding or feeding material for flies, insects, or animals.

*Household trash* means every waste accumulation of paper, sweepings, dust, rags, bottles, cans, diapers or other matter of any kind, other than garbage, which is usually attendant to housekeeping.

*Industrial waste* means every waste accumulation of metal, metal products, minerals, chemicals, rocks, concrete, asphalt tar, oil, grease, glass, crockery, rubber tires, bottles, cans, lumber, ashes, sawdust, wastes from animal packing or slaughterhouses, or other materials usually created by commercial enterprises, and industrial plants, but not garbage, household trash, or business trash.

*Living unit* means any place of abode that is suitable for permanent or transient family or individual residence use. Each such living unit shall be considered as single and separate for the purposes of this article.

*Multifamily units* means all places of abode other than single-family residences.

*Refuse* means solid waste accumulations consisting of garbage, household trash, and business trash.

*Single-family residence* means any single-family dwelling or living unit and is interchangeable with the term "household" and includes single-family condominium units.

*Tree trimmings* means every waste accumulation of tree branches, tree trunks, tree limbs, parts of trees, bushes, or shrubs, green leaf cuttings, fruit, or other vegetation.

*Yard trash* means every waste accumulation of lawn, grass, or shrubbery cuttings or clippings and dry leaf piles, free of dirt, rocks, large branches, and bulky or non-combustible material.

Sec. 30-20. - Receptacles and containers—Required.

It shall be the duty of every person in ownership, possession, charge, or control of any place in or from which business trash, garbage, household trash, refuse, and recycling is created, accumulated, or produced, to provide and at all times to keep in a suitable place readily accessible to the city collection crews or private collection agencies, adequate and suitable receptacles and containers as defined in Sec. 30-21 that are capable of holding all such waste materials which would ordinarily accumulate between the times of successive collections. The owner of any multifamily unit shall furnish or require tenants to furnish proper waste receptacles and containers. In lieu of utilizing approved trash receptacles or containers, garbage collected as part of the trash collection program may be placed at the edge of the road subject to requirements in Sec. 30-23.

Sec. 30-21. - Receptacles and containers—Specifications.

(a) *General design, maintenance, and condition.* All receptacles and containers as required under this article shall be of safe construction and design and shall be maintained in good and serviceable condition. Any receptacles or containers which do not conform to the provisions of this article, or which have ragged or sharp edges or any other defects which are reasonably liable to hamper or injure the person collecting the contents thereof or the public generally shall be promptly replaced upon notice. All refuse containers are to be provided by the customer and are to be maintained by the customer at the customer's expense.

(b) Refuse containers shall be of the following construction and materials:

Each single-family residence shall provide a maximum of two (2) approved refuse containers, which shall be constructed of heavy plastic material- not to exceed ninety-six (96) gallons total. Each container(s) shall be equipped with suitable handles, tight-fitting covers or lids with hand grips and shall be watertight and animal resistant. One (1) tote-size recycle bin not to exceed 14 gallons shall be allowed per single-family residence as part of the garbage collection program.

The City shall not be required to collect the contents of more than what can be held within the total ninety-six-gallon (96) container(s) with the top lid(s) or cover(s) fully closed. –In-ground containers existing at the adoption of this ordinance shall not be allowed to be used for trash pickup after the effective date of December 1, 2023. After the effective date, only approved refuse containers as defined within this ordinance shall be allowed.

(c) Optional containers for multi-family units:

Each individual unit within a multi-unit building with a capacity of more than two living units shall be allowed up to what is allowed for a single-family residence of this ordinance. As an alternative, a single-master dumpster no larger than eight (8) cubic yards may be utilized for all multi-family units as long as the dumpster is properly secured and screened.

All containers utilized by multi-family units shall be located so as to be easily accessible by the city's equipment and shall be enclosed within a suitable opaque fence or otherwise hidden from view.

Sec. 30-22. – Pre-collection practices.

- (a) *Dangerous trash items.* All dangerous trash items, and all waste material of an injurious nature, such as broken glass, light bulbs, razor blades, sharp pieces of metal, fluorescent tubes, television tubes, and the like shall be securely wrapped to prevent injury to the collection crews.
- (b) *Yard trash.* The city will not collect yard trash as defined by this ordinance and as part of the garbage collection program.
- (c) *Tree trimmings.* The city will not collect tree trunks, tree stumps, tree branches, or tree limbs of any size as part of the garbage collection program.
- (d) *Foreign material and industrial waste.* The city will not collect foreign material or industrial waste as defined by this chapter, all of which must be properly disposed of by the owner or person, firm, or corporation responsible therefore.

Sec. 30-23. - Accumulation for collection.

All accumulations of refuse and household trash shall be contained in plastic bags, not overfilled, and of a durable nature so as to not rip or tear, and shall be stored or placed for collection in accordance with the provisions of this ordinance. The City reserves the right to not collect refuse or trash from customers whose bags are ripped or torn or whose bags rip or tear during the action of refuse or trash collection by City personnel as to cause refuse or household trash to become loose or scattered. Additionally, loose, scattered, or unbagged refuse or trash shall be the responsibility of the tenant or property owner to clean up immediately upon request by the city and to properly secure prior to the City picking up for collection. Furthermore, loose, scattered, or unbagged refuse or trash shall be subject to Sec. 30-36.

- (1) *Public streets and private property.* No person shall place any accumulations of refuse and trash in any street, alley, or other public place of travel, nor upon any private property except the person's own property, except on the days when it is scheduled to be collected. For customers selecting the standard service option, the placement for collection shall be

in the area not more than 20 feet from the street pavement and the approved containers must be easily visible and conspicuous from the street.

- (2) *Blockage of storm drains.* No person shall place any refuse, trash, garbage cans, or trash bags on, upon, or over any storm drain, or so close thereto as to be drawn by the elements into such drain, which would result in or tend to cause a blockage of any part of such storm drainage system.
- (3) *Unauthorized accumulations.* Any unauthorized accumulation of refuse, business trash, foreign material, or industrial waste on any lot, property, premises, public street, alley, or other public place of travel is prohibited. In addition, any unauthorized accumulation of exposed materials and equipment on any commercially zoned property is prohibited. Failure to remove and correct any such unauthorized accumulations of refuse shall be deemed a violation of this article and shall be subject to the penalties described in section 30-36.
- (4) *Waste building materials.* Notwithstanding subsection (3) of this section, waste building materials, defined as foreign material by this article, shall be permitted to be stored for a period of up to 60 days at ongoing building sites under the following conditions:
  - a. No such materials may be located within rights-of-way or on private property other than that of the building site;
  - b. No material which could be moved by the elements, such as paper, rags, cloth, or other fibers, shall be stored at the site for an unreasonable length of time; and
  - c. All waste building materials shall be removed, and properly disposed of when a project has been completed.

Sec. 30-24. - Collection practices and services.

- (a) The city shall provide household garbage, refuse, and recycling collection services to each business establishment, residence, or living unit within the city's corporate limits which is occupied a part of each fiscal year. If any structure shall have more than one family or business occupying it, the city shall provide such service to each occupant of the structure. Except in the event of inclement weather or other acts of God, each customer shall receive refuse pickup service not less than once a week.
- (b) The schedule for refuse collection and the charges the city shall levy against each customer shall be as determined from time to time by the city council and posted at the city hall. In the case of new structures, a refuse collection charge shall be levied upon issuance of a certificate of occupancy.
- (c) No approved trash receptacles or bagged household trash shall be placed for collection before 6:00 AM on the day of collection. Approved receptacles shall be placed for collection no later than 8:00 AM on the day of collection to ensure collection. All approved receptacles shall be removed from their positions adjacent to the street or sidewalk after the contents have been emptied on that same day. It shall be unlawful for any person to damage, displace, or otherwise

interfere with refuse containers or their contents except the owner or upon permission or at the request of the owner.

- (d) Notwithstanding the foregoing, the city reserves the right to reject the collection of certain specific categories of refuse, in accordance with mandatory state or county solid waste regulations, or in accordance with any recycling program the city may adopt. Upon adequate notice to its customers, the city may require such refuse or recycling rejected due to mandatory state or county solid waste regulations to be disposed of by the customer. Recyclable materials such as cardboard, aluminum, glass, or plastics shall be picked up on the same date as the garbage collection program as long as recyclable materials are placed in one (1) approved container as specified in Sec. 30-21 of this ordinance. An approved recycle bin must be provided and maintained by the customer. Furthermore, the city shall not be required to collect recycled materials that will not properly fit in an approved recycle bin or fall out during the action of collecting recycled material by city personnel.
- (e) The city shall provide standard collection service and premium collection service, one of which shall be selected by the customer.

#### Sec. 30-25. - Special Collections.

- (a) Any property owner desiring special bulk collections of tree trimmings and/or yard trash may request a special collection, which shall be scheduled through the office of the city clerk. If sufficient manpower and equipment is available, city personnel are authorized to make such special collections, provided the person making the request agrees to pay for the labor and equipment used at the rate specified by the city council.
- (b) No collection shall be made from vacant lots, nor shall any large rocks, tree trunks, tree stumps, tree limbs, or other heavy objects be collected by the city. No waste building materials or lot clearings shall be collected from houses or other structures under construction or recently completed.
- (c) Material to be collected by special collections shall be placed in neat piles and located so that such refuse can be easily loaded on trucks for disposal.

#### Sec. 30-26. - Construction material is not the city's responsibility.

The city shall not be responsible for the collecting or hauling of trash, discarded building material, dirt, rock, plaster, lumber, metal, or other like materials originating from private property preliminary to, during, or subsequent to the construction of new buildings, alterations, or additions to existing buildings of whatsoever type. Such material shall be removed by the owner of the property or by the contractor. No certificate of occupancy shall be issued until such material has been removed by the owner or contractor.

Sec. 30-27. - Collection and disposal by commercial establishments, and private collectors.

- (a) The actual producers of refuse or the owners of the premises upon which refuse is accumulated who desire personally to collect and dispose of such refuse, persons who desire to dispose of waste material not included in the definition of refuse, or private collectors of refuse from within the city or outside of the city who desire to haul over the streets of the city shall use a watertight vehicle provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and refuse from being dropped, blown, or spilled.
- (b) The city shall have the authority to make such other reasonable regulations concerning individual collection and disposal and relating to the hauling of refuse over city streets by outside collectors or individuals as it shall find necessary.

Sec. 30-28. - Commercial establishments.

All commercial establishments shall store their refuse in containers or otherwise secure it so as to eliminate wind-driven debris and unsightly litter in and about their establishments. Approved methods of securing trash shall include containers, bins, fenced or walled trash storage areas, or dump sites operated by the county.

Sec. 30-29. - Vacant lots.

It shall be unlawful for any person to throw any paper, trash, debris, scrap building material, or foreign material of any kind upon any vacant or unoccupied lot within the city.

Sec. 30-30. - Yard waste.

- (a) Yard waste shall be considered special collections as referenced in Sec. 30-25 of this ordinance and is defined as yard trash, debris, leaves, brush, tree limbs, cuttings and trimmings and similar materials.
- (b) Yard waste shall not be collected as part of the garbage collection program. Property owners or their representatives may request pickup of yard waste by contacting city hall and making arrangements with the city clerk for a scheduled pickup of yard waste. Request for special pickup of yard waste shall be accompanied by a city work order and the property owner shall be charged a fee as established by the City of Sky Valley City Council. Yard waste shall be placed for pickup within five feet of the roadway.
- (c) Persons, firms, or corporations performing tree removal or trimming services shall be responsible for the prompt removal of any yard waste they produce.

Sec. 30-31. - Days of collection.

The normal scheduled collection day shall be once per week on Monday. In the event that an official city holiday disrupts household trash or recycle collection, collection service will commence on the next business day following the city holiday. When inclement weather or road conditions prohibit collection on Monday, collection service will occur on the first day on which weather or road conditions permit.

Sec. 30-32. - Charges generally.

- (a) Each residential account shall be charged a basic monthly collection charge as set by the City of Sky Valley City Council.
- (b) Garbage shall be in arrears under the same term as in effect for water bills and collection services shall be discontinued at the same time as water service is discontinued and shall not be resumed until the account is paid in full.

Sec. 30-33. - Littering unlawful.

It shall be unlawful for any person to allow or throw any paper, trash, garbage, or debris upon any street, alley, park, or other public or private property in the city. It shall further be unlawful for any person to cast or throw, or cause to be cast or thrown, into any of the gutters, drains, or sewers within the city, any garbage, tree or grass cuttings, or other substance calculated to cause any obstruction or nuisance to the gutters, drains, or sewers.

Additionally, the city provides trash cans at strategic locations throughout the city such as the mailboxes, pickleball court, Overlook, waterfall, etc. These trash cans are provided as a courtesy for residents and guests to dispose of incidental trash ex. soda containers, junk mail, potato chip bags, etc., and NOT bulk or bagged household or commercial garbage. Anyone disposing of bulk or bagged garbage shall utilize the City compactor above the mailbox facility.

Sec. 30-34. - Burying refuse; polluting waters.

It is declared to be unlawful for any person to deposit on or to bury in or cause to be deposited on or buried in any public square, street, alley, vacant or unoccupied lot, sidewalk, parkway, or bank of any lake, stream, or waterway, any trash, rubbish, fruit peelings, debris, refuse, garbage, brush, cans, boxes, oil, or vegetable or mineral matter, or to do any act that will pollute or tend to pollute the waters of any lake, stream, or waterway.

Sec. 30-35. - Spilling material on streets.

It shall be unlawful for any person hauling any material whatsoever, whether refuse, trash, fill, rock, sand, concrete, or whatever, to spill such material from the hauling vehicle onto the streets of the city.

Sec. 30-36. - Penalties.

- (a) Any person violating any provision of this article shall be guilty of a misdemeanor.
- (b) The city shall also require that any unauthorized accumulation, as defined by section 30-23(3), be removed within five (5) business days' written notice to the property owner by registered or certified mail, return receipt requested. If such notice cannot be delivered by the postal service, the city may, as an alternative, post a notice at the site of the unauthorized accumulation stating the terms of removal. If such accumulation is not removed within the notice period, then the city is authorized to remove or cause to be removed such accumulation, entering in and upon private property if necessary, and shall assess the property owner the cost of removing the accumulation. A second registered or certified mail notice shall be sent to the property owner, stating that the accumulation has been removed and that the cost shall be paid by the property owner to the city within 30 days of receipt. If that assessment is not paid, then it shall become a lien on such piece of property. Notice of such lien shall be filed and recorded in the real property lien records of the county, and when so filed and recorded, said lien shall encumber the described real property and may be foreclosed in the same manner as liens for taxes.
- (c) If approved receptacles placed for collection are not removed from the street area on the day of collection as required in section 30-24(c), the city is authorized to remove or cause to be removed said containers and replace them on the property of the owner, entering into and upon private property if necessary. A fee in the amount established by the City of Sky Valley City Council shall be levied for each occurrence of said failure and will be billed on the next scheduled billing.
- (d) If trash is placed for collection, either unlawfully or negligently, so as to allow it to be scattered by wind or animals, the city is authorized to remove or cause to be removed such scattered trash, entering into and upon private property if necessary. A fee in the amount established by the City of Sky Valley City Council will be levied for each occurrence and will be billed on the next scheduled billing.

Sec. 30-37. – Effective date.

This ordinance shall take effect on October 1, 2023.  
Section 30-21 shall take effect on December 1, 2023

Sec. 30-37.- Conflicting Ordinances.



City ordinance 96-25 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 30-38- Severability clause.

Should any word, phrase, sentence, paragraph, or section of this ordinance or the application thereof to any person, individual, business organization, partnership, or circumstance be held invalid by a court of competent jurisdiction; such invalidity shall not affect the other provisions of this ordinance.

APPROVED:

\_\_\_\_\_  
HOLLIE STEIL, MAYOR

\_\_\_\_\_  
JIM CURTIS, COUNCILOR

\_\_\_\_\_  
BILL OLIVER, COUNCILOR

\_\_\_\_\_  
TONY ALLRED, COUNCILOR

\_\_\_\_\_  
TIM DARRAH, COUNCILOR

\_\_\_\_\_  
BRUCE TURNER, COUNCILOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_

\_\_\_\_\_

KAREN FLEMING

DOUGLAS KIDD

CITY CLERK

CITY ATTORNEY

First reading and introduction August 15, 2023

Second reading and adoption September \_\_\_\_\_, 2023

**STATE OF GEORGIA  
COUNTY OF RABUN**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE FEE SCHEDULE ORDINANCE, TO ESTABLISH FEES FOR CITY SERVICES, PERMITS, INSPECTIONS & MISCELLANEOUS ITEMS, TO PROVIDE PENALTIES FOR VIOLATION AND TO REPEAL ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

Sec. 14-1. - Fee schedule established.

Fees and charges to be charged and collected by the city shall be as follows:

<b>Miscellaneous Charges</b>	
Fax to receive & send	\$0.50 per page
Notary	\$10.00 per notarized document.
Copies	\$0.25 per copy for 8.5 x 11 \$0.50 per copy for 11 x 14 \$0.50 per color copy for 8.5 x 11 \$0.75 per color copy for 11 x 14
Address labels	\$1.00 per page
Maps of Sky Valley	Free road map
	\$5.00 for 11 x 17 color subdivision map
	\$15.00 for 24 x 30 color subdivision map
Lamination	\$2.00 per page

**Alcoholic Beverage License and Permit Fees**

Distilled spirits, on-premises consumption	\$1,000.00
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Distilled spirits, wholesale dealers	\$1,000.00
Distilled spirits, retail package	\$1,000.00
Beer/wine, on-premises consumption	\$100.00
Beer/wine, wholesale dealers	\$200.00
Beer/wine, retail package	\$200.00
Nonprofit permit to sell alcoholic beverages	\$25.00 or as otherwise authorized by the council

#### **Insurers License Fees**

Annual license fee upon each insurer doing business within the city	\$15.00
For each separate business location in excess of one not covered by section 22-92, which is operating on behalf of such insurers within the city	\$15.00
Insurers insuring certain risks at additional business locations. For each separate business location not otherwise subject to a license fee hereunder operated and maintained by a business organization that is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales offers, solicits or takes application for insurance through a licensed agent of an insurer for insurance	\$10.00 per location for the year 1996 and for each year thereafter

**State Law reference**— License fees, O.C.G.A. §§ 3-4-48, 3-4-110, 3-5-42.

#### **Tree Cutting Permits**

Cutting and topping	\$100.00 for the first 1 to 5 trees; \$20.00 for each tree over the first 5
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Removal of dead/diseased/hazardous	\$25.00

### Signs; Sign Permits

Outdoor for-sale signs	\$50.00 each (must be ordered through the city)
Commercial signs	\$100.00 plus \$2.00 per square foot

### Water Rates

	<i>Usage (Gallons)</i>	<i>Base Charge</i>	<i>Per Additional 1,000</i>
Residential Usage ¾" Meter Monthly Minimum Regardless of Usage	0—2,000	\$39.50	
	2,001—4,999	\$44.50	\$10.00
	5,000—9,999	\$64.50	\$11.00
	10,000—14,999	\$119.50	\$12.00
	15,000—19,999	\$179.50	\$13.00
	20,000—24,999	\$244.50	\$14.00
	25,000—34,999	\$314.50	\$15.00
	35,000—49,999	\$464.50	\$16.00
	50,000 +	\$704.50	\$17.00

	<i>Master Meter Size</i>	<i>Base Charge</i>	<i>Per Additional 1,000</i>
Multifamily and Commercial Monthly Minimum Regardless of Usage	¾"	\$45.25	\$10.00
	1"	\$69.00	\$10.00
	1.5"	\$126.50	\$10.00
	2"	\$241.50	\$10.00
	3"	\$471.50	\$10.00
	4"	\$586.50	\$10.00
	6"	\$701.50	\$10.00
	8"	\$931.50	\$10.00
	10"	\$1,161.50	\$10.00
Meter turn-on/off	\$30.00 per request during normal business hours of 8 AM-4 PM Mon-Fri \$200.00 per request for weekends, holidays, or after normal business hours		
Water service deposit	\$250.00 renter deposit		
Penalties for late payments	Nonpayment by the due date will be subject to a penalty of 10% per month		
Reconnection fee	Nonpayment for 60 days will be subject to service termination. Reconnection fee is \$100.00 plus all minimum charges accrued while disconnected		
Water connect fee	¾" line tap and meter	\$3,000.00	
	1" line tap and meter	\$5,000.00	
	2" line tap and meter	\$10,000.00	

	3" line tap and meter	\$15,000.00
	Connections to distribution line when not adjacent or parallel to property line or undeveloped parts of the city	The appropriate water connect fee above and the actual cost of materials and labor to run line including pavement repairs. The costs of water connection, materials, labor, and pavement repairs as part of extending water service shall be paid by the customer requesting service and prior to water service commencing.
Water connection and rate for outside city limits	1.5 times the corresponding rate for inside city limits	
Relocation of existing meter	\$3,000.00	

### **Solid Waste Collection**

Garbage collection as defined by the trash ordinance—monthly minimum regardless of usage	<p>\$23.00 per month curbside, recycling, and access to the city compactor</p> <p>\$23.00 per month/per unit for multifamily units sharing a dumpster.</p> <p>\$30.00 per month for back door service or other alternate location</p>
Illegal use of compactor/illegal dumping	Local ordinance set by city judge
Yard debris removal as defined by the trash ordinance	\$100.00 per hour and shall be billed in 15-minute increments and will be added to the water and trash bill. Billing time shall commence once city personnel begin the action of

	collecting yard debris and billing time shall end once the collection is complete.
Removal or return of refuse containers by the city as defined in the trash ordinance	\$30.00 per occurrence
Removal of accumulated, loose, scattered, or unbagged refuse or trash - by the city as defined in the trash ordinance	\$100.00 per hour and shall be billed in 15-minute increments and will be added to the water and trash bill and/or a lien shall be applied to the property for the cost of cleanup. Billing time shall commence once city personnel begin the action of collecting yard debris and billing time shall end once the collection is complete.

<b>Traffic</b>	
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Personal transportation vehicle (PTV) registration	\$25.00 annual registration
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<b>Housing and development fees; Planning and zoning applications</b>	
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Annexation and map amendments	\$500.00
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Re-zoning and map amendments	\$500.00
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Conditional use	\$250.00
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Variance	\$250.00
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<b>Land Development Review, Inspection and Permits</b>	
Concept plan	\$500.00
Preliminary plat/site plan	\$500.00 or \$10.00/lot, whichever is greater
Water line review/inspection	\$750.00 or \$15.00/lot, whichever is greater
Road design review/inspection	\$750.00 or \$15.00/lot, whichever is greater
NPDES permit fee for LIA (city)	\$40.00 per each disturbed acre
NPDES permit fee for GA EPD	\$40.00 per each disturbed acre
Land disturbance permit	\$50.00 < 10 acres; \$150.00 for 10 acres to 25 acres; \$200.00 plus \$5.00 for each acre over 25
Final plat	\$350.00 or \$7.00/lot, whichever is greater

<b>Site/Plot Plan and Erosion and Sedimentation Control (For All Land Disturbance)</b>	
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Soil erosion and sedimentation control monitoring and enforcement for all land disturbance	\$100.00 for 1 acre or less, plus \$50.00 per acre for each additional acre or portion thereof
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<b>Demolition</b>
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(Requires performance bond = to 135% of cost of demolition)

Demolition	\$0.10 per square foot (bond required); sf to be determined from tax assessor's website unless building plans are made available or information not available
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### **Preliminary Building Plan Review and Site Visits**

(To be paid at the time of request and deducted from the price of the permit when application is made)

Plan review	\$25.00
Site visit	\$25.00

### **Building Permits (Residential and Commercial)**

Mechanical, electrical, and plumbing permits will require a separate permit to be pulled by state-licensed and insured contractor. Roofing permits will require a separate permit to be pulled by insured contractor.

New construction and additions to heated square footage	\$1.00 per square foot or portion thereof
Remodeling (50% or more of structure) Must be brought up to code	\$250.00
Remodeling ( 50% or less of structure)	\$75.00
Finished areas (basements) Must be brought up to code when 50% or more is being replaced or repaired	\$250.00

Unfinished areas (basements) New construction	\$1.00 per square foot or portion thereof
New installation- Decks/railings/landings/stairs or Remodeling/replacing 50% or more of structure that must be brought up to current code	\$75.00

Remodeling/repairing/replacing- Decks/railings/landing/stairs 50% or less of structure	\$25.00
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### **Roofing Permits (Residential and Commercial)**

New installation and replacement 50% or more of structure must be brought up to current code	\$75.00
Repairs /replacement 50% or less of structure	\$25.00

### **Mechanical Permits (Residential and Commercial)**

Mechanical (new or add-on)	\$75.00
Mechanical (repair or replace) no new lines or venting	\$25.00

### **Plumbing Permits (Residential and Commercial)**

Plumbing (new or add-on)	\$75.00
Plumbing (repair or replace) no new lines or piping	\$25.00

<b>Gas Permit (Residential and Commercial)</b>	
Gas piping (new or add-ons)	\$75.00
Gas piping (repair or replace) no new lines or piping	\$25.00

<b>Electrical Permits (Residential and Commercial)</b>	
Electrical (new or add-ons)	\$75.00
Electrical (repair or replace existing) no new lines or wiring	\$25.00

<b>Other Miscellaneous Building Permits</b>	
Generator new or add on	\$75.00
Door/window (resize)	\$25.00
Jacuzzi/Hot tub new	\$25.00
Swimming pool install	\$150.00
Cell tower	\$2,500.00
Application for exemption from state water efficiency requirements of O.C.G.A. § 8-2-3 under the circumstances enumerated in O.C.G.A. § 8-2-3(e), for plumbing fixtures for new construction and the repair or renovation of an existing building	\$50.00 for the inspection and issuance of such exemption

<b>Wetlands Application Review</b>	
Filing fee to be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the building inspector.	Up to the larger of \$500.00 or \$100.00 per acre may be required to evaluate the application

<b>Retaining Walls</b>	
Retaining walls > 4 ft. from the bottom of the footing to top of the wall	\$100.00
Other poured concrete	\$50.00

<b>Re-Inspection Fees, Penalties and Fines</b>	
Re-inspection fee—1st and 2nd	\$25.00 1 <sup>st</sup> , \$50 2 <sup>nd</sup>
Re-inspection fee—3 or more	\$100.00 each
Penalty for starting work without a permit	Permit fee will be doubled for first offense, \$50.00 minimum
Falsifying a permit or repeat violation for starting work without a permit	Violator will be cited and subject to a fine of Local ordinance set by city judge

Short term rental – 30 days or less	
An occupation / short-term rental license is valid for one year from date of issue.	
Occupation/STR License – Initial License and Application	\$300.00

Occupation/STR License – Annual License Renewal	\$300.00
Operating short term rental without a license	Local Ordinance set by City judge

(Ord. No. 91-4, § 5, 4-1-1991; Ord. No. 95-2, § I, 1-9-1995; Ord. No. 95-14, §§ 1, 2, 12-4-1995; Ord. No. 96-25, § 1-15, 12-2-1996; Ord. No. 01-05, § VII(d), 6-29-2001; Ord. No. 01-08, 9-5-2001; Ord. No. 13-02, § I, 7-15-2013; Ord. No. 13-04, § I(21), 10-21-2013; Ord. No. 14-05, § 1(1200), 5-27-2014; Ord. No. 18-08, § I, 12-13-2018)

Sec. 14-02. – Effective date.

This ordinance shall take effect on October 1, 2023.

Sec. 14-03.- Conflicting Ordinances.

City ordinances 92-15, 94-4, & 92-25 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 14-04.- Severability clause.

Should any word, phrase, sentence, paragraph, or section of this ordinance or the application thereof to any person, individual, business organization, partnership, or circumstance be held invalid by a court of competent jurisdiction; such invalidity shall not affect the other provisions of this ordinance.

APPROVED:

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HOLLIE STEIL, MAYOR

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JIM CURTIS, COUNCILOR

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BILL OLIVER, COUNCILOR

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TONY ALLRED, COUNCILOR

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TIM DARRAH, COUNCILOR

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BRUCE TURNER, COUNCILOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
KAREN FLEMING  
CITY CLERK

\_\_\_\_\_  
DOUGLAS KIDD  
CITY ATTORNEY

First reading and introduction August 15, 2023

Second reading and adoption September \_\_\_\_\_, 2023