

**CITY OF SKY VALLEY
REGULAR COUNCIL MEETING
SEPTEMBER 19, 2023
TUESDAY AT 10:00 AM
3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM)
SKY VALLEY, GEORGIA**

AGENDA

- 1. Call to Order**
- 2. Invocation/Pledge of Allegiance**
- 3. Approval of Minutes**
 - August 15, 2023 Council Work Session
 - August 15, 2023 Council Public Hearing
 - August 15, 2023 Regular Council Meeting
- 4. Adoption of Agenda**
- 5. Mayoral/Council Remarks**
- 6. City Manager Report**
- 7. Departmental Reports**
- 8. Committee Reports**

OLD BUSINESS

- 9. Consider approval of Ordinance to establish Short-Term Rental (STR) regulations -
2nd reading**
- 10. Consider approval to amend Fee Ordinance - 2nd reading**

OTHER BUSINESS

- 11. 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
- 12. Adjournment**

You may join the meeting at:

<https://us02web.zoom.us/join/88221043890>

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 COUNCIL WORK SESSION HELD ON AUGUST 15, 2023,
A TUESDAY AT 8:00 A.M. LOCATED AT 3608 HWY 246 (NEW CITY HALL) & VIA
TELECONFERENCE (ZOOM) SKY VALLEY, GEORGIA**

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

MEMBERS ABSENT: Councilor Oliver

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

1. Call to Order

Mayor Steil called the meeting to order at 8:00 A.M.

2. Adoption of Agenda

Mayor Steil proposed to amend the agenda, removing items 4-8 as they will be discussed in the Regular Council meeting today at 10:00 A.M. Councilor Turner made a motion to approve the amended agenda, seconded by Councilor Allred, unanimously approved.

3. Discuss 2022 Audit, Joely Mixon, MMB&T

Joely Mixon, Auditor, stated that there were two findings:

- Budgetary Expenditures in Excess of Appropriations
(The City's expenditures were more than the appropriated budget for its General Fund department. A budget amendment was not done to show additional revenue being received through TSLOST and grants.)
- Inadequate Monitoring and Oversight
(Need to ensure that every expenditure is being properly posted in the correct way to the correct account prior to payment being made. The two funds affected were, the General Fund account and SPLOST.)

In 2022, total revenue increased by 34%, total expenses increased by 7%, compared to 2021. The revenue increase was due to TSPLOST and grant monies coming in. Ms. Mixon explained to the Council that budget amendments are not a bad thing as unexpected situations come up often but need to be accounted for on the General Fund budget.

Ms. Mixon answered questions that the Council had concerning "Transfer In/Out", making amendments, and the audit findings. She went over 2022 Revenues/Expenses in comparison to prior years which showed a significant increase in both due to many projects being completed with the TSPLOST and grant monies coming in. The total amount received in 2022 was \$421,488 with \$116,024 being spent on improvements.

The Enterprise Fund comparison of revenues and expenses showed the revenue was \$724,074 with expenses being \$760,934, which showed that the service is not self-sufficient. This fund is for our water/trash services. The gap for 2022 is approximately 5%.

Ms. Mixon stated that the City debt is low compared to many other cities and wanted to point out that the City is very liquid.

Ms. Mixon was thanked for a great presentation.

4. Discuss purchase of one (1) 2023 Ford Explorer Interceptor police car

City Manager Streetman discussed the need for another police vehicle as the department presently has four vehicles and as soon as Lt. Edwards returns, we will be short one vehicle. The Subarus were surplussed and sold through GovDeals which brought in a little over \$22,000. The balance, of the purchase, could be paid out of SPLOST, ARPA, and Capital Projects funds. Only one police vehicle could be found, and the purchase price is \$44,900. This expense was originally going to be a 2024 Capital Expense but the need as been presented for September of this year.

5. Adjournment

Councilor Darrah made a motion to adjourn the meeting, seconded by Councilor Curtis, unanimously approved.

The meeting adjourned at 8:56 A.M.

Respectfully submitted:

Hollie Steil, Mayor

Attest:

Karen Fleming, City Clerk

MINUTES OF THE CITY OF SKY VALLEY COUNCIL PUBLIC HEARING HELD ON A TUESDAY, AUGUST 15, 2023, AT 9:00 A.M. AT 3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM) SKY VALLEY, GA 30537

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

MEMBERS ABSENT: Councilor Oliver

STAFF PRESENT: City Manager Streetman, City Clerk Fleming, City Attorney Kidd, Communication Specialist Van Camp

The purpose of this hearing was to discuss and receive comments in relation to an ordinance regulating short-term rental properties.

Short-Term Rental Ordinance

- In opposition to and In favor of

Mayor Steil asked Dan McAfee, Chairman of the Planning & Zoning, to summarize the proposed Ordinance. He stated that the committee has been working on this Ordinance since September of 2022 which consisted of numerous meetings. He has met with the Sky Valley/Scaly Mountain Fire Chief Sigler and the City Attorney Kidd for suggestions and advice. Short-term rental properties must be licensed as stated by the Ordinance. A software monitoring service will help to manage the short-term rental information.

Councilor Curtis stated that the purpose and intent of this Ordinance is to help maintain the peace and tranquility of Sky Valley. Only a handful of the rental units have created problems and with this Ordinance it will help to address the issues.

City Attorney Kidd stated that the property owners are responsible for knowing the laws and regulations that pertain to their rental home. Any violations will be addressed with the property owner and/or renter. The City has the authority to write citations and the violator(s) may have to appear in front of the Municipal Court Judge and/or have their short-term rental license revoked.

Parking was discussed and the short-term rental would have to state the maximum number of parking spaces that they can provide on their property as no parking on the City's street edges will be allowed due to safety concerns.

Derik Gillett, 27 Berkshire, wants to make sure that the short-term rentals are not singled out and the parking will be enforced across Sky Valley.

Sue Sprecher, 1463 Saddleback, asked if the number of short-term rentals allowed in Sky Valley, will be capped? Councilor Darrah stated that there is nothing in place at this time but feels the rental units are going to exceed the demand at some point. Attorney Kidd stated that some cities have put a lottery system in place to help control the numbers.

Karla Stahl, 74 Red Wolf Trail, stated that she would appreciate some of the safety codes that have to be followed, to be summarized for the rental owners.

Fire Chief Sigler stated that the property owners wishing to do short-term rentals will have to bring their property dwellings up to code before renting out. He suggested that each property, before being approved, be subject to an inspection. City Attorney Kidd stated that the City does not have the manpower to take on inspections but when the property owner signs the agreement/application they are stating that the said property is in compliance and the license will be revoked if found out to be untrue.

Ted Szymankiewicz, 1164 Alex Mountain, asked about the rates and if the short-term rentals would be paying more in property taxes? Councilor Allred stated that the property would still be zoned residential.

Adjournment

Councilor Curtis made a motion to adjourn the meeting, seconded by Councilor Allred, unanimously approved.

The public hearing ended at 10:15 A.M.

Respectfully submitted:

Hollie Steil, Mayor

Attest:

Karen Fleming, City Clerk

MINUTES OF THE CITY OF SKY VALLEY REGULAR COUNCIL MEETING HELD ON AUGUST 15, 2023 A TUESDAY AT 10:00 AM AT 3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM) SKY VALLEY, GEORGIA

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

MEMBERS ABSENT: Councilor Oliver

STAFF PRESENT: City Manager Streetman, City Clerk Fleming, City Attorney Kidd, Chief of Police Estes, and Building Inspector/Code Enforcer Pyburn

1. Call to Order

Mayor Steil called the meeting to order.

2. Invocation/Pledge of Allegiance

Councilor Allred led the invocation and pledge of allegiance.

3. Approval of Minutes

June 27, 2023 – Emergency Called Council Meeting

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

4. Adoption of Agenda

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

5. Mayoral/Council Remarks

Mayor Steil thanked the citizens for their participation with the meetings and also the help that was given to the Georgia Tech intern, Yuliia, from the City employees.

6. City Manager Report

City Manager Streetman thanked all that was involved with the Independence Day celebration. He spoke of a recent water line break on Ridgepole and stated that GMRC is finished with their part of the water line mapping project and once our water department submits their information, the project will be complete. The City is at 68% of the 2023 budget and 99.6% of the collection of 2022 property taxes. The 2024 budget is underway along with working on getting more mailboxes installed for Sky Valley residents. Checking on a monitoring system and streetlight for the entrance on Evergreen.

7. Departmental Reports

Public Work – City Manager stated that Director Shope asked him to report that the department is working on culverts and mowing. Quotes are being obtained for road stripping in the City.

Code Enforcer Pyburn stated that his department is in full swing. Nuisance complaints are being checked out. Two houses are in the process of being condemned. More 911 signs are being added to fill the gap of unidentified houses.

Chief of Police Estes, stated that the number of people that the police service has drastically increased due to visitors in the area. The department does not have the manpower and may need to increase the department. He advised the residents/visitors to be cautious as a lot of wildlife has been reported, such as snakes and bears. He talked about the AEDs that are presently in place, two are at the Police Department but are 12 years old and may need to be replaced. He stated that he would like to have one in each police vehicle, City Hall, and PW shop. He also advised residents to use a landline phone, if they have a working phone jack, to make 911 calls. You can make a 911 call even if you don't pay for a phone service. Some calls are received and the caller forgets where they

are at or do not have the physical address in front of them. The call can be traced if a landline phone is used.

8. Committee Reports

Marketing Committee Chairman, Gordon Brand stated that a golf media writer just came up to Sky Valley. He enjoyed playing golf, dinners at the Club, and getting to play croquet, and also the cooler weather.

Special Projects Chairman, Bruce Turner thanked the Marketing Committee for help with Fallfest advertising costs. He expressed the need for Wi-Fi at the City pavilion so the vendors can conduct transactions.

NEW BUSINESS

9. Consider approval to appoint Lynn Menard, replacing Roberta Walton, as Sky Valley Country Club representative to the Sky Valley Marketing Committee

Councilor Curtis made a motion to approve the appointment of Lynn Menard to the Sky Valley Marketing Committee, seconded by Councilor Turner, unanimously approved.

10. Consider approval of Ordinance to establish Short-Term Rental (STR) regulations - introduction and 1st reading

Councilor Darrah read the heading for the Ordinance, as directed by City Attorney Kidd. Mayor Steil stated that a Public Hearing was held last hour concerning the Ordinance. Good comments were received. The vote will be in September concerning this ordinance. Councilor Turner stated that he has parking concerns and how they are handled in emergency situations. Chief Estes and Fire Chief Sigler talked about how they have limitations on private property but need the vehicles off of the public roads.

11. Consider approval to amend Fee Ordinance - introduction and 1st reading

City Manager Streetman read the heading of the Ordinance and went over the suggested fee changes. At this time there is no change in water rates but to have the water cut on/off by the City should go from \$10.00 to \$30.00 per occurrence. He talked about the removal of yard debris to go to a flat fee of \$100 per hour, billed out in 15-minute increments.

Questions were asked from the audience concerning the cost of cutting the water off/on and yard debris removal. A tutorial was suggested to be posted on how the owners can cut the water off themselves.

Mayor Steil stated that the current Fee Ordinance is 26 years old, and the fees needed to be re-accessed. Basically, the only fees that the suggested increases would affect would be "Chosen" services, stated City Manager Streetman. The City is losing money on some of the services that they provide. City Attorney Kidd stated that it is unlawful for the City to continue services for an extended period of time without at least breaking even.

A vote on the Fee Ordinance will be held next month.

12. Consider approval to amend the Sky Valley Solid Waste (Trash) Ordinance - introduction and 1st reading

City Manager Streetman read the heading of the Ordinance and went over the suggested changes. Steve Shields with GMA had conducted an evaluation and gave a list of recommendations. On this list is the need to stop collecting garbage out of the underground trash receptacles. The residents that are still using the underground receptacles can continue to do so but would need to ~~remove~~ ^{stop using} the trash ~~for~~ collection. The amount of garbage that can be collected will go up to 96 gallons from the ~~32~~ ⁶⁴ gallons. Removal of yard debris would no longer be considered as part of the garbage monthly fee.

inground cans for

after the ordinance approved, total (32 per container) 2 max

Councilor Allred asked how much the garbage fee would need to be raised in order to keep the same services?

Mayor Steil suggested to have a Work Session concerning this Ordinance and set the meeting date for September 12, 2023.

13. Consider approval to purchase one (1) 2023 Ford Explorer Interceptor Police Car

City Manager Streetman went over the need for a new police vehicle and stated that only one could be located. The purchase amount for the 2023 Ford Interceptor is \$44,900. He went over the funding for the purchase. This police vehicle will be paid for from proceeds from sale of Subarus, and SPLOST funds along with carry over grant funds.

Councilor Allred stated that he thought this purchase was going to be scheduled for next year. City Manager Streetman stated that the need will be coming up in September and with the sale of the Subarus gave a good opportunity to buy now with the resources available.

A motion was made by Councilor Curtis to purchase the 2023 Ford Explorer Interceptor, seconded by Councilor Turner, unanimously approved.

OTHER BUSINESS

14. Public Forum and General Comments

No additional comments were made.

15. Adjournment

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

The meeting adjourned at 12:18 P.M.

Respectfully submitted:

Hollie Steil, Mayor

Attest:

Karen Fleming, City Clerk

**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 the 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 or 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 (20th) 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 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 other 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 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 city council, penalty(s) for violation of this ordinance shall be at the discretion of the municipal judge who possess 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 officer, law enforcement, fire department, or the zoning administrator.

- (c) The building inspector/code enforcement officer or city designee 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, review of response and incident report(s), online searches, 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, 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 are 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, 2023

Second reading and adoption September _____, 2023

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:

Miscellaneous Charges	
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

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 insure 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

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 8AM-4PM Mon-Fri \$200.00 per request for weekend, holiday, 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 subject service to 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	\$100.00 per hour with the first 15 minutes per month included in garbage fee.

Removal or returning 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.

Traffic	
Personal transportation vehicle (PTV) registration	\$25.00 annual registration

Housing and development fees; Planning and zoning applications	
Annexation and map amendments	\$500.00
Re-zoning and map amendments	\$500.00
Conditional use	\$250.00
Variance	\$250.00

Land Development Review, Inspection and Permits
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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

Site/Plot Plan and Erosion and Sedimentation Control (For All Land Disturbance)	
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

Demolition	
(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

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
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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

Gas Permit (Residential and Commercial)

Gas piping (new or add-ons)	\$75.00
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Gas piping (repair or replace) no new lines or piping	\$25.00
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Electrical Permits (Residential and Commercial)

Electrical (new or add-ons)	\$75.00
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Electrical (repair or replace existing) no new lines or wiring	\$25.00
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Other Miscellaneous Building Permits

Generator new or add on	\$75.00
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Door/window (resize)	\$25.00
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Jacuzzi/Hot tub new	\$25.00
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Swimming pool install	\$150.00
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Cell tower	\$2,500.00
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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
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Wetlands Application Review

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

Re-Inspection Fees, Penalties and Fines	
Re-inspection fee—1st and 2nd	\$25.00 1 st , \$50 2 nd
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 ordinance 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, 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