

CITY COUNCIL
GIL MCDOUGAL, MAYOR
SHIRLEY MARCHMAN, MAYOR PRO TEM
MATTHEW MONTAHAN
ANNA MCCOY
DANNY CARTER

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

MAYOR & COUNCIL WORK SESSION AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
October 3, 2023 | 1:00 PM

Review of the Agenda (Mayor Gil McDougal)

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes.)

A. Governing Body (Mayor Gil McDougal)

1. Appointment to Planning & Zoning Commission.

B. City Clerk Theresa Campbell

1. Laserfiche Master Services Agreement (Theresa Campbell, City Clerk)
2. JustFOIA Agreement (Theresa Campbell, City Clerk)

C. Community Development (Tracy Jarvis, Director)

1. VA-12-23 - 133 W. Bankhead Highway - Variance to Reduce Drive-Thru Queuing Spaces Required and Public Hearing (Ron Johnson, Planning & Zoning Administrator)
2. VA-10-23 and CU-02-23 - Special Exception and Variance Application to Operate a Digital Billboard sign within 500' of a Residential Zone and Public Hearing (Ron Johnson, Planning & Zoning Administrator)

D. Human Resources Lena Taylor, Director

1. FY24 3% Cost of Living Adjustment (Tiffany Jenkins, Human Resources Manager)

E. Information Technology (Jim Chambers, Director)

1. Vonage Phone System (Jim Chambers, Director)

F. Parks, Recreation and Leisure Services (Tracie Ivey, Director)

1. Purchase of Fitness Court Equipment
2. Installation of Fitness Equipment

G. Public Works (Hal Burch, Director)

1. Purchase F150 Truck (Chris Maddox, Fleet Manager)
2. Purchase Two F250 Trucks (Chris Maddox, Fleet Manager)
3. Roadway Management Technologies (Hal Burch, Director)
4. Sidewalk Repair Reid Plantation (Hal Burch, Director)

H. Utilities (John Bain, Director)

1. Thermaer Jet Pump Replacement (Erick Broz, Wastewater Operations Manager)
2. Manhole Riser Adjustments - Bay Springs Interceptor Sewer (John Bain, Director)

I. City Manager (Tom Barber)

1. Revisions to the City of Villa Rica Development Regulations and Public Hearing (Bobby Elliott, P.E., Nic Griffin)
2. ADA Improvements at the Holt-Bishop Justice Center (Tom Barber, City Manager)
3. Proposal from Falcon Design to Survey the VPlex (Tom Barber, City Manager)
4. Presentation on Zoning Ordinance Changes to Chapters 1-3, 6-7 and 13 (Ron Johnson, Plannin & Zoning Administrator)



CITY OF VILLA RICA

City Council Packet

SUBJECT: Appointment of Planning Commission Member to Ward 5 Seat

CITY COUNCIL AGENDA DATE: October 3rd, 2023

DATE: October 2nd, 2023

PREPARED BY: Ronald Johnson; Planning and Zoning Administrator

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: To make an appointment into the vacant seat on the Planning and Zoning Commission Board for the term of January 1st 2023 – December 31st 2024.

BACKGROUND: This seat on the commission is currently filled by Nancy Mims, and has been since she was appointed to the seat on January 10th, 2023. This is an appointment to an unexpired term ending December 31st, 2024. The city has received interest in this seat from Ashley Head (application attached).

STAFF RECOMMENDATION: N/A

IMPACT: Fulfilling the impending vacant seat on the commission board.

MOTION: I move to approve the appointment of _____ to the Planning and Zoning Commission for the term of January 1st 2023 – December 31st 2024.

APPLICANT INFORMATION

Name Ashley Head

Occupation Senior Closer Employer Coats & Cordle

Home Address 137 Legacy Dr

City Villa Rica State GA Zip 30180

Phone 770 906 8798 Email Ashley@coatsandcordle.com

Which Board, Commission or Authority do you wish to be appointed to?

☐	Downtown Development Authority
☐	Historic Preservation Commission
☐	Housing Authority Board
☐	Library Advisory Board
☐	Main Street Advisory Board
☒	Planning & Zoning Commission
☐	Recreation Advisory Commission
☐	Villa Rica Cemetery Committee
☐	Villa Rica Development Authority

How long have you been a resident of Villa Rica?

14 Years

Do you own a business in Villa Rica?

☐ Yes☒ No

If yes, what is the name and address of your business?

Are you current with all your financial obligations to the City?

☒ Yes☐ No

Are you willing and able to attend training sessions on-site or off-site if provided by the City?

☒ Yes☐ No

Are you able to meet the attendance requirements of the position for which you are applying?

☒ Yes☐ No

Do you know of any circumstances that would result in you having to abstain before the Board, Commission or Authority?

No

Do you or your employer, or your spouse, child, relative, or their employers, do business with the City of Villa Rica? If yes, please explain.

Yes, My 17yr old son, Brady Perry works at the rec department part time.

Do you have employment or contractual relationship with the City of Villa Rica that would create a continuing or frequently recurring conflict with regard to your participation on a Board, Commission and Authority?

☐ Yes ☒ No

If yes, please explain.

Please briefly explain your reasons for wishing to serve on the Board, Commission or Authority you select.

I would like the opportunity to make my community better and shape the future of Villa Rica.

Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice?

☒ Yes ☐ No

If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

Downtown Development
Recreation Advisory Committee

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board or Commission and that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six months, after which time, I will need to file a new application. I agree to comply at all times with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge.



Signature



Printed Name



Date



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Laserfiche
AGENDA DATE: October 3, 2023

DATE PREPARED: September 21, 2023
PREPARED BY: Theresa Campbell, City Clerk

AMOUNT: \$112,706.01 (\$56,847.01 (Laserfiche) and \$55,859.00 (Scanning))
GL ACCOUNT #: 100 1330 521300
FUNDING SOURCE: General Fund
BUDGETED ITEM? Yes

PURPOSE: To purchase and implement Laserfiche Document Handling software with scanning as was approved in the FY 2024 Budget.

BACKGROUND The City currently heavily relies on paper files at departmental levels. This requires a lot of real estate within offices and access to these files is dependent on staff being able to file. There is no overarching records policy, records inventory, or master file for projects. Not all records require a paper and electronic copy, so redundancy is also a major issue as multiple departments have files on different parts of a project or issue.

Document Handling Software has been needed for many years but has not made it through the budget request process due to budget constraints and limitations. With the impending growth we are already feeling the increased weight of added paperwork and records. This program would be implemented in all departments and allow for records to be stored and accessed electronically meaning when a specific project was being researched then all pertinent records could be accessed not just the ones available to that individual staff. Records could be electronically searched freeing up staff time of pulling physical files from multiple locations and increase accuracy of locating the City's information with workflow capabilities tasks can be assigned and there would be a visible chain. Internal processes, such as training forms, could be implemented and tracked without multiple phone calls and legwork.

STAFF RECOMMENDATION: Approve the purchase and implementation of Laserfiche and utilize the same for scanning of existing vital documents.

MOTION: I move to authorize the Mayor to execute the agreement for purchase and implementation of Laserfiche, Inc. and utilize same for scanning services in the amount of \$112,706.01.

ADDENDUM NO. 1 TO MASTER SERVICES AGREEMENT NO. 24383

INITIAL LASERFICHE BUSINESS SUBSCRIPTION ORDER

Pursuant to Master Services Agreement No. 24383 ("**Agreement**"):

This Initial Laserfiche Business Subscription Order, designated as Addendum No. 1, is entered into as of _____, ("**Addendum Effective Date**"), by and between MCCi and Client and is hereby incorporated into the Agreement and made a part thereof. If there is any conflict between a provision of the Agreement and this Addendum, the Agreement will control. Any capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement. This Order supersedes any previous quote or proposals received.

IN WITNESS WHEREOF, the Parties hereto have caused this Addendum No. 1 to be executed by their respective duly authorized representatives as of the Addendum Effective Date.

MCCi, LLC

CITY OF VILLA RICA ("Client")

Signed: _____

Signed: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

PRICING: LASERFICHE



3717 Apalachee Parkway, Suite 201
Tallahassee, FL 32311
850.701.0725
850.564.7496 fax

Bill /Ship to: Theresa Campbell
tcampbell@villarica.gov
cc AP Contact: tcampbell@villarica.gov

Client Name: City of Villa Rica
Client Address: 571 West Bankhead Highway, Villa Rica, GA 30180
Quote Number: 28864
Order Type: Net New

Quote Date: September 13, 2023

<i>Product Description:</i>	<i>Qty.</i>	<i>Unit Cost</i>	OMNIA - NCPA 01-162	<i>Annual Total</i>
<u>LASERFICHE ANNUAL SUBSCRIPTION - BASIC</u>				
☒ Laserfiche Business User Subscription (25-49 Users)	25	\$830.00	\$788.50	\$19,712.50
☒ Laserfiche Records Management Subscription	1	Included*	Included*	Included*
☒ Laserfiche Public Portal Subscription for Unlimited Laserfiche Servers	1	Included*	Included*	Included*
☒ Laserfiche Quick Fields Complete with Agent Subscription (10-Pack)	1	Included*	Included*	Included*
☒ Laserfiche Advanced Audit Trail Subscription	1	Included*	Included*	Included*
☒ Laserfiche Forms Portal Subscription	1	Included*	Included*	Included*
☒ Laserfiche SDK Subscription	1	Included*	Included*	Included*
☒ Laserfiche Sandbox Subscription	1	Included*	Included*	Included*
☒ Laserfiche Integration with DocuSign Subscription	1	Included*	Included*	Included*
<i>Laserfiche Annual Recurring Subscription Subtotal</i>				<i>\$19,712.50</i>
<u>MCCI SUPPLEMENTAL SUPPORT SERVICES SUBSCRIPTION</u>				
☒ MCCI Managed Support Services for Laserfiche	1	\$1,530.00	\$1,530.00	\$1,530.00
<i>Client needs are estimated based on the current components provided herein: up to 10 hours that will expire at the end of your renewal term.</i>				
☒ Training Center for Laserfiche Subscription (25-49 Users)	1	\$2,840.00	N/A	\$2,840.00
☒ MCCI SLA for Laserfiche (25-49 Users)	1	\$2,500.00	\$2,250.00	\$2,250.00
<i>MCCI Supplemental Support Services Annual Recurring Subscription Subtotal</i>				<i>\$6,620.00</i>
GRAND TOTAL - RECURRING ANNUAL SUPPORT/SUBSCRIPTION				<i>\$26,332.50</i>

<i>Service Description:</i>	<i>Qty.</i>	<i>Unit Cost</i>	<i>OMNIA - NCPA 01-162</i>	<i>Total</i>
MCCi SERVICE PACKAGES				
☒ Laserfiche Installation Package	1	\$3,600.00	\$3,240.00	\$3,240.00
☒ Self-Hosted Records Management Configuration	1	\$9,450.00	\$8,505.00	\$8,505.00
☒ Laserfiche User Training - Full (Onsite - Multiple Consecutive Days)	2	\$3,000.00	\$2,700.00	\$5,400.00
☒ Process Automation Designer Training on Laserfiche Forms - Level 1 (Remote)	1	\$2,921.25	\$2,629.13	\$2,629.13
☒ Process Automation Designer Training on Laserfiche Workflow - Level 1 (Remote)	1	\$3,146.25	\$2,831.63	\$2,831.63
☒ Implementation Management	1	\$8,325.00	\$7,908.75	\$7,908.75
<i>Service Packages Subtotal</i>				<i>\$30,514.51</i>
GRAND TOTAL - ONE-TIME SERVICES				<i>\$30,514.51</i>
TOTAL LASERFICHE PROJECT COST				<i>\$56,847.01</i>

**Products shown as "Included" will be implemented and configured ONLY if the applicable MCCi Service Package(s) is included in this order, or product(s) can be implemented and configured at a later date with the purchase of the applicable service package(s).*

All Quotes Expire 30 Days from Quote Date

This is NOT an invoice. Please use this confirmation to initiate Client's purchasing process.

RECURRING SERVICES

The Recurring Services portion of this Order will be based on the pricing at the time of renewal. It will systematically renew unless written notice of termination has been provided per the master agreement. In the event that a manufacturer increases its prices for recurring annual services, the increase will be passed along to the Client. No more than once per year, MCCi may adjust its recurring annual services (services not related to 3rd party manufacturers) to coincide with current U.S. inflation rates; any increase will not exceed the cumulative increase in the Consumer Price Index (CPI) occurring since the last price increase. Please note that if you subscribe to volume-based solutions, additional user licenses may increase the cost of those items at the time of your next annual renewal.

SALES TAX

Sales tax will be invoiced where applicable and is not included in the fee quote above.

REMOTE SERVICES

All services will be performed remotely unless noted otherwise.

PRODUCT ORDER TERMS

MCCi will process Product Orders as follows:

Product/Service Description	Timing of Product Order
All Software, Recurring Annual Support/Subscription, and Supplemental Support Services	Post Project Kick-Off

The act of MCCi processing orders determines the start date of annual Recurring Service periods. Establishment of start dates for 3rd party manufacturer products are subject to each manufacturer's current policy.

BILLING TERMS

MCCi will invoice Client as follows:

Product/Service Description	Timing of Billing
All Software, Recurring Annual Support/Subscription, and Supplemental Support Services	▪ Initial Sale: Upon delivery of software or activation of the subscription ▪ Annual Renewal: 75 days in advance of expiration date
Service Packages	50% of the total upon receipt of Order, remaining 50% of each Service Package upon delivery completion and Client acceptance.

MCCi shall not send any invoices nor claim payment for any fees or expenses incurred by MCCi until both parties authorize this Order. Sales tax will be invoiced where applicable and is NOT included in the Pricing section.

SERVICE PACKAGES

GENERAL ASSUMPTIONS

To determine which platform/licenses are applicable, please refer to the [Pricing](#) section. The following assumptions serve as the basis for the Service Package(s) reflected below. Any service or activity not described below is not included in the Scope of services to be provided. Variations to the following may impact the Service Package's cost and/or schedule, justifying a Change Order.

- MCCi's completion of a Deliverable to Client shall constitute that MCCi has conducted its own review and believes it meets Client's requirements. Client shall then have the right to conduct its own review of the Deliverable as Client deems necessary. If Client, in its reasonable discretion, determines that any submitted Deliverable does not meet the agreed upon expectations, Client shall have five (5) business days after MCCi's submission to give written notice to MCCi specifying the deficiencies in reasonable detail. MCCi shall use reasonable efforts to promptly resolve any such deficiencies. Upon resolution of any such deficiencies, MCCi shall resubmit the Deliverable for review as set forth above. Notwithstanding the foregoing, if Client fails to reject any Deliverable within five (5) business days, such Deliverable shall be deemed accepted.
- If either party identifies a business issue during the project, MCCi and Client must jointly establish a plan to resolve the issues with potential impact analysis of timeline and budget within five (5) business days of identification. Any necessary business decision resulting from the identified business issues must be made by Client within five (5) business days from request.
- Client is responsible for ensuring that adequate hardware/infrastructure is in place and capable of handling the extra resources that may be required to support the services performed.
- Any additional software licensing needs related to this service/process configuration have not been considered or included as part of service packages. Client is responsible for ensuring that the required software licensing is available.
- If the Services require MCCi to access or use any third party software products provided or used, Client warrants that it shall have all rights and licenses of third parties necessary or appropriate for MCCi to access or use such third party products and agrees to produce evidence of such rights and licenses upon the reasonable request of MCCi and to indemnify, hold harmless and defend MCCi from and against any claims, actions, demands, lawsuits, damages, liabilities, settlements, penalties, fines, costs and expenses (including reasonable attorneys' fees) to the extent arising from MCCi's access to or use of such third party products.
- Client will maintain primary contacts and project staff for the duration of the project, as a change in staff may result in a Change Order for time spent by MCCi on retraining, reeducating, or changes in direction.
- Through the course of this project, MCCi may choose to utilize the third-party service Asana (<http://www.asana.com>) for project management and team collaboration. Documentation and correspondence exchanged between MCCi and Client may be stored in Asana.
- Client will ensure that all Client's personnel who may be necessary or appropriate for the successful performance of the services will, on reasonable notice: (i) be available to assist MCCi's personnel by answering business, technical and operational questions and providing requested documents, guidelines and procedures in a timely manner; (ii) participate in the services as reasonably necessary; and (iii) be available to assist MCCi with any other activities or tasks required to complete the services.
- **All Services pricing assumes the Client will grant MCCi unattended access** to the required infrastructure for the project. Failure to provide this access will result in a Change Order increasing the cost to the Client and the timeline of the project.
- Projects enter "On-Hold" status when (i) Client requests a delay in starting a new project, or (ii) Client is unresponsive for more than 15 business days during an active project. On-Hold status will remain until a new project start date is mutually agreed upon, or until Closed. MCCi may elect to Close the project due to project remaining On-Hold for more than 35 business days.

- Projects that are Closed prior to completion, will be billed for any progress made to date and the MCCi project team will no longer be assigned to the project. Billing for progress made to date is based on the number of hours worked or the estimated percentage of the project that has been completed, whichever is greater. Subsequently, a new order is required to restart a Closed project, and to have new MCCi project resources assigned.
- Client will provide a single point of contact responsible for coordinating communications and scheduling amongst Client stakeholders.
- MCCi will conduct a project kickoff call with Client to set objectives and review systems/processes used.
- Google Chrome or Chrome Microsoft Edge is installed on all Laserfiche servers.
- TLS 1.2 is configured on all Laserfiche servers.
- Firewall ports will be opened for and unattended remote access on all necessary servers will be granted to MCCi.
- All services will be performed Monday – Friday, 8 am to 5 pm EST.
- MCCi will only provide recordings of trainings or meetings if requested in advance. Requested recordings will be available through the Training Center for Laserfiche.
- Client will acquire, install, and set up TLS certificates that meet application requirements.
- Purchase of Managed Cloud services may cover some of these assumptions/deliverables.
- Client will ensure previously agreed upon scheduled trainings are attended by their staff. For cancellations or rescheduling, the minimum notice period requirement to avoid penalties is 2 calendar weeks prior to the training date. Penalties: (i) Regardless of the notification time period, if the training was to be in person and MCCi has incurred non-refundable travel expenses, client will reimburse MCCi accordingly, and (ii) If client cancels or reschedules training within 7 calendar days and no less than 48 hours from the training date, the client will forfeit half of the allotted training time, or be assessed a fee equal to 50% of the training package purchased, or (ii) If the client cancels or reschedules the training within 48 hours of the training date, or is a no show on the training date, the training package purchased will be charged in full and forfeited by the client.

GENERAL TESTING DEFINITIONS

- Alpha Testing – Defined as internal acceptance testing performed by the project team prior to releasing the product or configuration to the Client
- Basic Deployment Testing – Defined as testing to ensure that the crucial functions of the system are operating properly, and that the deployment is stable
- Beta Testing – Defined as the testing performed to verify functionality and fulfillment of user requirements
- User Acceptance Testing – Defined as testing performed by the Client's users to verify and accept the implemented functionality or deployment

GENERAL EXCLUSIONS

- MCCi is not responsible for assigning an external URL for any web-based platform/software module.
- MCCi is not responsible for creating or maintaining backups, backup plans or recovery plans.
- MCCi is not responsible for creating training documentation.
- MCCi is not responsible for final testing including, but not limited to, configuration changes made by Client prior to system handoff.
- Except where specifically noted, no custom coding is included; configuration work is restricted to the capabilities associated with the out-of-the-box solution.

LASERFICHE INSTALLATION PACKAGE

MCCi's Installation Package is designed for MCCi to install and do initial configuration of the applications that come with your Laserfiche Licensing Platform (e.g., Avante, Rio, Subscription).

CLIENT DELIVERABLES

- Provide Microsoft Windows Server(s) that meet(s) the Laserfiche system requirements
- Acquire, install, and set up TLS Certificates that meet Laserfiche requirements
- Provide a Windows account that has administrative rights to each Laserfiche server (can create, write, and read the various Laserfiche databases, and query Active Directory)

MCCI DELIVERABLES

- Install and configure one (1) instance of each application in one (1) environment (e.g., Test, Dev, Staging, QA, etc.) as outlined in the Laserfiche Assumptions section
- Perform basic software deployment testing

EXCLUSIONS

MCCi is not responsible for the following:

- Installing and configuring failover clusters or load balancing
- Configuring servers in DMZs
- Migration of existing Laserfiche environment/applications to new environment
- Configuring identity providers other than Active Directory

ASSUMPTIONS

- Google Chrome or Chromium Microsoft Edge is installed on all Laserfiche servers.
- If applicable, Client has also ordered Installation and Initial Configuration of Active Directory Certificate Services package (see package description for full detail).

SELF-HOSTED RECORDS MANAGEMENT CONFIGURATION

MCCi will configure Records Management in Client's repository using Transparent Records Management (TRM). Using TRM, both records managers and general users can organize the same repository in the manner they each prefer, simultaneously. The process is "transparent" because it enables general users to see through the complex records management layout to their desired structure. Records management requirements do not interfere with day-to-day business needs, and records managers can retain control over the way information is categorized and filed outside of the view of everyday users of the system.

CLIENT DELIVERABLES

- Provide Client representative to participate in organizing the repository through templates and folder structure and plan out the templates, record types, and folder structure, not to exceed 15 record types that will be implemented
- Provide all necessary information on the retention schedules to be implemented
- Have a testing team complete User Acceptance Testing (UAT) within two (2) weeks of the completion of deployment

MCCI DELIVERABLES

- Create up to three (3) templates, up to fifteen (15) Record Series, and up to fifteen (15) folders
- Build workflow(s) to file records in correct record series and create a shortcut in the end user folder structure. Workflows will be based on information that users input into the template when adding the document to Laserfiche. These workflows will be for filing purposes only and not include any business process steps for approval, review, etc.
- Build a workflow to run on a schedule set by Client that sends an email notification (to Client's Records Manager and up to one (1) other user) with up to three (3) links to display a list in the Web Client of all records available for cutoff, disposition, or vital records that need review

- Conduct half-day of remote “train the trainer” training on administering and executing the processes built by the MCCi project team
- Perform alpha and beta testing on the built processes. MCCi will transition project to Client UAT team once beta is complete and successful

EXCLUSIONS

MCCi is not responsible for the following:

- Creating training documentation for these processes
- Managing or providing upkeep of the Laserfiche Records Management System
- Configuring any e-mail notifications for records management actions outside of basic notifications for records available for cutoff, records available for disposition, and vital documents for review
- Installing software

ASSUMPTIONS

- Client owns Laserfiche Records Management Edition and Laserfiche Workflow.
- Client owns and has Laserfiche Web Client installed and configured.

USER TRAINING

MCCI's New User Training is a great introduction to the Laserfiche repository, which is accessed through an application called the Laserfiche Client. Attendees will become familiar with how to import new content, to search and retrieve existing content, and to export. Your organization can choose whether training is conducted on the web-based or on the Windows desktop Client.

BASIC

Your organization can work closely with the product trainer to identify user functions, customizing the training agenda on what attendees need to know for how they will use the repository. The trainer can emphasize certain topics and can eliminate or briefly describe others.

- Import Options
- Laserfiche Scanning
- Search and Retrieval
- Metadata Reports
- Dashboard (Laserfiche Cloud)
- Export Options
- Annotations Tools
- Templates & Fields
- OCR and Generating Text

ADVANCED

MCCI's Advanced User Training is a continued examination of features available in the Laserfiche Client. Your organization can work closely with the product trainer to emphasize certain topics and can eliminate or briefly describe others.

- Laserfiche Snapshot
- Microsoft Office Integration
- Advanced Search Syntax
- Version Control
- Tags
- Custom Quick Search
- User Options
- Repository Design Considerations

CLIENT DELIVERABLES

- Have a license available for each attendee participating in the training
- Provide the requisite IT resources

MCCI DELIVERABLES

- Provide Laserfiche User training according to the level of package purchased
- Provide training for up to six (6) users per session

Description	Basic	Full	Advanced
Product Training	Laserfiche Client	Laserfiche Client	Laserfiche Client
Instructor-Led Sessions	1 session remote (3 hours total) or half day onsite	2 sessions remote (6 hours total) or 1 day onsite	1 session remote (3 hours total) or half day onsite
Great For	Onboarding a Single Department New Users to Laserfiche	Train the Trainer Learning & Development Department	Seasoned Laserfiche Users

PROCESS AUTOMATION DESIGNER TRAINING ON LASERFICHE FORMS

MCCi's Laserfiche Forms Training is designed to be highly interactive. The goal is to quickly empower individuals in your organization to learn Laserfiche Forms. Individuals will learn not only how to create and maintain webforms but also apply their new skills to streamlining approval and review processes. Lastly, training is completed in your Laserfiche Forms environment, ensuring attendees have the right permissions to get started after training.

In Level 1, attendees are led through exercises designed to showcase commonly used features and tools within Laserfiche Forms.

In Level 2, attendees get all Level 1 and spend an extra session building a process custom to your organization. In one (1) 2-hour remote sessions prior to training, attendees are led through a process design workshop with the instructor to isolate and plan out a process. Attendees then apply their new skills during the last session to the outlined process.

In Level 3, attendees get all of Level 2 and are offered additional remote assistance post-training. This is especially useful if the identified process is complex, and attendees prefer more coaching beyond the Level 2 training session.

CLIENT DELIVERABLES

- Have a license available for each attendee participating in the training
- Appoint a Forms Configuration Administrator who has been through Laserfiche Administrator training to manage ongoing user and process permissions
- Provide the requisite IT resources
- Provide MCCi with a mapped-out narrative of specified business process sample forms, approval steps and approvers, metadata requirements, etc. (Level 2 and Level 3 only)

MCCI DELIVERABLES

- Provide Process Automation training according to the level of package purchased. CSS and JavaScript are outside the scope of this training package
- Provide training for up to (six) 6 users per session

EXCLUSIONS

- For Level 3, The Remote Post Training Configuration Assistance will be delivered in no more than 2-hour sessions and those sessions must be scheduled at least 3 business days in advance.
- Remote Post Training Configuration Assistance excludes classroom training.

Description	Level 1	Level 2	Level 3
Product Training	Laserfiche Forms	Laserfiche Forms	Laserfiche Forms
Instructor-Led Sessions	2 sessions remote (6 hours total)	4 sessions remote (12 hours total) or 2 days onsite	4 sessions remote (12 hours total) or 2 days onsite
Exercises Designed to Learn Tools and Explore Features	Included	Included	Included
Coaching on a Process Design	Not Included	1 session remote (2 hours total)	1 session remote (2 hours total)
Remote Post Training Configuration Assistance	Not Included	Not Included	Included, up to 30 calendar days from the last training session, not to exceed 10 hours

PROCESS AUTOMATION DESIGNER TRAINING ON LASERFICHE WORKFLOW

MCCi's Laserfiche Workflow Training is designed to be highly interactive. The goal is to quickly empower individuals in your organization to learn Laserfiche Workflow. Individuals will learn how to build workflows to replace repetitive steps performed in the repository, send email notifications, promote uniform document filing and naming, and potentially integrate with other applications through data lookups and insertions. Lastly, training is completed in your Laserfiche environment, ensuring attendees have the right permissions to get started after training.

In Level 1, attendees are led through exercises designed to showcase commonly used features and tools within Laserfiche Workflow.

In Level 2, attendees get all Level 1 and spend an extra session building a process custom to your organization. In one 2-hour remote sessions prior to training, attendees are led through a process discovery workshop with the instructor to isolate and plan out a workflow. Attendees then apply their new skills during the last session to the outlined workflow.

In Level 3, attendees get all Level 2 and are offered additional remote assistance post-training. This is especially useful if the identified workflow is complex, and attendees prefer more coaching beyond the Level 2 training session.

CLIENT DELIVERABLES

- Provide each attendee participating in the training access to Workflow Designer and Workflow Administration Console
- Appoint a Workflow Configuration Administrator who has been through Laserfiche Administrator training to manage ongoing user and process permissions
- Provide the requisite IT resources
- Provide MCCi with a mapped-out narrative of specified business process sample forms, approval steps and approvers, metadata requirements, etc. (Level 2 and Level 3 only)

MCCI DELIVERABLES

- Provide Workflow Designer training on commonly used activities according to the level of package purchased. Activities that require skills not related to Laserfiche to configure (i.e., SQL queries, VBA, C#, Microsoft .NET Framework, API calls) are outside the scope of this training package
- Provide training for up to six (6) users per session

EXCLUSIONS

- For Level 3, The Remote Post Training Configuration Assistance will be delivered in no more than 2-hour sessions and those sessions must be scheduled at least 3 business days in advance.
- Remote Post Training Configuration Assistance excludes classroom training.

Description	Level 1	Level 2	Level 3
Product Training	Laserfiche Workflow	Laserfiche Workflow	Laserfiche Workflow
Instructor-Led Sessions	2 sessions remote (6 hours total)	4 sessions remote (12 hours total) or 2 days onsite	4 sessions remote (12 hours total) or 2 days onsite
Exercises Designed to Learn Tools and Explore Features	Included	Included	Included
Coaching on a Process Design	Not Included	1 session remote (2 hours total)	1 session remote (2 hours total)
Remote Post Training Configuration Assistance	Not Included	Not Included	Included, up to 30 calendar days from the last training session, not to exceed 10 hours

IMPLEMENTATION MANAGEMENT PACKAGE

MCCi will manage the work, communication, and documentation MCCi deems necessary for successful project delivery.

MCCI DELIVERABLES

- Manage Client communication
- Produce project documentation
- Oversee risk/issue management
- Oversee meeting scheduling
- Ensure deliverables are met
- Budgeting and Resource Management

SUPPLEMENTAL SUPPORT PACKAGES

As Client's first-tier solution provider, MCCi provides multiple options for technical support. Client's annual renewal covers application break/fix support, version downloads, and continued educational resources. MCCi offers supplemental support packages to cover remote training, basic configuration services, and maintenance of existing business processes. MCCi's Managed Support Services (MMSS) or Process Administration Support Services (MPASS & MPASS2) packages are strongly encouraged to be included with every renewal. Supplemental Support Packages are annual subscriptions and pricing is based on the package purchased and an advanced discounted block of hours, which expire on the same date as Client's annual renewal. MMSS pricing for the advanced block of hours is based on MCCi's Support Technician II hourly rate discounted by 10%. MPASS and MPASS2 pricing for the advanced block of hours is based on MCCi's Application Support Analyst hourly rate discounted by 10%.

LASERFICHE

	MCCi's Managed Support Services	MCCi's Process Administration Support Services	
Description	MMSS	MPASS	MPASS2
Easy access to MCCi's team of Certified Technicians for application break/fix support issues (i.e., error codes, bug fixes, etc.) [*]	■	■	■
Remote access support through web conferencing service [*]	■	■	■
Access to product update version and hotfixes (Client Download) [*]	■	■	■
24/7 access to the Laserfiche Support Site and Laserfiche Answers discussion forums [*]	■	■	■
Additional Remote Basic Training	■	■	■
Additional System Settings Consultation	■	■	■
Assistance with Implementation of Version Updates	■	■	■
Annual Review (upon Client's request) of Administration Settings	■	■	■
Priority Offering of Laserfiche CPPs & Laserfiche Empower Registration Scholarships	■	■	■
Configuration and maintenance of <i>basic</i> business processes and MCCi packaged solution utilizing Laserfiche Forms and Workflow	■	■	■
Configuration of Laserfiche Quick Fields sessions	■	■	■
Basic Records Management Module Overview Training	■	■	■
Administration Configuration Services	■	■	■
Dedicated Certified Professional		■	■
Proactive recurring consultation calls upon the Client's request		■	■
Annual Review of business process configurations			■
Institutional Knowledge of Client's Solution			■
Maintenance of MCCi/Client configured <i>complex</i> business processes			■
Ability to schedule after-hours upgrades Monday-Friday 8 am to 10 pm ET and Saturday-Sunday from 12 pm to 4 pm ET			■
Basic JavaScript, CSS, and Calculations for Laserfiche Forms [*]			■

^{*} Client's Support/Subscription Renewal includes these benefits, regardless of whether a supplemental package is purchased.

* Excludes the development of new integrations, large-scale development projects, and SQL queries. Excludes maintenance of custom-built integrations, or any item not purchased from MCCi.

**** Hours:** MCCi allows clients to use their hours for a multitude of services, if a request will not start a service that cannot be completed with the hours available. None of the packages listed above are intended to be utilized to configure a new *complex* business process. In those instances, a separate SOW is required.

CLIENT RESPONSIBILITIES (All Packages)

- For self-hosted (applications hosted by Client) solutions: Configuring/maintaining backups and any general network, security, or operating system settings outside of Client's solution.
- Managing application-level security.
- Managing and creating retention policies related to Records Management Module.
- Providing an IT contact (internal or third-party) for MCCi to work with as necessary.
- Providing remote access capabilities as needed. If the Client requests MCCi to have unattended access, the Client assumes all responsibility for the related session(s). The Client will work with MCCi to set up user profiles, user tags, etc. to allow desired security rights/access.
- Creating/providing process diagrams (and any other necessary paperwork/examples).

SUPPLEMENTAL SUPPORT PACKAGE DEFINITIONS

ADDITIONAL REMOTE TRAINING

Additional web-based training is conducted to train new users or as refresher training for existing users.

ADDITIONAL SYSTEM SETTINGS CONSULTATION

MCCi offers additional best practices consultation that includes recommendations for adding additional departments, additional types of indexing, etc.

REMOTE IMPLEMENTATION OF VERSION UPDATES

While Client's renewal includes version updates, implementation of those updates is sometimes overlooked. With the addition of MMSS, MCCi is at Client's service to directly assist with implementing software updates such as minor updates, quick fixes or point releases. Dependent on the complexity and the Client's specific configurations, major software upgrades may or may not be covered and should be discussed with Client's Account Management Team.

ANNUAL SYSTEM REVIEW & ANALYSIS

MCCi will access Client's system to review how Client's organization uses Client's solution, to identify potential issues, and to make recommendations for better use of the system. This analysis may be performed annually and is an optional service that will be completed only if requested by the Client.

LASERFICHE CERTIFICATIONS

Priority offering of complimentary Laserfiche certifications, based on availability.

LASERFICHE CONFERENCE REGISTRATION

Priority offering of complimentary Laserfiche Empower registration, based on availability.

CONFIGURATION AND MAINTENANCE OF BASIC BUSINESS PROCESS

Utilizing Laserfiche Forms and Workflow, MCCi will assist with the configuration and maintenance of *basic* business processes. A basic business process requires minimal configuration and virtually no institutional knowledge of the Client's business process, allowing an MCCi Application Support Analyst to assist with configuration, support, and maintenance of the process. Examples include Filing Workflows, simple Forms, or approval/notification workflows that have few routing steps, no integration, and little to no database lookups.

MAINTENANCE OF MCCi PACKAGED SOLUTION: MCCi will assist with maintenance with a solution MCCi has created for a market that has a specific business process automation use.

CONFIGURATION OF LASERFICHE QUICK FIELDS SESSIONS

Using Client's current Quick Fields modules, MCCi will configure Quick Fields sessions, excluding custom scripting, custom calculations, etc.

BASIC RECORDS MANAGEMENT MODULE OVERVIEW TRAINING

MCCi will provide refresher overview training of the records management module. Initial training cannot be performed under this support level.

ADMINISTRATION CONFIGURATION SERVICES

MCCi will assist with administration configuration services, including setting up users, metadata, security, etc.

DEDICATED LASERFICHE CERTIFIED PROFESSIONAL

While on MCCi's **MMSS** level, Client will have access to MCCi's team of Certified Support Professionals; with **MPASS** and **MPASS2**, Client will have a representative dedicated to Client's organization.

SCHEDULED RECURRING CONSULTATION CALLS

Upon Client's request, Client's **MPASS** representative will schedule recurring calls with Client to discuss Client's current and upcoming projects. This helps us stay on the same page with Client and ensure tasks and project milestones are being completed.

ANNUAL REVIEW OF BUSINESS PROCESS CONFIGURATIONS

MCCi will review Client's business processes to see how Client's organization uses the solution, to identify potential issues, and to make recommendations for better use of the system. This analysis may be performed annually and is an optional service that will be completed only if requested by the Client.

INSTITUTIONAL KNOWLEDGE OF CLIENT SOLUTION

Turnover within Client's organization can happen, and it is important to have a plan. Who will help Client's new solution administrator get up to speed on Client's processes and solutions in place? Leave that to us. MCCi documents Client's specific organization's usage and implemented business processes, integrations, etc., and can assist with the knowledge transfer to the new solution administrator if needed.

MAINTENANCE OF MCCi/CLIENT CONFIGURED COMPLEX BUSINESS PROCESSES

The assigned representative can maintain MCCi or Client configured *complex* business processes. A *complex* business solution is a large business process with an extensive configuration that is mission-critical to the organization. For example, minor tweaks, updates due to upgrades, process improvements, etc. can be requested. For creation of new complex Forms, Workflow, and Transparent Records Management configurations, please discuss a Business Process Configuration Service with Client's Account Executive or Account Manager.

ABILITY TO SCHEDULE AFTER-HOURS UPGRADES

Avoid MCCi's after-hours premium charge for upgrades. MPASS2 clients can schedule these anytime Monday-Friday from 8 am to 10 pm ET and Saturday and Sunday from 12 pm to 4 pm ET.

BASIC JAVASCRIPT, CSS AND CALCULATIONS FOR LASERFICHE FORMS

Excludes complex scripting.

BASIC LASERFICHE WEBLINK/PUBLIC PORTAL CUSTOMIZATION

MCCi will help customize Client's WebLink/Public Portal to meet Client's needs.

THE TRAINING CENTER FOR LASERFICHE

MCCi's Training Center for Laserfiche annual subscription provides an easy, cost-effective way for all users in Client's organization to access training videos for Laserfiche and ABBYY.

BENEFITS

- 24/7 access to on-demand Laserfiche training videos and other resources
- Reduction in training expenses
- Caters to all skill levels from Basic Users to Advanced System Administrators
- Unlimited access for Client's entire organization
- User determined schedule and pacing
- Reduction in internal support and increased user productivity
- Increased efficiency through improved internal usage/adoption
- Instant/budgeted training available in the case of employee turnover
- Enhance Client's organization's internal Laserfiche training program

**The Training Center subscription gate is based on Laserfiche user counts*

SERVICE LEVEL AGREEMENT (SLA)

MCCi's SLAs are offered as additional options to Client's annual support/subscription. An SLA offers clients escalated response times depending on the severity of the support issue, as well as other additional benefits. The SLA documentation and pricing is readily available upon request. MCCi currently has two separate SLAs available:

- Infrastructure Hosting
- Application Support (Client Self-Hosted)
- Application Support (Cloud Applications)

MCCi ASSUMPTIONS

TECHNICAL SUPPORT

Clients may contact MCCi support via MCCi's Online Support Center, email (support@mccinnovations.com), or telephone 866-942-0464. Support is available Monday through Friday (excluding major holidays) from 8 am to 8 pm Eastern Time.

PROFESSIONAL SERVICES

CHANGE ORDER PROCESS

Any deviations from the contract will be documented in a Change Order that Client must execute.

CONFIGURATION ASSISTANCE

Many of MCCi's packages list remote configuration assistance for up to a certain number of days. This is based on total days, not business days.

TRAVEL

MCCi will schedule travel in consecutive days for most engagements unless otherwise stated or agreed upon.

SCHEDULING

All rates are based on normal business hours, Monday through Friday from 8 am to 5 pm local time. If scheduling needs to occur after business hours, additional rates may apply.

RETURN POLICY

Any product returns are subject to the manufacturer's return policy.

LIMITED LIABILITY

If the Master Agreement is silent on each Parties' limited liability, liability is limited to the amount of dollars received by MCCi directly associated with this Order.

PRE-EXISTING INTELLECTUAL PROPERTY (IP)

The following products noted below are deemed Pre-existing IP as defined in the Master Agreement and are not considered "Works Made for Hire" and as such all rights, title or interest remains with MCCi. Client shall retain a non-exclusive, royalty-free, world-wide, perpetual license to use the product(s) as such product(s) is integrated into the solution purchased by Client.

- Laserfiche PowerPack by MCCi
- Laserfiche EnerGov Integration by MCCi
- Laserfiche Neogov Integration by MCCi
- GoFiche Suite for Avante/Rio/Subscription
- Common Web Service API for Laserfiche

CLIENT SOLUTION CUSTOMIZATIONS

Client may also choose to customize their system internally without MCCi's help. MCCi is not responsible for any damage caused by the user's customization of the system not performed by MCCi. MCCi will not be held responsible for correcting any problems that may occur from these customizations. Routine updates as provided by software

manufacturers may affect any customizations made by entities other than MCCi. If MCCi's help is required to correct/update any customizations made by any entity other than MCCi, appropriate charges will apply.

CLIENT INFORMATION TECHNOLOGY ASSISTANCE

For MCCi to excel in providing the highest level of service, Client must provide timely access to technical resources. Client must provide adequate technical support for all MCCi installation and support services. If Client does not have "in-house" technical support, it is Client's responsibility to make available the appropriate Information Technology resources/consultant when needed.

LASERFICHE ASSUMPTIONS

The following assumptions are current as of the date of order. Manufacturer's terms and conditions are subject to change.

HARDWARE REQUIREMENTS & INSTALLATION

Client is responsible for ensuring they meet the recommended hardware requirements, which are available upon request. One (1) of each of the following components will be installed as part of Client's Laserfiche solution by default unless Pricing section states otherwise:

LASERFICHE SUBSCRIPTION

- Laserfiche Server
- Windows Client & Administration Console
- Web Client*
- Mobile Server
- Federated Search*
- Directory Server (LFDS)*[†]
- Import Agent
- Workflow (Professional/Business only)
- Forms* (Professional/Business only)
- Audit Trail

**Requires SSL/TLS Certificate. Client is responsible for acquiring and installing prior to Laserfiche implementation. Certificate requirements for Laserfiche Directory Server can be [found here](#).*

[†]Required for all Rio and Avante systems and cannot be removed.

Note: *Configuring a test environment, setting up an external DMZ, and/or setting up failover/load balancing are not included by default and must be detailed and priced in the applicable Statement of Work to be implemented.*

LASERFICHE END USER LICENSE AGREEMENT (EULA)

By accepting this Order, Client acknowledges Laserfiche's EULA and agrees to abide by its terms and absolve MCCi of any Laserfiche product-related liability.

LASERFICHE SOFTWARE SUPPORT PLAN

MCCi acts as first-tier support and works with Laserfiche, who would provide second-tier level support when needed. Laserfiche software support plans are applicable to actively supported perpetual software and are bundled with on-premises Subscription and Cloud systems. All software support plans are on a yearly subscription basis and accompany the applicable software product designed, developed, created, written, owned, or licensed by Laserfiche. On-premises Subscription and Cloud system subscribers are advised to export data from their Laserfiche system prior to cancellation or any other termination.

ACTIVE LASERFICHE SOFTWARE SUPPORT PLAN BENEFITS INCLUDE:

- Easy remote access to MCCi's team of Laserfiche Gold Certified Support Technicians
- Access to new product update versions and hotfixes
- Software credit eligibility for product upgrades, as determined by Laserfiche's then current policy
- Continued access to Client's Laserfiche solution*

**Specific to Laserfiche Cloud and Laserfiche on-premises Subscription licensed Clients*

POLICIES

- To receive periodic product updates for a Laserfiche Software Solution, its associated software support plan must be purchased and maintained throughout the software term.
- All software support plan subscriptions are annual, prepaid and non-refundable
- The annual term start date for new systems is established by Laserfiche at the time MCCi submits an order to Laserfiche on Client's behalf.

- For platform upgrades, software and support credit eligibility is determined by Laserfiche's then current policy. To receive any available software or support credit, Client's support plan must be active (i.e., support plan has not expired)
- For expansion purchases, the applicable service period is prorated to match Client's existing or future service period, which is dependent on Laserfiche's then current policy and the timing of the expansion order vs. the Client's annual service period renewal date (i.e., prorating for less than four months may not be permissible due to the timing of renewal invoicing.)

LATE PAYMENTS

- If payment is not received before Client's renewal date, Client's Laserfiche software support plan expires. Please allow up to five (5) business days after receipt of payment for MCCi to process renewal payment to Laserfiche.
- Impact of Expiration:
- Client will be able to access MCCi Support Technicians for 30 days post expiration. However, if there are support issues that require Laserfiche involvement, these issues cannot be resolved until Client's support is renewed.
- Perpetual software support plan: Access to the Laserfiche support website and Laserfiche technicians will no longer be available until MCCi receives Client's renewal payment and processes payment to Laserfiche.
- Laserfiche on-premises Subscription or Laserfiche Cloud: Access to Client's Laserfiche solution will be turned off after 30 days and Client's access to the Laserfiche support website, and Laserfiche technicians will no longer be available until MCCi receives Client's renewal payment and processes payment to Laserfiche. Laserfiche on-premises Subscription Clients must reactivate the on-premises Subscription system following payment of the software support plan renewal to ensure uninterrupted usage.
- Reinstatement Fees: In order to receive uninterrupted support for perpetual on-premises Laserfiche Software Solutions, Client must maintain a software support plan for the term of the Laserfiche Software Solution. In the event that Client's software support plan is expired for more than 45 days, the plan will need to be reinstated. Reinstatements reset the annual date of the software support plan, and the cost includes one year of the software support plan in addition to the Reinstatement Fee. The Reinstatement Fee is a 10% markup on the lapsed value of the software support plan. The Reinstatement Fee includes the number of days lapsed since your software support plan expired.

INTEGRATIONS

Third-party Laserfiche integrations or utilities may consume one (1) or more Laserfiche user licenses depending on how the vendor designed and coded the integration. These additional licensing needs should be verified by Client and considered in the user licensing purchased.

LASERFICHE SOLUTION PROVIDER OF RECORD

As Client's current Solution Provider of Record, Laserfiche's policy dictates that MCCi is the only Laserfiche Solution Provider that has access to Client's support account, along with the ability to download software licenses and activations, process subscription renewals and initiate additional purchases on Client's behalf. Unless Client decides to cancel Client's contract with MCCi or work with Laserfiche to formally change Client's Laserfiche Solution Provider of Record, future purchases and subscription renewals will be processed and provided by MCCi.

ADDENDUM NO. 2 TO MASTER SERVICES AGREEMENT NO. 24383

SCANNING ORDER

Pursuant to Master Services Agreement No. 24383 ("**Agreement**"):

This Scanning Order, designated as Addendum No. 2 is entered into as of _____, ("**Addendum Effective Date**"), by and between MCCi and Client and is hereby incorporated into the Agreement and made a part thereof. If there is any conflict between a provision of the Agreement and this Addendum, the Agreement will control. Any capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement. This Order supersedes any previous quote or proposals received.

IN WITNESS WHEREOF, the Parties hereto have caused this Addendum No. 2 to be executed by their respective duly authorized representatives as of the Addendum Effective Date.

MCCi, LLC

CITY OF VILLA RICA ("Client")

Signed: _____

Signed: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

PROJECT SCOPE – CITY FILES

GENERAL DESCRIPTION

DOCUMENT SIZE	Regular up to 11" x 17", Large Format up to 42" wide,
DEPARTMENT	Clerk, Human Resources, Building Department, etc.
DOCUMENT TYPES	Records, Contracts, HR Files, Plans, etc.)
DOCUMENT/ROLL/FICHE COUNT	RF: 3,414; LF: 375
IMAGE COUNT	RF: 119,500; LF: 15,000
IMAGES PER DOCUMENT/ROLL/FICHE	RF: 35; LF: 40

DOCUMENT PREPARATION

CURRENT STORAGE METHOD	Boxes, Rolls
CONDITIONS OF DOCUMENTS	Good

IMAGE PROCESSING & INDEXING

DPI & COLOR	300 DPI, Black & White
NUMBER OF INDEX FIELDS	Up to 2 Fields
DOCUMENT NAMING CONVENTION	TBD by dept
FIELDS TO BE INDEXED	TBD by Dept
OPTICAL CHARACTER RECOGNITION	Included

IMAGE OUTPUT

DELIVERY METHOD	Secure FTP Transfer
OUTPUT TYPE	Laserfiche Briefcase

MATERIAL HANDLING

SHIPPING LOGISTICS	MCCi Pickup
SHIPPING & DELIVERY TERMS	Up to 1 shipment
PHYSICAL DOCUMENTS	Secure Destruction

The Scope above has been provided and/or confirmed by Client. Both Parties agree that the estimated Pricing defined herein is based on the Project Scope and the following assumptions. If documents are not as initially represented, additional charges will apply. MCCi will call for authorization to proceed with the project.

MILESTONES, TASKS & DELIVERABLES

MILESTONE	TASKS / DELIVERABLES
#1: Project Kickoff	Tasks: Client's MCCi salesperson will set up a project kickoff call. During the kickoff call, the MCCi team will walk Client through the project scope and contract. Requirements, timeline, pickup and delivery, and other project specifics will be discussed with Client. Assumptions: MCCi may utilize Basecamp to communicate with Client on a regular basis about project progress, issues, etc. MCCi may not conduct Client kickoff for continuations of existing project(s).
#2: Sample Sign-Off	Tasks: Once Client documents are brought into MCCi facility and reviewed, the MCCi team will scan a sample of Client's documents. MCCi will select settings based on the Project Scope, and to make sure Client's documents are being digitized in a manner that preserves as much detail, clarity, and quality as possible. MCCi will deliver these sample scans to Client electronically for review. Once Client agrees that the sample scan quality is satisfactory, the MCCi team will proceed with the rest of the project. Assumptions: Sample scans may not be needed if MCCi and Client have previously worked on similar conversion projects together. Client will review sample scans within two (2) business days of receiving them from MCCi.
#3: Scheduled Finished Product Delivery	Deliverable: At regular intervals (typically monthly), the MCCi team will electronically deliver the digitized documents that were finished in the previous period. Assumptions: Billing will occur upon completion of this milestone. These documents will have gone through MCCi prepping, scanning, and quality control processes. The delivery schedule will vary based on the size and scope of project.
#4 Physical Document Return	Tasks: Once the last finished product delivery has taken place, Client's documents will be returned in the fashion indicated in the Project Scope. Documents will continue to be treated with care until they are in Client's possession. Client should review all returned documents to ensure all originals are back in their possession. If Client has chosen to have MCCi destroy their documents (as opposed to being returned), Client will receive written notification that the documents have been destroyed.

PRICING



3717 Apalachee Parkway, Suite 201
Tallahassee, FL 32311
850.701.0725
850.564.7496 fax

Bill /Ship to: Theresa Campbell
tcampbell@villarica.gov
cc AP Contact: tcampbell@villarica.gov

Client Name: City of Villa Rica
Client Address: 571 West Bankhead Highway, Villa Rica, GA 30180
Quote Number: 28861
Order Type: Scanning

Quote Date: September 19, 2023

<i>Scanning Services Description:</i>	<i>Qty.</i>	<i>Unit Cost</i>	<i>OMNIA - NCPA 01-162</i>	<i>Total</i>
MCCI SCANNING SERVICES				
☒ Regular Size Images up to 11x17" (< 250,000) Doc Prep Per Image	119500	\$0.074	\$0.0703	\$8,400.85
☒ Regular Size Images up to 11x17" (< 250,000) Scanning Per Image	119500	\$0.105	\$0.0998	\$11,926.10
☒ Regular Size Images up to 11x17" OCR Per Image	119500	\$0.013	\$0.0124	\$1,481.80
☒ Large Format up to 42" Wide (< 25,000) Standard Scan and Prep Per Image	15000	\$2.034	\$1.9323	\$28,984.50
☒ Large Format up to 42" Wide OCR Per Image	15000	\$0.013	\$0.0124	\$186.00
☒ Indexing Fields Per Index (< 10,000)	7578	\$0.350	\$0.3325	\$2,519.69
☒ Pick Up, Base Fee	1	\$200.000	\$190.0000	\$190.00
☒ Pickup, Per Box (<100)	78	\$15.600	\$14.8200	\$1,155.96
☒ Secure Destruction (Regular Images, Per 2,500 Images)	48	\$10.000	\$9.5000	\$456.00
☒ Secure Destruction (Large Format Images, Per 1,000 Images)	30	\$10.000	\$9.5000	\$285.00
☒ Laserfiche Import Assistance	1	\$287.500	\$273.1250	\$273.13
Scanning Services Subtotal				\$55,859.03
GRAND TOTAL - SCANNING SERVICES				\$55,859.03
TOTAL SCANNING PROJECT COST				\$55,859.03

All Quotes Expire in 30 Days

This is NOT an invoice. Please use this confirmation to initiate your purchasing process.

OMNIA - NCPA Pricing - The pricing and terms in this statement of work ("SOW") are derivative of the "Not-To-Exceed" digitization rates that were competitively sourced through the National Cooperative Purchasing Alliance (NCPA). The rates and terms listed are based upon the complexity and volume of the project(s) outlined in this SOW. The rates listed may be applied to additional projects that haven't been specifically outlined in this SOW, but MCCi reserves the right to verify the complexity of those projects and if needed modify the rates accordingly.

BILLING SCHEDULE

Deliverables will be billed monthly for work completed during the previous month. Client is responsible for all images processed by the MCCi project team. Any expected overages will be raised with Client before such overage is to occur so that Client can appropriately make arrangements to accommodate for the overages.

SALES TAX

Sales tax will be invoiced where applicable and is not included in the fee quote above.

SCANNING ASSUMPTIONS

The following assumptions serve as the basis for this SOW. Any service or activity not described in this SOW is not included in the scope of services to be provided. Variations to the following may impact this SOW's cost and/or schedule and require a change order.

DELIVERABLE ACCEPTANCE CRITERIA

- Both Parties acknowledge that the acceptance period noted herein is in conflict with the Master Agreement and the terms defined below take precedence.
- MCCi's delivery of a Deliverable to Client shall constitute that MCCi has conducted its own review and believes it meets Client's requirements.
- Client shall then have the right to conduct its own review of the Deliverable as Client deems necessary.
- MCCi's acceptable error rate will be less than 0.5% for the overall project, unless otherwise stated in writing. MCCi cannot be accountable for records not reflected in the original inventory report provided by Client. MCCi will correct only those valid discrepancies above the acceptable error rate reported within the Acceptance Period (defined below).
- If Client, in its reasonable discretion, determines that any submitted Deliverable does not meet the agreed upon expectations, Client shall have 30 days after MCCi delivers the Deliverable to Client (the "Acceptance Period") to give written notice to MCCi specifying the deficiencies in reasonable detail.
 - MCCi shall use reasonable efforts to promptly resolve any such deficiencies.
 - Upon resolution of any such deficiencies, MCCi shall resubmit the Deliverable for review as set forth above.
 - Notwithstanding the foregoing, if Client fails to reject any Deliverable within 30 days, such Deliverable shall be deemed accepted.

GENERAL

- Charges apply on a per project basis and are dependent upon size and volume of documents. MCCi requires having the entire project in bulk, rather than in small quantities. Breaking the project into smaller quantities will affect the volume pricing, and additional charges per image may apply. A sample may be required prior to confirming large volume job pricing.
- Client agrees that the work described herein represents MCCi's current best estimate and is subject to possible change due to circumstances beyond MCCi's direct control and/or new or additional information discovered during the course of the project. Further, Client understands and acknowledges that MCCi's ability to meet such work schedule is dependent upon, among other things, the accuracy of the assumptions and representations made by Client, the timeliness of Client business decisions, and the performance of Client and Client's vendor personnel in meeting their obligations for this project and in accordance with this Order.
- MCCi maintains partnerships for the purpose of offering additional capacity and flexibility in meeting Client expectations. In the event partners are used for a project, the management and support of the project will be handled directly by MCCi. Physical documents will never leave the United States, but our partners may utilize offshore resources to handle document indexing, quality control, and other processes.
- Through the course of this project, MCCi may choose to utilize the third-party service Basecamp (<http://www.basecamp.com>) for project management and team collaboration. Documentation and correspondence exchanged between MCCi and Client may be stored in Basecamp.
- Client is responsible for creating and operating any workflows needed to import data. Our import assistance is only for importing into Laserfiche and does not cover any workflow diagnosis or modifications.

DOCUMENTS

- Client understands that MCCi will process every image supplied to MCCi by Client as furnished. Client is responsible for removing any documents before shipping to MCCi for processing.
- Client will furnish MCCi with all hardcopy/electronic documents for its use in preparing the document imaging project for conversion. Upon completion of scanning, MCCi will return the documents to the Client in the order as received from Client but not placed back into their file folders/envelopes or re-prepped unless specifically stated otherwise in the Project Scope.
- Client is required to package all materials per MCCi's instructions prior to shipment/delivery of materials to MCCi's facility. If Client chooses to utilize MCCi's pickup and delivery service (offered in select states), pricing is based on picking up the entire project described in the scope of services in one (1) shipment. At the time of updating or if additional trips are required due to Client not having all the documents ready for pick up, additional charges will be applied. If Client chooses to ship via a certified carrier, Client incurs all shipping costs.

DOCUMENT & DATA STORAGE

- MCCi's facilities contain secure rooms for hardcopy "work in progress" document storage. MCCi will arrange for the return of hardcopy documents to Client after completion of scanning. If documents reside at MCCi facilities for a period longer than 90 days after converted electronic data is delivered to Client, storage charges of \$2.50 per cubic foot per month will apply.
- MCCi is not responsible for maintaining a copy of Client data, with the exception of clients who subscribe to MCCi's Online Document Hosting Services. MCCi periodically reviews and deletes Client data from previous projects. The timing of the periodic review and deletion of data is at MCCi's discretion. If Client requires MCCi to delete copies of its data prior to MCCi's standard process of deleting data, Client is responsible for submitting an official request in writing and for obtaining confirmation of data deletion.

LASERFICHE

Laserfiche system clients with a pre-existing template are required to supply MCCi with a Laserfiche Briefcase of their current folder/template structure, prior to each scanning project.

LIMITED LIABILITY

If the Master Agreement is silent on each Parties' limited liability, liability is limited to the amount of dollars received by MCCi directly associated with this Order.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: JustFOIA
AGENDA DATE: October 3, 2023

DATE PREPARED: September 21, 2023
PREPARED BY: Theresa Campbell, City Clerk

AMOUNT: \$12,552.00
GL ACCOUNT #: 100 1330 521300
FUNDING SOURCE: General Fund
BUDGETED ITEM? Yes

PURPOSE: To purchase and implement the JustFOIA open records program as was approved in the FY 2024 Budget.

BACKGROUND: Currently Open Records Requests are filled manually and logged in an excel spreadsheet. The Clerk's office forwards the requests to the departments that would need to submit the requested records and then compiles the records to be sent to the requestors except if the requested records are from the Police Department in which case, they fulfill the request.

The volume of these requests is increasing and as such the manual method we have been using leaves much room for error and missed deadlines, which opens the City to liability. This program would work with the requested document handling software and allow workflow, tracking, electronic submissions, fulfillment of duplicate requests, the ability for requestors to submit forms online, etc. Additionally, this program could track staff time so that requestors could be billed accurately as allowable by code. This program also allows for the City to create request forms, for any public request not just open records, that could be filled out electronically and submitted through our website allowing the entire fulfillment process to be streamlined and tracked.

STAFF RECOMMENDATION: Approve the purchase and implementation of JustFOIA.

MOTION: I move to authorize the Mayor to execute the agreement for purchase and implementation of JustFOIA, Inc. in the amount of \$12,552.00.

This Order, designated as Order No. 28784 (this “Order”) is entered into as of the date of the last signature (the “**Order Effective Date**”), by and between JustFOIA and Client.

- A. No amendment or modification to this Order will be valid unless set forth in writing and formally approved by authorized representatives of both parties.
- B. No change order, notice, direction, authorization, notification, or request will be binding upon Client or JustFOIA, nor will such change be the basis for any claim for additional compensation by JustFOIA, until Client and JustFOIA have agreed in writing to such change, or to execute a new order, as appropriate.
- C. Unless provided to the contrary in this Order, to the extent there are any conflicts or inconsistencies between this Order and a Client purchase order, the provisions of this Order shall govern and control. Use of pre-printed forms, including, but not limited to email, purchase orders, shrink-wrap or click-wrap agreements, acknowledgements, or invoices, is for convenience only and all pre-printed terms and conditions stated thereon, except as specifically set forth in this Order, are void and of no effect.
- D. This Order may be executed in several counterparts, each of which will be deemed an original, and all of which taken together will constitute one single agreement between the parties with the same effect as if all the signatures were upon the same instrument. The counterparts may be executed and delivered by facsimile or other electronic signature (including portable document format) by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically or by facsimile as if the original had been received.
- E. This Order, and any claim dispute or controversy hereunder (a “Dispute”), will be governed by the laws of the state where Client is located, in each case without giving effect to any principles of conflicts of laws. The UN Convention for the International Sale of Goods and the Uniform Computer Information Transactions Act will not apply. In any Dispute, each party will bear its own attorneys’ fees and costs and expressly waives any statutory right to attorneys’ fees.
- F. This Order is subject to the Assumptions, Terms & Conditions set forth below.
- G. This, and the preceding Sections of this Order shall survive after termination or expiration of the same.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused this Order to be executed by their respective duly authorized representatives, evidenced by their signatures below, as of the Order Effective Date.

JustFOIA, Inc. ("JustFOIA")

Signed: _____

Name: _____

Title: _____

Date: _____

CITY OF VILLA RICA ("Client")

Signed: _____

Name: _____

Title: _____

Date: _____

571 WEST BANKHEAD HIGHWAY
VILLA RICA, GA 30180

PRICING



3717 Apalachee Parkway, Suite 201
Tallahassee, FL 32311
850.701.0725
850.564.7496 fax

Bill/Ship to: Theresa Campbell

tcampbell@villarica.gov

cc AP Contact: accountspayable@villarica.gov

Client Name: City of Villa Rica

Quote Date: September 7, 2023

Client Address: 571 West Bankhead Highway Villa Rica, GA 30180

Quote Number: 28784

Subscription Period Start Date: October 22, 2023

Quote Type: New JustFOIA System

Subscription Period End Date: October 21, 2024

<i>Product Description:</i>	<i>Qty.</i>	<i>Unit Cost</i>	<i>Total</i>
<u>JustFOIA ANNUAL RECURRING SERVICES</u>			
☒ JustFOIA Pro Plus: Up to 400,000 Population	1	\$9,835.00	\$9,835.00
☒ Laserfiche Integration for JustFOIA Pro Plus	1	\$1,967.00	\$1,967.00
☒ Single Sign-On (SSO)	1	Included	Included
☒ Any & All Document Management	1	Included	Included
☒ Unlimited Admins, Power Users & General Users	1	Included	Included
☒ Unlimited Storage	1	Included	Included
URL: <i>villarica.justfoia.com</i>		Included	Included

SUBTOTAL - RECURRING ANNUAL SERVICES	\$11,802.00
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<i>Service Description:</i>	<i>Qty.</i>	<i>Unit Cost</i>	<i>Total</i>
<u>JustFOIA SERVICE PACKAGES</u>			
☒ Pro Implementation	1	Included	Included
☒ Configuration of 2 Request Forms <i>1. City Records Requests 2. Police Department Records Requests</i>	1	Included	Included
☒ Single Sign-On Configuration	1	Included	Included
☒ Any & All Document Management Configuration	1	Included	Included
☒ Laserfiche Integration Configuration	1	\$750.00	\$750.00

SUBTOTAL - ONE-TIME SERVICES	\$750.00
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YEAR 1 ORDER COST	\$12,552.00
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This is NOT an invoice. Please use this confirmation to initiate your purchasing process.

RECURRING SERVICES

Client has elected to license the JustFOIA software provided as a service (the “**Solution**”).

The Recurring Services portion of this Order and/or applicable Addendum will systematically renew unless written notice of termination has been provided. An annual increase of 5% will be applied to the immediately preceding annual rates (excluding any initial or one-time discounts) unless Client has terminated the Order and/or Addendum earlier, as set forth below, or provided sixty (60) days written notice prior to the scheduled renewal date of the Recurring Services.

SALES TAX

Sales tax will be invoiced where the Client is not exempt and/or has not communicated its tax status to JustFOIA. Sales tax is not included in the fee quote above.

TERM

Either party may terminate this Order upon any of the following:

- (a) Thirty (30) days after a party's receipt of written notice from the other party that this Order and/or applicable addendum shall be terminated; or
- (b) Thirty (30) days after one party notifies the other in writing that they are in breach or default of this Order, unless the breaching party cures such breach or default within such thirty (30) day period; or
- (c) Fifteen (15) days after the filing of a petition in bankruptcy by or against either party, any insolvency of a party, any appointment of a receiver for such party, or any assignment for the benefit of such party's creditors (a “**Bankruptcy Event**”), unless such party cures such Bankruptcy Event within the fifteen (15) day period; or
- (d) If Client has not paid in full the renewal invoice within 45 days after scheduled renewal date of the Recurring Services, the Order (and/or applicable addendum) will systematically terminate, but may be reinstated if/when the Client pays the renewal invoice in full (including any applicable reinstatement fees); or
- (e) If Client is a city, county, or other government entity the following applies: If Client's governing body fails to appropriate sufficient funds to make payments due and to become due during Client's next fiscal period, Client may, subject to the terms herein, terminate the Order as of the last day of the fiscal period for which appropriations were received (each an “**Event of Non-appropriation**”). Client agrees to deliver notice of an Event of Non-appropriation to JustFOIA at least 30 days prior to the end of Client's then-current fiscal period, or if an Event of Non-appropriation has not occurred by that date, promptly upon the occurrence of any such Event of Non-appropriation. If this Order is terminated following an Event of Non-appropriation, Client agrees to compensate JustFOIA for services rendered prior to such Event of Non-appropriation.

BILLING TERMS

BILLING

JustFOIA will invoice Client as follows:

Product/Service Description	Timing of Billing
Recurring Services	▪ Initial Sale: Upon providing Client online access to the Solution. ▪ Annual Renewal: 75 days in advance of expiration date.
One-Time Services	Upon delivery completion and Client acceptance.

JustFOIA shall not send any invoices, nor claim payment, for any fees or expenses incurred by JustFOIA until both parties authorize this Order.

PAYMENT

Client agrees to pay all undisputed invoices and undisputed portions of a disputed invoice in full within thirty (30) days from the date of each invoice. Once payment has been received, no refunds for Recurring Services are available.

SERVICE PACKAGES

GENERAL ASSUMPTIONS

The following assumptions serve as the basis for the Service Package(s) reflected below. Any service or activity not described below is not included in the scope of services to be provided. Variations to the following may impact the Service Package's cost and/or schedule justifying a change order.

- JustFOIA's completion of a Deliverable to Client shall constitute that JustFOIA has conducted its own review and believes it meets Client's requirements. Client shall then have the right to conduct its own review of the Deliverable as Client deems necessary. If Client, in its reasonable discretion, determines that any submitted Deliverable does not meet the agreed upon expectations, Client shall have five (5) business days after JustFOIA's submission to give written notice to JustFOIA specifying the deficiencies in reasonable detail. JustFOIA shall use reasonable efforts to promptly resolve any such deficiencies. Upon resolution of any such deficiencies, JustFOIA shall resubmit the Deliverable for review as set forth above. Notwithstanding the foregoing, if Client fails to reject any Deliverable within five (5) business days, such Deliverable shall be deemed accepted.
- If either party identifies a business issue during the project, JustFOIA and Client must jointly establish a plan to resolve the issues with potential impact analysis of timeline and budget within five (5) business days of identification. Any necessary business decision resulting from the identified business issues must be made by Client within five (5) business days from request.
- Client will maintain primary contacts and project staff for the duration of the project, as a change in staff may result in a change order for time spent by JustFOIA on retraining, reeducating, or changes in direction.
- Client will ensure that all Client's personnel who may be necessary or appropriate for the successful performance of the services will, on reasonable notice: (i) be available to assist JustFOIA personnel by answering business, technical and operational questions and providing requested documents, guidelines, and procedures in a timely manner; (ii) participate in the services as reasonably necessary for performance under this Order; and (iii) be available to assist JustFOIA with any other activities or tasks required to complete the services in accordance with this Order.
- Note that all services contracted for, must be done as part of the initial implementation. For the avoidance of doubt, if there are services or portions thereof that the Client does not elect to implement as part of the initial implementation, such services are forfeited.
- All services, unless otherwise noted, will be performed remotely.

PRO IMPLEMENTATION

CLIENT TASKS & DELIVERABLES

- Provide a visual flow chart and/or narrative of current records request process(es) and requirements
- Attend all scheduled implementation sessions
- Create any additional users
- Conduct end-user trainings
- Perform user acceptance testing
- Complete JustFOIA Training Center trainings and certification

JustFOIA TASKS & DELIVERABLES

- Conduct Pre-Implementation Session (1 hour) to collect necessary configuration data and outline expectations
- Lead Implementation Launch Session (1 hour) to identify implementation milestones and introduce Client to public facing JustFOIA site and request form(s)
- Deploy site in the Microsoft Azure Government Cloud
- Establish and configure initial Admin and Power User security credentials
- Personalize Public Portal with Client branding
- Configure number of request forms defined in Order and necessary request statuses and workflow task lists
- Complete initial configuration of departments and observed holidays

- Complete initial configuration of system email templates
- Provide configuration and training for purchased platform add-ons
- Provide technical support between testing and going live
- Conduct two (2) Remote System Trainings (1.5 hours and 1 hour respectively); recordings made available in Training Center
- Conduct one (1) Remote Workflow Training (1 hour per form process); recording made available in Training Center
- Provide internal staff training support to Administrator and Power User Team
- Work with clients to make system modifications where necessary during testing
- Assist with transition to Client Success and Support Teams
- Provide Go-Live Marketing Press Kit

ANY & ALL DOCUMENT MANAGEMENT CONFIGURATION

CLIENT TASKS & DELIVERABLES

- Complete JustFOIA Document Management Course in the JustFOIA Training Center

JustFOIA TASKS & DELIVERABLES

- Configure and implement Any & All Document Management module

SINGLE SIGN-ON (SSO) CONFIGURATION

CLIENT TASKS & DELIVERABLES

- Review [Single Sign-on Guide](#)
- For Active Directory Federation Services (ADFS):
 - Follow the Microsoft documentation for installing and configuring ADFS and the Web Application proxy
 - Ensure that Web Application proxy SSO login is reachable from the public internet
 - Create a Relying Party Trust for JustFOIA (a PowerShell script will be provided)
- For Azure Active Directory:
 - Follow the Microsoft documentation for configuring and/or syncing users with Azure Active Directory
 - Choose a protocol to connect with. Examples: SAML, Open ID Connect
 - For clients hosted in an Azure sovereign or national cloud, the standard Azure Active Directory connection could fail to federate with JustFOIA systems, due to restrictions Microsoft has in place. A SAML or general Open ID Connect connection may need to be used.
 - Create an Enterprise Application in Azure AD, following any pertinent setup instructions from JustFOIA
- For others:
 - Follow the best practices documentation for your Identity Provider of choice
 - Choose a protocol to connect with (e.g.: SAML, Open ID Connect)
 - Work with JustFOIA to determine what pieces of information will be needed

JustFOIA TASKS & DELIVERABLES

- Conduct requirements gathering
- Configure JustFOIA SSO:
 - Deliver any relevant documentation for connection type to the client
 - Integration call with client:
 - Walk through any outstanding setup and any Q&A, within the scope of JustFOIA responsibilities
 - Information gathered by client is provided to JustFOIA
 - Enterprise Connection is created and established in the JustFOIA system
 - Client tests the connection to validate it is configured and working correctly
 - Complete testing and training

LASERFICHE INTEGRATION CONFIGURATION

CLIENT TASKS & DELIVERABLES

- If Laserfiche Cloud:
 - Active subscription to Laserfiche Cloud

- LDFS User or Repository User:
 - A dedicated named user for administrator features such as archiving requests or reports to Laserfiche
 - If active directory is not used a shared or individual named user for each user account in JustFOIA that will need access to Laserfiche. Authentication of SAML user account types is not supported at this time.
- Single Sign-on/Active Directory sign in:
 - Laserfiche Cloud setup to use Client's active directory
 - JustFOIA's CWSAPI will need to be installed on Client's server that has access to both the Laserfiche Cloud and JustFOIA sites. This API is used to allow both JustFOIA and Laserfiche to communicate.
 - The server/site that the API is installed on must be set up to run under Windows Authentication. This will require the server to be on the domain.
- If On Prem:
 - Verify version 10.4 or later of the Laserfiche Server
 - Install CWSAPI on DMZ
 - Valid SSL certificate (not self-signed)
 - Restrict Firewall port access (443)
 - Grant remote server access to JustFOIA as necessary during configuration
- IT review of the [Laserfiche Integration User & Configuration Guide](#)

JustFOIA TASKS & DELIVERABLES

- Delivery of installable Common Web Services API (CWS API)
- Configure and implement Laserfiche integration
- Complete testing and training

ASSUMPTIONS, TERMS & CONDITIONS

THESE ASSUMPTIONS, TERMS AND CONDITIONS APPLY TO ALL ORDERS PLACED FOR THE SOLUTION.

THESE PROVISIONS SHALL SURVIVE AFTER TERMINATION OR EXPIRATION OF ANY AND ALL PORTIONS OF THE ORDER.

WARRANTIES & DISCLAIMERS

JUSTFOIA DOES NOT PROMISE THAT THE SOLUTION WILL BE UNINTERRUPTED OR ERROR-FREE. CLIENT ACKNOWLEDGES THAT THERE ARE RISKS INHERENT IN INTERNET CONNECTIVITY THAT COULD RESULT IN THE LOSS OF CLIENT PRIVACY, CLIENT DATA, CONFIDENTIAL INFORMATION, AND PROPERTY.

JustFOIA Warranties. JustFOIA warrants that (i) the Solution shall perform materially in accordance with any specifications or descriptions set forth herein, (ii) subject to exceptions related to non-JustFOIA software, the functionality of the Solution will not be materially decreased during the term of this Order, (iii) JustFOIA will use industry standard measures to not transmit malicious code and the like ("Malicious Code") to Client, provided that if Client or a user uploads a file containing Malicious Code into the Solution Client shall be liable for the same; and (iv) to JustFOIA's knowledge, Client's use of the Solution in strict compliance with the Order shall not infringe or violate the intellectual property rights of any third-party. JustFOIA also represents that it uses E-Verify to verify the work authorization of all newly hired employees.

The warranties herein are void to the extent of any Client failure to perform in accordance with the Order and any licensing terms. JustFOIA shall not be responsible for any decrease in functionality or other issues that are the result of (i) the Solution not being used in accordance with the Order, (ii) the Solution being modified or altered by or on behalf of Client without JustFOIA's written permission, or (iii) Internet or network connections, third-party software, streaming services, computers, equipment and/or devices not supplied by JustFOIA.

Client Warranties. Client warrants that JustFOIA's use of Client data and/or any other item provided by Client, in accordance with the Order will not infringe or violate the intellectual property or other rights of any third-party.

Client warrants that it shall have all rights and licenses of third-parties necessary or appropriate for JustFOIA to access or use such third-party products and agrees to produce evidence of such rights and licenses upon the reasonable request of JustFOIA.

LICENSED SOFTWARE AND SERVICES

During the term of the Order and any applicable addenda, JustFOIA grants to Client and Client accepts a non-transferable, revocable, non-exclusive and limited license to use the Solution as defined herein subject to the terms, obligations and restrictions set forth in the Order. All rights to the Solution not granted to Client are reserved by JustFOIA.

CLIENT RESPONSIBILITIES

Files and other content that JustFOIA may provide to Client may be protected by intellectual property rights of others. Client will not copy, upload, download, or share files unless Client has the right to do so. Client, not JustFOIA, will be fully responsible and liable for what is copied, shared, uploaded, downloaded or otherwise used while using the Solution. Client will not upload malware or any other malicious software to the Solution. Client is also responsible for the timely and accurate fulfillment of records requests, and ensuring that no classified, confidential, or illegal information is provided to or through the Solution.

ACCEPTABLE USE POLICY

Client agrees that it will not misuse or attempt to misuse the Solution, and that the Solution will only be used in a manner consistent with the Order. Client may only upload public and non-confidential data to the Solution. Client acknowledges and agrees that all use of the Solution hosted on the Azure Government Cloud is subject to the Microsoft terms and conditions surrounding the same. JustFOIA's obligations and liability and Client's rights are limited by the same. Further, JustFOIA neither accepts liability for, nor warrants the functionality, utility, availability, reliability or accuracy of, third-party software or third-party services.

INFORMATION & PRIVACY

By using the Solution, Client will be providing JustFOIA with information. Client retains full ownership to its information, and JustFOIA does not assert ownership. These Assumptions, Terms & Conditions do not grant JustFOIA any rights to Client's information or intellectual property except for the limited rights that are needed to run the Solution, as explained below.

JustFOIA may need Client's permission to handle its information as directed and required for the functioning of the Solution. An example is hosting files or sharing them. Client hereby grants a license to JustFOIA to use and process such information solely to the extent necessary to fulfill JustFOIA's obligations. This license also extends to trusted third parties JustFOIA works with to do the same.

Client is solely responsible for its conduct, the content of its files, and its communications with others while using the Solution. For example, it is Client's responsibility to ensure that it has the rights or permission needed to comply with these Assumptions, Terms & Conditions.

INFORMATION SHARING AND DISCLOSURE

JustFOIA may use certain trusted third-party companies and individuals to help JustFOIA provide, analyze, and improve the Solution (including but not limited to data storage, maintenance services, database management, web analytics, payment processing, and improvement of the Solution's features). These third parties may have access to Client's information only for purposes of performing these tasks on JustFOIA's behalf and under obligations similar to those in JustFOIA's privacy policy.

The parties acknowledge that in the course of the relationship between Client and JustFOIA, each may receive Confidential Information (as defined below) of the other party. Any and all Confidential Information in any form or media obtained by a Recipient (defined below) shall be held in confidence and shall not be copied, reproduced, or disclosed to third parties for any purpose whatsoever except as necessary in connection with the performance of the applicable party's obligations. Each Recipient further acknowledges that it shall not use such Confidential Information for any purposes other than in connection with the activities contemplated by the Order. All JustFOIA personnel assigned by JustFOIA to Client will sign appropriate forms of confidentiality agreements on or prior to their start date.

"Confidential Information" means any and all confidential information of a party disclosed to the other party, including, but not limited to, research, development, proprietary software, technical information, techniques, know-how, trade secrets, processes, clients, employees, consultants, pricing information and financial and business information, plans and systems. Confidential Information shall not include information which: (i) was known to the party receiving the information (the **"Recipient"**) prior to the time of disclosure by the other party (the **"Disclosing Party"**); (ii) at the time of disclosure is generally available to the public or after disclosure becomes generally available to the public through no breach of the Order, these Assumptions, Terms & Conditions or other wrongful act by the Recipient; (iii) was lawfully received by Recipient from a third-party without any obligation of confidentiality; or (iv) is required to be disclosed by law or order of a court of competent jurisdiction or regulatory authority.

The obligations set forth in this Section shall survive termination of the Order for a period of three (3) years thereafter.

INTELLECTUAL PROPERTY

The Solution and any services surrounding the same herein are not considered "Works made for Hire" or otherwise a grant of any right, title or interest. Except the license grant herein, all rights to the Solution and all services surrounding the same are and remain with JustFOIA. Client shall retain, a non-exclusive, royalty-free, world-wide, perpetual license to use the outputs generated by

Solution and stored external to Solution by Client during the Subscription Period.

Except for the license grants hereunder, as between Client and JustFOIA, Client retains all rights to Client data and information.

ACCOUNT SECURITY

Client is responsible for safeguarding the passwords that are used to access the Solution and agrees not to disclose passwords to any third-party. Client is responsible for any activity using its account, whether or not it authorized that activity. Client will immediately notify JustFOIA of any unauthorized use of Client's account. Client acknowledges that if it wishes to protect its transmission of data or files to the Solution, it is Client's responsibility to use a secure network to communicate with the Solution.

DATA RETENTION & ACCESS

JustFOIA will retain Client's information for as long as its account is active or as needed to provide the Solution. If Client wishes to cancel its account or request that JustFOIA no longer use Client's information to provide the Solution, Client may request that JustFOIA delete its account. JustFOIA may retain and use Client's information as necessary to comply with legal obligations, resolve disputes, and enforce mutual agreements. Consistent with these requirements, JustFOIA will try to delete Client's information quickly upon request. Please note, however, that there might be latency in deleting information from JustFOIA servers and backed-up versions might exist after deletion. In addition, JustFOIA does not delete Client information from its server's files that Client has in common with other users. Client understands and agrees that once the Client instance of the Solution is decommissioned, JustFOIA may not be able to provide Client a copy of the data included therein. Client agrees that it will back up all Client information that it requires. JustFOIA may decommission any environment after 45 days of Client not maintaining an active subscription to the applicable environment, including without limitation, as a result of non-renewal and/or non-payment.

NON-JUSTFOIA APPLICATIONS AND PROVIDERS

The Solution may contain links to third-party websites or resources. JustFOIA does not endorse and is not responsible or liable for third-party website, including, without limitation, availability, accuracy, the related content, products, or services. Client is solely responsible for its use of any such websites or resources.

Acquisition of Non-JustFOIA Products and Services. JustFOIA or third parties may from time to time make available to Client third-party products or services, including but not limited to non-JustFOIA applications and implementation, customization and other consulting services. Such products and services shall be clearly designated as provided by a third-party in the applicable Order. Any acquisition by Client of such non-JustFOIA products or services, and any exchange of data between Client and any non-JustFOIA provider, is solely between Client and the applicable non-JustFOIA provider. JustFOIA does not warrant or support products or services not provided by JustFOIA, whether or not they are designated by JustFOIA as "Certified" (as that term is defined below) or otherwise, except as specified in the Order and/or applicable addenda. No purchase of non-JustFOIA products or services is required to use the Solution except a supported computing device, operating system, web browser and Internet connection, all of which Client is solely responsible for providing in accordance with the specifications that may be provided by JustFOIA from time to time. For purposes of the Order, "Certified" shall describe applications and other products developed and sold by third parties that JustFOIA has verified interoperate with the Solution.

Non-JustFOIA Applications and Client information. If Client installs or enables non-JustFOIA applications for use with the Solution, Client acknowledges that JustFOIA may allow providers of those non-JustFOIA applications to access Client information as required for the interoperation of such non-JustFOIA applications with the Solution. JustFOIA shall not be responsible for any disclosure, modification or deletion of Client information resulting from any such access by non-JustFOIA application and/or providers. The Solution shall allow Client to restrict such access by restricting users from installing or

enabling such non-JustFOIA applications for use with the Solution. JustFOIA is not responsible for, and Client agrees to hold JustFOIA harmless from and indemnify JustFOIA against any third-party claims or liability owed to third parties resulting from any unauthorized use or disclosure or any damage or loss of Client information as a result of use of non-JustFOIA applications or access to Client information by non-JustFOIA application and/or providers.

Integration with Non-JustFOIA Services. The Solution may contain features designed to interoperate with non-JustFOIA applications (e.g., Laserfiche, Adobe, Authorize .net, or PayPal applications). To use such features, Client may be required to obtain access to such non-JustFOIA applications from their providers. If the provider of any such non-JustFOIA application ceases to make the non-JustFOIA application available for interoperation with the corresponding Solution features on reasonable terms, JustFOIA may cease providing such features without entitling Client to any refund, credit, or other compensation, unless the provider of such non-JustFOIA application provides for a refund of such fees.

INDEMNIFICATION & LIMITATION OF LIABILITY

(a) General Indemnification.

JustFOIA ("Indemnifying Party") shall indemnify, defend and hold the Client harmless against any loss, damage or costs (including reasonable attorneys' fees) in connection with third-party claims, demands, suits, or proceedings ("Claims") to the extent caused by the Indemnifying Party and related to:

- Bodily injury or personal property damage arising out of the Indemnifying Party's performance within the scope of its responsibilities under the Order;
- A breach of the Indemnifying Party's obligations with respect to confidentiality;
- A breach by the Indemnifying Party of applicable laws; or
- The grossly negligent acts, or willful misconduct of the Indemnifying Party.

(b) Intellectual Property Indemnification.

JustFOIA shall defend, indemnify, and hold Client harmless against Claims made or brought against Client by a third-party alleging that the use of the Solution, as provided to Client under the applicable Order hereto and used in accordance with the Order and relevant documentation, infringes any third-party's intellectual property rights. Notwithstanding the foregoing, JustFOIA shall not be required to indemnify Client to the extent the alleged infringement: (x) is based on information or requirements furnished by Client, (y) is the result of a modification made by a party other than JustFOIA, or (z) arises from use of the Solution in combination with any other product or service not provided or approved in writing by JustFOIA. If Client is enjoined from using the Solution, or JustFOIA reasonably believes that Client will be so enjoined, JustFOIA shall have the right, at its sole option, to obtain for Client the right to continue use of the Solution or to replace or modify the same so that it is no longer infringing. If neither of the foregoing options is reasonably available to JustFOIA, then the Order and/or applicable addendum may be terminated at either party's option, and JustFOIA's sole liability shall be subject to the limitation of liability provided in this Section.

(c) Limitation of Liability.

(i) IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR SPECIAL, EXEMPLARY, INCIDENTAL, OR CONSEQUENTIAL DAMAGES (INCLUDING, WITHOUT LIMITATION, LOST REVENUES, PROFITS, SAVINGS OR BUSINESS) OR LOSS OF RECORDS OR DATA, WHETHER OR NOT THE POSSIBILITY OF SUCH DAMAGES HAS BEEN DISCLOSED TO SUCH PARTY IN ADVANCE OR COULD HAVE BEEN REASONABLY FORESEEN BY SUCH PARTY, AND WHETHER IN AN ACTION BASED ON CONTRACT, WARRANTY, STRICT LIABILITY, TORT (INCLUDING, WITHOUT LIMITATION, NEGLIGENCE) OR OTHERWISE. EXCEPT FOR A PARTY'S INDEMNIFICATION OBLIGATIONS, EACH PARTY'S MAXIMUM AGGREGATE LIABILITY FOR ALL CLAIMS, LOSSES OR OTHER LIABILITY ARISING OUT OF, OR CONNECTED WITH THE ORDER, THE SERVICES, DELIVERABLES AND/OR SOLUTION PROVIDED, OR CLIENT'S USE OF ANY SUCH SERVICES, DELIVERABLES, AND/OR SOLUTION, SHALL IN NO CASE EXCEED THE AGGREGATE AMOUNTS PAID TO JUSTFOIA BY CLIENT UNDER THE APPLICABLE ORDER OR ADDENDUM, GIVING RISE TO SUCH CLAIM DURING THE LAST SIX (6) MONTHS.

(ii) INDEMNITOR IS NOT REQUIRED TO SPEND MORE THAN \$100,000 PURSUANT TO THIS SECTION, INCLUDING WITHOUT LIMITATION ON ATTORNEYS' FEES, COURT COSTS, SETTLEMENTS, JUDGEMENTS, AND REIMBURSEMENT OF COSTS.

The parties acknowledge that the limitation of warranties and liabilities as set out in this Order are an essential basis of this Order between the parties and that the prices agreed to be paid by Client for Solution reflect these limitations.

INSURANCE

During the term of this Order, JustFOIA shall carry, at its sole expense, insurance coverage to include at a minimum the following:

- Workers Compensation: State statutory limits and \$1,000,000 employers' liability
- Comprehensive General Liability: \$2,000,000 per occurrence and \$4,000,000 in the aggregate
- Professional Liability and Errors & Omissions: \$1,000,000 per occurrence and \$3,000,000 in the aggregate
- Cyber and Technical Errors and Omissions: \$3,000,000 in the aggregate

JustFOIA, at Client's request, will name Client as an additional insured under the Comprehensive General Liability policy. JustFOIA represents that Client is automatically included as an additional insured under the Errors and Omissions and Cyber and Technical Errors and Omissions policies for vicarious liability but no modified certificate of insurance will be provided.

GOVERNMENT PROVISIONS

The provisions below are applicable only if Client is a city, state, or other governmental entity and then only to the extent required by laws rules and regulations applicable to such entity.

(a) Compliance with Laws.

To the extent applicable to the parties each party shall comply with and give all notices required by all applicable federal, state, and local laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on use of the Solution and the performance of the Order.

(b) Equal Opportunity.

To the extent applicable to the parties each shall abide by the requirements of 41 CFR 60-1.4(a), 60-300.5(a) and 60-741.5(a), and the posting requirements of 29 CFR Part 471, appendix A to subpart A, if applicable. These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin.

(c) Excluded Parties List.

To the extent required by law, JustFOIA agrees to immediately report to Client if a JustFOIA employee or contractor is listed by a federal agency as debarred, excluded or otherwise ineligible for participation in federally funded health care programs.

MISCELLANEOUS

(a) Force Majeure.

If either of the parties hereto are delayed or prevented from fulfilling any of its obligations under the Order by force majeure, said parties shall not be liable under the Order for said delay or failure. "Force Majeure" means any cause beyond the reasonable control of a party including, but not limited to, an act of God, an act or omission of civil or military authorities of a state or nation, epidemic, pandemic, fire, strike, flood, riot, war, delay of transportation, or inability due to the aforementioned causes to obtain necessary labor, materials or facilities.

(b) Audit Rights.

With reasonable notice and at a convenient location, Client will have the right to audit JustFOIA's records to verify that JustFOIA's invoicing to Client is correct.

In addition, should any of Client's regulators legally require access to audit JustFOIA records, JustFOIA will, to the extent legally required by such regulators, provide access for the same. All results of such audits shall be JustFOIA Confidential Information.

Client shall bear all costs associated with audits.

(c) Assignment.

Neither party may assign or otherwise transfer any of its rights, duties or obligations under the Order without the prior written consent of the other party. Either party, however, without any requirement for prior consent by the other, may assign the Order and its rights hereunder to any entity who succeeds (by purchase, merger, operation of law or otherwise) to all or substantially all of the capital stock, assets or business of such party, if the succeeding party or entity agrees in writing to assume and be bound by all of the obligations of such party under the Order. The Order shall be binding upon and accrue to the benefit of the parties hereto and their respective successors and permitted assignees.

(d) Publicity.

JustFOIA may use the name of Client, the existence of this Order and the nature of the associated services provided herein for marketing purposes, except that such use shall not include any Client Confidential Information.

(e) Provisions Severable.

If any provision in the Order is held by a court of competent jurisdiction to be invalid, void, or unenforceable, then such provision shall be severed from the Order and the remaining provisions will continue in full force.

(f) Relationship of Parties.

JustFOIA's relationship to the Client is solely that of an independent contractor and nothing herein expressed or implied is intended, or shall be construed, to confer upon or give to any person or entity, other than the parties, any right or remedy under or by reason of this Order.

(g) Payment

Once payment has been received, no refunds for Recurring Services (Annual Subscriptions) are available.

(h) Notices.

All notices, demands and other communications required or permitted hereunder or in connection herewith shall be in writing and shall be deemed to have been duly given if delivered (including by receipt verified electronic transmission) or five (5) business days after mailed in the Continental United States by first class mail, postage prepaid, to a Party at the following address, or to such other address as such Party may hereafter specify by notice:

JustFOIA, Inc.
3717 Apalachee Parkway, Suite 201
Tallahassee, FL 32311
Attn: Legal Department
Email: legal@justfoia.com



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: VA-12-23 – Variance from Sections 7.02(15)(b) of the Villa Rica Zoning Ordinance

AGENDA DATE: September 21, 2023

DATE PREPARED: October 3, 2023

PREPARED BY: Ronald Johnson, Planning & Zoning Administrator

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PUBLIC HEARING: YES

PURPOSE: Charles Bishop seeks a variance from Sections 7.02(15)(b) of the Villa Rica Zoning Ordinance at 133 West Bankhead Highway in order to reduce the number of required restaurant drive-thru queuing spaces from seven (7) required spaces.

BACKGROUND: The applicant opened a snow cone business at the property in the summer of 2023. The applicant installed a drive-thru window without approval of a drive-thru from the Community Development Department. Drive-thru facilities are permitted for all business should the requirements within the ordinance be met and verified through the submittal and subsequent approval of a site plan. The applicant has chosen to submit a variance application pre-emptively for reduced spaces without a denial from the department.

STAFF RECOMMENDATION: DENIAL

Reasons: There is a general lack of essential information accompanying the request. Staff does not know how much relief the applicant is requesting, as the number of vehicle queuing spaces being requested has not been submitted. Staff has not had the ability to review the proposal for additional variances needed, as a conforming site plan has not been submitted. The requested variance is entirely self-imposed.

IMPACT: N/A

MOTION:

(1) I move to deny the requested variance from Section 7.02(15)(b) by Chip Bishop as presented.



APPLICATION FOR
VARIANCE/APPEAL

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 2.03.J and 2.03.K respectively, of the Unified Development Code (UDC). Generally, the amendment process involves review by the Community Development Manager and City Council.

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: 9-7-23

APPLICANT

Applicant Name: Charles Bishop

Address: 421 Tennessee Ave City: Bremen State: GA Zip: 30110

Phone: (404) 925-3266 Fax: () - - Email: _____

Agent Name: N/A

Address: _____ City: _____ State: _____ Zip: _____

Phone: () - - Fax: () - - Email: _____

Owner Name (If different from applicant): Mitchell Hamilton

Address: _____ City: _____ State: _____ Zip: _____

Phone: (678) 878-9047 Fax: () - - Email: _____

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 133 W. Bankhead Hwy
Request to Approve lesser spaces for
Drive thru stacking.

I, Charles Bishop, hereby state that all of the above statements and statements contained in the documents submitted with this application are true. I hereby request processing of this application.

[Signature]
Signature of Applicant

9-7-23
Date



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: VA-10-23 and CU-02-23— Special Exception Permit Request to Convert an Existing Static Billboard to Digital, and a Variance from Distance Requirements from a Residential Zone within the Sign Ordinance

AGENDA DATE: September 21, 2023

DATE PREPARED: October 3, 2023

PREPARED BY: Ronald Johnson, Planning & Zoning Administrator

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PUBLIC HEARING: YES

PURPOSE: Clear Channel Outdoor seeks a special exception permit to operate a digital billboard sign in lieu of the current static billboard sign on Berry Drive (V06 0040003). The applicant is also requesting a variance to reduce the required distance from residential zones from 500' to approximately 250'.

BACKGROUND: The department does not have record of any structures located on the property, including the billboard sign.

STAFF RECOMMENDATION:

Special Exception: DENIAL

Variance: DENIAL

Reasons: The applicant has not provided reasons for the request. The proposal is self-imposed.

IMPACT: N/A

MOTION:

- (1) I move to deny the requested special exception for a billboard sign by Clear Channel Outdoor, as presented.
- (2) I move to deny the requested variance to reduce the required 500' distance from residential zoning by Clear Channel Outdoor, as presented.



**APPLICATION FOR
SPECIAL EXCEPTION**

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: 8/17/2023

APPLICANT

Applicant Name: Clear Channel Outdoor

Address: 1765 West Oak Parkway Suite 700 **City:** Marietta **State:** GA **Zip:** 30062

Phone: (678) 309 - 0085 **Fax:** () - **Email:**

Agent Name: Heather Lloyd

Address: 1765 West Oak Parkway Suite 700 **City:** Marietta **State:** GA **Zip:** 30062

Phone: (678) 309 - 7680 **Fax:** () - **Email:** HeatherLloyd@clearchannel.com

Owner Name (If different from applicant): Nancy Smith

Address: 557 Leslie Dr. **City:** Villa Rica **State:** GA **Zip:** 30062

Phone: (770) 856 - 8447 **Fax:** () - **Email:**

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

SPECIAL EXCEPTION

TYPE OF EXCEPTION (Select One): Conditional Use Permit Development Standards Variance

Name: Clear Channel Outdoor

Special Exception Location (attach location map): Berry Dr. and Ashbury Dr.

Proposed Use: Digital billboard

Square Footage of Site: 334540.8

Assessor's Parcel Number: V006 0040003

Describe Proposed Special Exception: Conversion of existing static billboard to digital

(For Office Use Only)

Total Amount Paid \$ Cash Check # Received by:

Application checked by: Date: Map Number(s):

Planning Commission: Approved Denied Date: Conditions: No Yes How many:

City Council Decision: Approved Denied Date: Conditions: No Yes How many:

Manager's Signature: Date:



**APPLICATION FOR
SPECIAL EXCEPTION**

The procedure for approval of a Special Exception is set forth in Section 11.09 of the Villa Rica Zoning Ordinance. Generally, the process involves review by the Community Development Director and final review and decision by the City Council.

I, Heather Lloyd, hereby state that all of the above statements and statements contained in the documents submitted with this application are true.

Signature of Applicant

8/17/2023

Date

Required Materials to Accompany the Application:

The Community Development Director may waive informational requirements upon finding that the information is not required to determine compliance with Zoning Ordinance requirements.

- 1) Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- 2) A site development plan prepared in conformance with all application requirements;
- 3) *A written statement describing the following:*
 - a) The proposed use;
 - b) The effect the proposed development may have on surrounding properties and a statement of the facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Code;
 - c) Whether such change is consistent with the intent and the purpose of this Code and the goals and policies of the Comprehensive Plan;
 - d) The areas that are most likely to be directly affected by such change and the likely effects;
 - e) Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected.
- 4) Any other exhibits as may be required by the Community Development Manager.



**APPLICATION FOR
SPECIAL EXCEPTION**

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City Council who will consider the application?

Yes _____ No X

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the City within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member
--	---	---

We certify that the foregoing information is true and correct, this 25th day of August, 2023.

Heather Lloyd

Applicant's Name – Printed

Heather Lloyd

Signature of Applicant

Applicant's Attorney, if applicable – Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 25th day of August, 2023



Robin Cooper

Notary Public

1. Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

August 17th, 2023

Special Exception request.

Clear Channel Outdoor requests a special exception as required in the current ordinance in order to convert the existing Clear Channel Outdoor static billboard on Nancy Smiths property at Berry Dr. Digitizing this structure will allow business in Villa Rica to drive traffic from I-20 to their locations within the city without expanding the footprint of additional billboards within the city.

August 17th, 2023

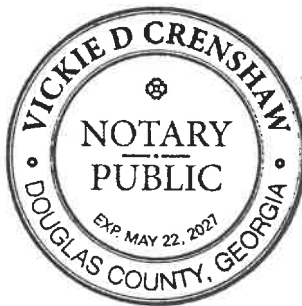
I, **Nancy Smith**, do hereby give permission for Clear Channel Outdoor to apply for a Special Exception for conversion of a static billboard on my property located a Berry Dr. to a digital billboard. Clear Channel has my permission to apply for any and all necessary variances or exceptions as needed.

Parcel No. V06 0040003

Nancy Smith
Nancy Smith - Property Owner

Hearner Lloyd
Printed Witness Name Hearner Lloyd

Bryson Smith
Printed Witness Name Bryson Smith



Vickie D Crenshaw
Notary Signature

Vickie D Crenshaw
Notary Printed Name

Seal



Summary

Parcel Number V06 0040003
Location Address BERRY DR
Legal Description 7.68AC BERRY DR VR34
 (Note: Not to be used on legal documents)
Class C4-Commercial
 (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District VILLA RICA (District 03)
Millage Rate 31.33
Acres 7.68
Homestead Exemption No (\$0)
Landlot/District 159 / 06
Water Public
Sewer Public Sewer
Electric Electricity
Gas Pipe Gas
Topography Level
Drainage Fair
Road Class City
Parcel Road Access Paved



[View Map](#)

Owner

[SMITH NANCY](#)
 557 LESLIE DR
 VILLA RICA, GA 30180

Tax Commissioner Link

[Click here for tax information.](#)

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Edge - Berry Rd	Acres	334,541	0	0	7.68	0

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
9/7/1999	1164 710		\$0	Quitclaim	SMITH J RICHARD	SMITH NANCY
1/13/1985	487 337	3 136	\$0	Not Fair Market		SMITH J RICHARD

Valuation

	2022	2021	2020	2019	2018	2017
Previous Value	\$153,600	\$153,600	\$118,000	\$118,000	\$118,000	\$65,280
Land Value	\$153,600	\$153,600	\$153,600	\$118,000	\$118,000	\$118,000
+ Improvement Value	\$0	\$0	\$0	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0	\$0	\$0	\$0
= Current Value	\$153,600	\$153,600	\$153,600	\$118,000	\$118,000	\$118,000

Photos



No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Accessory Information, Prebill Mobile Homes, Permits, Sketches.

The Carroll County Tax Assessor makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem purposes.

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Version 3.1.4



**APPLICATION FOR
VARIANCE/APPEAL**

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 2.03.J and 2.03.K respectively, of the Unified Development Code (UDC). Generally, the amendment process involves review by the Community Development Manager and City Council.

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: 8/17/2023

APPLICANT

Applicant Name: Clear Channel Outdoor

Address: 1765 West Oak Parkway Suite 700 **City:** Marietta **State:** GA **Zip:** 30062

Phone: (678) 309-0085 **Fax:** () - **Email:**

Agent Name: Heather Lloyd

Address: 1765 West Oak Parkway Suite 700 **City:** Marietta **State:** GA **Zip:** 30062

Phone: (678) 309 - 7680 **Fax:** () - **Email:** HeatherLloyd@clearchannel.com

Owner Name (If different from applicant): Nancy Smith

Address: 575 Leslie Dr. **City:** Villa Rica **State:** GA **Zip:** 30180

Phone: (770) 856 - 8447 **Fax:** () - **Email:**

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 0 Berry Dr. **Billboard application will need a variance granted in order to convert existing billboard to digital. Residential zoning within 500' per attached survey.**

I, Heather Lloyd, hereby state that all of the above statements and statements contained in the documents submitted with this application are true. I hereby request processing of this application.

Heather Lloyd
Signature of Applicant

8/17/2023

Date



CASE # _____
VARIANCE/APPEAL

Required Materials to Accompany the Application

The Community Development Manager may waive informational requirements upon finding that the information is not required to determine compliance with UDC requirements.

Variance:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
2. A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning and existing land use;
3. A statement of why the variance is necessary;
4. A statement as to how the applicant's request satisfies each required finding;
5. A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
6. Any other exhibits as may be required by the Community Development Manager.

Appeals from Staff Determinations:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment;
2. A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
3. Any other exhibits as may be required by the Community Development Manager.

Return Form to:
Planning & Zoning
Office of Community Development
City of Villa Rica
571 West Bankhead
Villa Rica, GA 30180

678.785.1004 (T)
770.459.7003 (F)

For Department Use Only

Case No: _____

Filing Fee: _____

Date Received: _____

Pre-Application Conf: _____

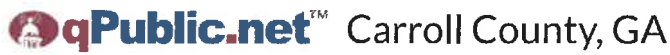
Staff Comments/Findings: _____

Action and Date: _____

August 17th, 2023

Variance Request

Clear Channel Outdoor requests a variance as required in the current ordinance in order to convert the existing Clear Channel Outdoor static billboard to digital on Nancy Smiths property at Berry Dr. The spacing to residential does not meet the standard spacing requirements as a neighborhood was built on the south side of Berry Dr. There is a 150' vegetative buffer between the homes and the current static billboard that will remain in place which consists of mature hardwoods and pines. There are 16 houses within 500' as listed on the following pages and these 16 houses built within 500' of the current static billboard require this variance. The converted structure will be lowered and each of the panels will reside below the current tree line. Both the current billboard and planned digitization and lowering of the board are and will not visible from the neighborhood or any of the 16 homes.



Summary

Parcel Number V06 0040003
Location Address BERRY DR
Legal Description 7.68AC BERRY DR VR34
 (Note: Not to be used on legal documents)
Class C4-Commercial
 (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District VILLA RICA (District 03)
Millage Rate 31.33
Acres 7.68
Homestead Exemption No (S0)
Landlot/District 159 / 06
Water Public
Sewer Public Sewer
Electric Electricity
Gas Pipe Gas
Topography Level
Drainage Fair
Road Class City
Parcel Road Access Paved



[View Map](#)

Owner

[SMITH NANCY](#)
 557 LESLIE DR
 VILLA RICA, GA 30180

Tax Commissioner Link

[Click here for tax information.](#)

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Edge - Berry Rd	Acres	334,541	0	0	7.68	0

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Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
9/7/1999	1164 710		\$0	Quitclaim	SMITH J RICHARD	SMITH NANCY
1/13/1985	487 337	3 136	\$0	Not Fair Market		SMITH J RICHARD

Valuation

	2022	2021	2020	2019	2018	2017
Previous Value	\$153,600	\$153,600	\$118,000	\$118,000	\$118,000	\$65,280
Land Value	\$153,600	\$153,600	\$153,600	\$118,000	\$118,000	\$118,000
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= Current Value	\$153,600	\$153,600	\$153,600	\$118,000	\$118,000	\$118,000

Photos



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Version 3.1.4

August 17th, 2023

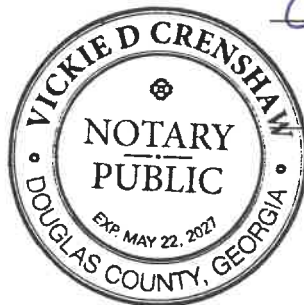
I, **Nancy Smith**, do hereby give permission for Clear Channel Outdoor to apply for a Special Exception for conversion of a static billboard on my property located a Berry Dr. to a digital billboard. Clear Channel has my permission to apply for any and all necessary variances or exceptions as needed.

Parcel No. V06 0040003

Nancy Smith
Nancy Smith - Property Owner

Heather Lloyd
Printed Witness Name Heather Lloyd

Bryson Smith
Printed Witness Name Bryson Smith



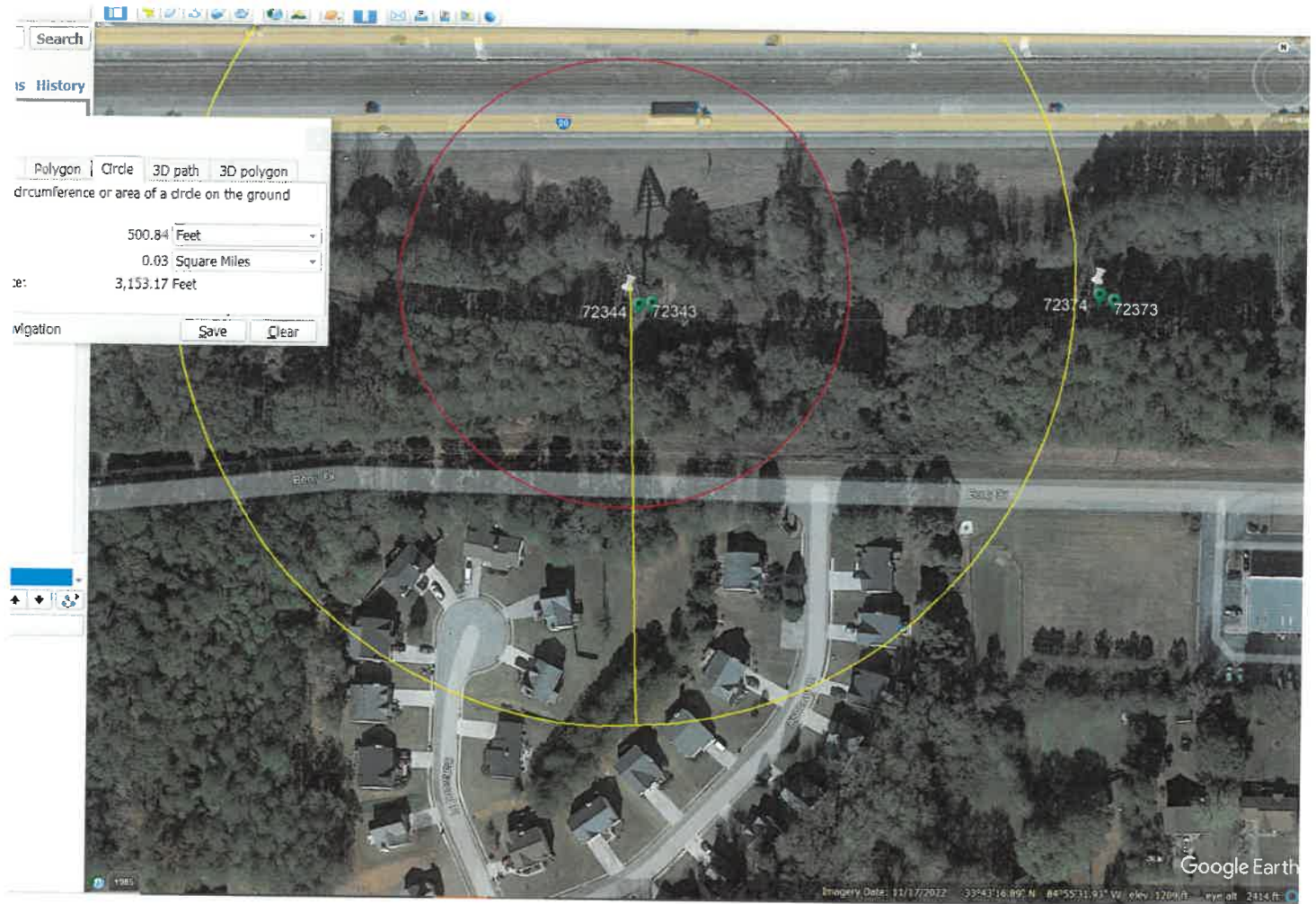
Vickie D Crenshaw
Notary Signature
Vickie D Crenshaw
Notary Printed Name

Seal

There are no residential property owners with 250' of the billboard



Residential property owners within 500' of current static billboard



List of residential property owners below:

V06 0040334

 Owner

[FKH SFR PROPCO G LP](#)
1850 PARKWAY PLACE, STE 900
MARIETTA, GA 30067

V06 0040342

 Owner

[ASHBURY COMMUNITIES ASSOCIATION INC](#)
C/O PREMIERE ASSOCIATION MANAGEMENT
P O BOX 28100
SANDY SPRINGS, GA 30358

V06 0040343

 Owner

[FKH SFR PROPCO G LP](#)
1850 PARKWAY PLACE, STE 900
MARIETTA, GA 30067

V06 0040333

 Owner

[WILLIAMS GREGORY K](#)
211 OAKWOOD PLACE
VILLA RICA, GA 30180

V06 0040245



MILLER TOMMY & LEVONIA (JTRS)
100 ASHBURY DR
0.23 Acres Value \$245,706

V06 0040247



ORTEGA YUNI B
104 ASHBURY DR
0.23 Acres Value \$266,124

V06 0040246



BECKWITH FRANK III & NEKA (JTRS)
102 ASHBURY DR
0.23 Acres Value \$253,923

V06 0040248



2018-41H BORROWER LP
106 ASHBURY DR
0.23 Acres Value \$222,743

V06 0040249



KIRK VICTORIA L
108 ASHBURY DR
0.23 Acres Value \$225,288

V06 0040335



SFRES OWNER LLC
207 OAKWOOD PL
0.23 Acres Value \$146,300

V06 0040336



SAVIDGE MINDY MARIE & TIMOTHY
JOHN JTRS
205 OAKWOOD PL
0.23 Acres Value \$219,146

V06 0040341



LAYMAN GREGORY L & KATHLEEN J
JOINT TENANTS W/RSS
105 ASHBURY DR
0.23 Acres Value \$272,432

V06 0040340



JALLOH UMARU JEFF &
LEVERSTON BRITTANNY (JTRS)
109 ASHBURY DR
0.23 Acres Value \$280,151

V06 0040330



FRANKLIN MONIQUE N
206 OAKWOOD PL
0.23 Acres Value \$277,329

V06 0040331



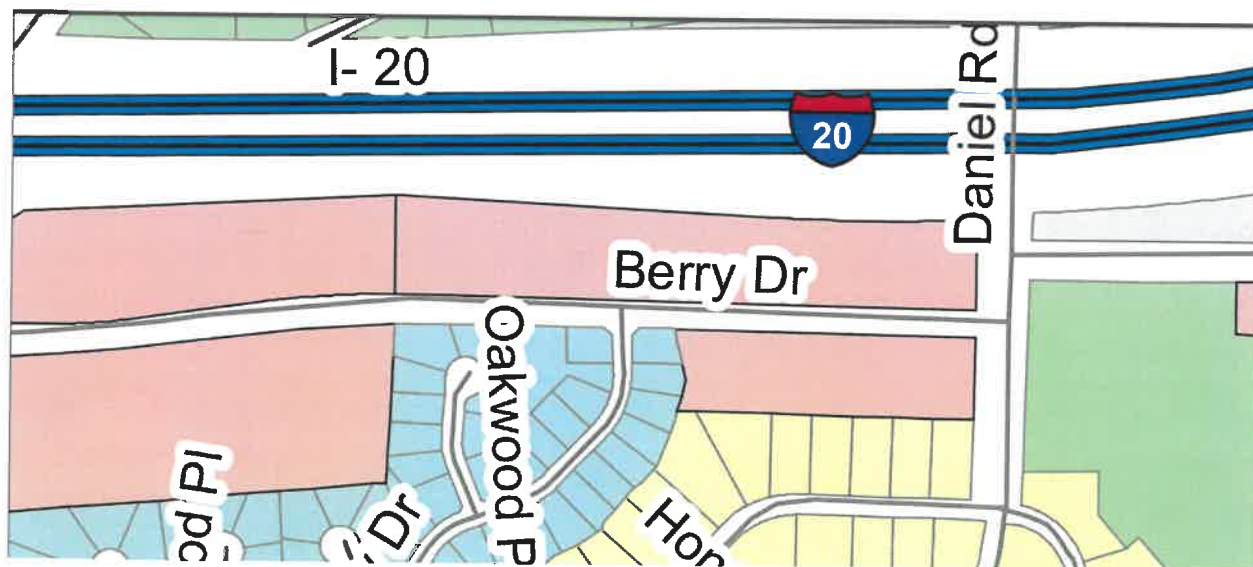
HART JASON
208 OAKWOOD PL
0.23 Acres Value \$273,013

V06 0040332



KENDALL TYLISA M
P.O. BOX 340
210 OAKWOOD PL
0.35 Acres Value \$256,081

Property owners affected by requested variance shown below in red box. Zoning of affected lots also below.



Map Legend



CC_DC_CountyBoundaries



City Boundary



Special Condition



AG



C1



C2



CBD



CMU



I1



I2



MF1



MF2



OM1



PUD



Planning & Zoning

Community Development Department

CU-02-23 and VA-10-23

Council Ward: 5

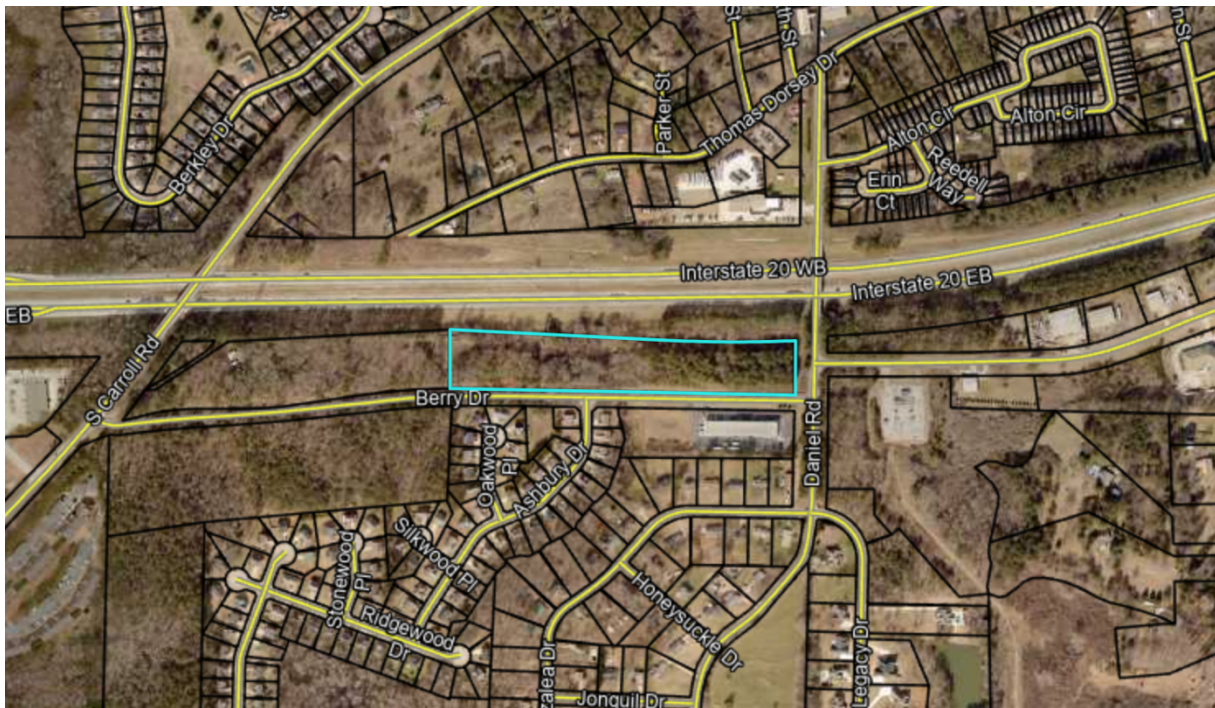
Planning Board Member: Vacant

City Council Member: Danny Carter

Public Hearing Dates

City Council: October 3, 2023

Request: Special Exception for a digital billboard and a Variance to permit the billboard closer than 500' to a residential zoning district



Applicant: Clear Channel Outdoor

Parcel Number(s): V06 0040003

Acres: 7.68

Current Land Use: Vacant

Future Development: Commercial Activity Center

Location: North of Berry Drive at Ashbury Drive, in Land Lot 159 of the 6th District in Carroll County.

Project Description:

The applicant is requesting to remove and replace an existing billboard sign with a digital billboard sign. The Sign Ordinance requires Digital Billboards to be at least 500' from a residential zoning district, and the applicant is proposing approximately 250' in distance.

Surrounding Properties:

Current Zoning		Land Use
North	Industrial Medium-Density (I2)	I-20
East	Single-Family Agricultural (AG) and Industrial Low-Density (I1)	Vacant/Electric Utility Substation
South	Planned Unit Development (PUD) and Commerical Low-Density (C1)	Single-Family Subdivision / Commercial Office
West	Commercial Low-Density (C1)	Utility/Cell Tower/Vacant

Special Exception Review Standards:

The Code of the City of Villa Rica Zoning Ordinance Section 11.09(4)a, the following criteria shall be used when determining approval of a Special Exception:

- i) **Is in fact a permitted Special Exception use as listed in each zoning district and appears on Table 4.3: Permitted and Special Exception Land Uses of Chapter IV: Zoning Districts for the zoning district involved;**

Digital Billboard signs are Special Exception category under the land uses table.

- ii) **Will be harmonious and consistent with the character of the zoning district and in accordance with the general objectives, or with any specific objective of the City's Comprehensive Plan and the Zoning Ordinance;**

While a billboard sign is consistent with parcels that afront I-20, this will be the first digital billboard in the city. There are several other billboard signs within the city limits facing I-20.

- iii) **Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;**

Based on the drawings submitted by the applicant, the signs do not appear to change the character of the area. Our zoning ordinance has standards in place to ensure all billboard signs would be harmonious in appearance.

- iv) **Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;**

The billboard sign does not need drainage, water or sewer facilities. The use is currently adequately serviced and that is not expected to change with the change to a digitgal sign.

- v) **Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;**

The use as proposed is not detrimental to the community's economic welfare or proposed to increase the need for additional community facilities or services.

- vi) **Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;**

The use is not expected to generate noxious uses or produce detrimental effects on the community.

- vii) **Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and**

No vehicular approaches are planned/anticipated.

- viii) **Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.**

The property will not create any such damage or destruction. No historic resources have been documented on this property. No streams or buffers have been found on the property.

Variance Review Standards:

The Council may grant a variance from the development standards of this ordinance (such as height, bulk, area) if, after a public hearing, it makes a determination in writing (consistent with *O.C.G.A. 36-66-1*), that:

- i) General Welfare. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

The approval of the variance would not be injurious to the public health, safety, morals, and general welfare of the community

- ii) Adjacent Property. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

The value of the surrounding properties is not expected to decline or be otherwise reduced in value by permitting the variance.

- iii) Practical Difficulty. The strict application of the terms of this ordinance will result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.

The variance appears to be the result of economic gain. This situation is self-imposed and will result in greater revenue.

Staff Comments:

The applicant is requesting a Special Exception for the purpose of a digital billboard sign. The applicant has stated that the digital billboard will prevent additional billboards within the city limits and will drive business to surrounding uses. The applicant is also requesting a variance to permit the sign in a location that is closer than 500' to a residential zone boundary (~250' requested).

The purpose of Special Exception Use review is to allow the City to exercise some discretion over the extent and design of certain activities that could have a detrimental effect on the community if permitted to exist in large numbers, in certain locations or without special conditions. Therefore, these regulations enable the City to authorize a Special Use subject to conditions that mitigate the potential problems associated with the use or its location in relation to the neighboring properties. A Special Use is not a use by right.

Recommendation:

Special Exception: DENIAL

Variance: DENIAL

Reasons: The applicant has not provided reasons for the request. The proposal is self-imposed.

Public Notifications:

As required by *Article 2, Section 2.01* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on **September 18th, 2023**; a sign has been posted on the subject property; and all abutting property owners have received notification via certified mail.

Public Response:

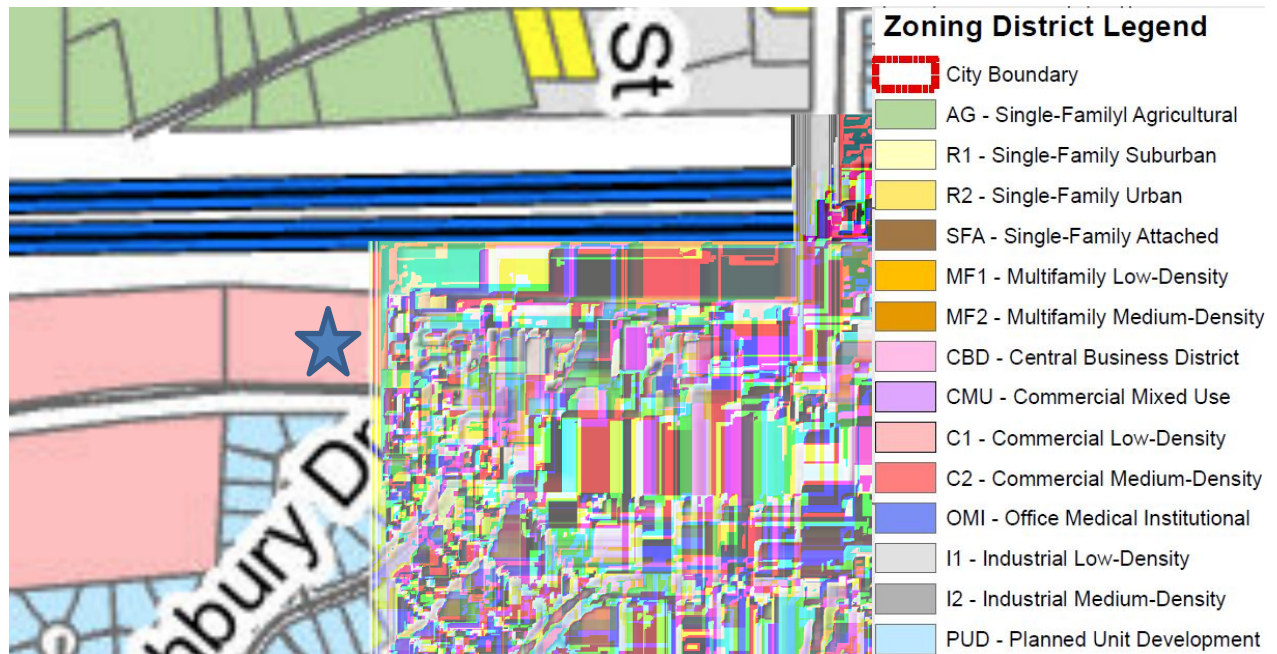
In response to the public notifications, two members of the public called to find out more information on the proposed use.

Ronald Johnson, Planning & Zoning Administrator
Department of Community Development

Attachments:

1. Application
2. Distance Drawings and Elevations
3. Letter of Intent

Zoning Map:





CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 3% Cost of Living Adjustment (COLA) Effective October 1, 2023

AGENDA DATE: October 3, 2022

DATE PREPARED: September 23, 2022

PREPARED BY: Tiffany Jenkins

AMOUNT: 3% Increase

GL ACCOUNT #: N/A

FUNDING SOURCE: Payroll

BUDGETED ITEM? Yes

PURPOSE: To approve 3% Cost of Living Adjustment (COLA) effective October 1, 2023.

BACKGROUND:

The council approved the FY 2024 budget which included a 3% Cost of Living Adjustment (COLA) for the City of Villa Rica Employees effective October 1, 2023.

First payroll will be processed on **October 10th** and will include **October 1-October 7**.

STAFF RECOMMENDATION: Approval.

MOTION: I move to approve a 3% cost of living adjustment for all employees effective October 1, 2023.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Vonage Phone System
AGENDA DATE: 10/3/23

DATE PREPARED: 9/21/23
PREPARED BY: Jim Chambers

AMOUNT: \$2816.94
GL ACCOUNT #: General, Water & Sewer, Solid Waste fund "523210"
FUNDING SOURCE: General, Water & Sewer and Solid Waste Fund
BUDGETED ITEM? Yes
PUBLIC HEARING:

PURPOSE: To replace our current Voice Over IP (VoIP) phone system with a more cost-effective solution with more flexibility and features.

BACKGROUND: We currently utilize SyncGlobal for our VoIP solution. It has served us well over the years but there are more cost-effective solutions that offer more options for our workflow at a better price point.

STAFF RECOMMENDATION: To move from Sync Global VoIP solution to a VoIP solution provided by Vonage.

IMPACT: We currently are paying \$24 a seat per line. The Vonage system is \$16.99 per seat.

With our current setup without fees, we are paying \$2418 a month. If we move to Vonage our monthly investment without fees will be \$1732.98.

MOTION: I move we engage with Vonage for VoIP with an initial investment of \$2816.94 and \$2423.98 a month after.



Company:

City of Villa Rica

Term:

36 Months

Monthly Investment of Services

Service/Feature	Quantity	Price	Discounted Price	\$/Month
All Users				
Unlimited Extensions with 40+ Features	102	\$19.99	\$16.99	\$1,732.98
Unlimited Local and Long Distance US & Canada				
DID and Extension				
Softphone and Mobile Application				
IM & Presence with Text Messaging				
Voicemail to Email				
Online Web Portal Management				
Call Reporting with Analytics				
Push and Pull Phone Calls				
Vonage Meetings	102	Included	Included	Included
Unlimited Audio for up to 200 Users, Video for up to 25 Users				
International Dial In with No Charge/Usage				
Screen Share & Recording				
Unlimited Usage				
Local Company Number (Per Location)	14	\$9.99	\$0.01	\$0.14
Unlimited Auto Attendants				
Call Groups (Hunt Groups)	14	\$4.99	\$0.00	\$0.00
Personal Fax	102	\$4.99	\$0.00	\$0.00
E-Fax Associated with User DID				
Company E-Fax	2	\$14.99	\$7.99	\$15.98
E-Fax for up to 5 Users or Disto Lists				
On Demand Call Recording	10	\$4.99	\$2.99	\$29.90
15 Hours. Per User				
SmartWAN Mono 10	2	\$79.99	\$69.00	\$138.00
Estimated Monthly Investment Before Fees				\$1,917.00
Fees				
E911 (For Each Extension)	102	\$0.99	\$0.99	\$100.98
Recovery Fee (For Each Extension, Toll Free, Local Company Number)	116	\$3.50	\$3.50	\$406.00
Estimated Monthly Investment After Fees				\$2,423.98

Initial Investment of Services

Professional Services	Quantity	Price	Discounted Price	\$/One Time
All Users				
Setup and Project Management (Per User)	102	\$25.00	\$15.00	\$1,530.00
Dedicated Project Manager				
Number Transfer Management				
24/7 Access: Desktop Connect (Online Account)				
Getting Started-Web-based Materials				
Vonage Business Cloud Support Site				
Desktop Connect (Online Account) Live & eLearn Training				
Welcome Call: Online Account Overview				
Call Flow and Feature Set Up				
Phone & Network Optimization				
Post Install & Activation Support				
Custom Webinar Training	1	\$350.00	\$250.00	\$250.00
Live 90 Minute Webinar w/Topic of Choice				
Up to 100 Attendees				
Recording Provided				
ProVoIP Onsite Installation (Per Location)	0	\$250.00	\$210.00	\$0.00
2 Hour Onsite Installation with VoIP Technician				
Appointment Coordination				
Provisioning of Phones (Includes 5 Phones)				
Basic External Wiring from Phones to Wall				
Inbound/Outbound Call Tests				
Pro VoIP Onsite Installation Additional Devices	0	\$20.00	\$17.00	\$0.00
Phone Purchase Options (See Phone Pages to Input Here)				
Yealink EXP43 Expansion Module (43U/46U/48U)	3	\$89.99	\$81.99	\$245.97
Yealink T33G Phone Purchase	99	\$99.99	\$0.00	\$0.00
Yealink T42U Phone Purchase	3	\$99.99	\$96.99	\$290.97
Shipping and Configuration of Hardware	102	\$25.00	\$0.00	\$0.00
SmartWAN Installation (Per Location)	2	\$300.00	\$250.00	\$500.00
Vonage Technician Deploy SmartWAN Device(s)				
Estimated Initial Investment				\$2,816.94
Estimated Initial Investment				\$2,816.94



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Purchase the Fitness Court Equipment

AGENDA DATE: October 3, 2023

DATE PREPARED: September 27, 2023

PREPARED BY: Tracie Ivey, Recreation Director

AMOUNT: \$135,000

GL ACCOUNT #: 350-6110-542500

FUNDING SOURCE: Capital General Fund

BUDGETED ITEM: Yes

PURPOSE: The City was awarded grant funding from the National Fitness Campaign Healthy Living Initiative, has received sponsorship through the Tanner Foundation, and the project is approved in the Fiscal Year 2024 Budget. We are beginning the procurement process at this time. The issuance of a Purchase Order will initiate the delivery of the fitness equipment and will allow us to move forward with the project.

BACKGROUND: Two attempts to secure funding for the Fitness Court resulted successful in this year's budget. The National Fitness Campaign provided grant funding to only eight states in 2023 – IL, NC, CO, CA, KS, MO, TX, and GA. In addition to the grant, the Tanner Foundation has pledged additional support funding.

The impact of the Fitness Court is expected to be significant and fits in with the goals of Villa Rica Parks and Recreation Department. The Fitness Court, the best outdoor gym, will further enhance the amenities at Gold Dust Park, capitalizing on the high volume of foot traffic on the walking paths, and offer another opportunity for fitness and healthy lifestyles.

STAFF RECOMMENDATION: Staff recommends the purchase of Fitness Court Equipment so we can begin the project.

IMPACT: To offer a user friendly and innovative fitness opportunity in a local and active park to connect users and improve the overall wellness culture.

MOTION: I move to approve the purchase of the Fitness Court Equipment.



QUOTE

National Fitness Campaign LP

For all questions regarding this quote, contact: info@nfchq.com

Created Date 9/13/2023
Expiration Date 10/5/2023
Quote Number 00000762
Bill To Name Villa Rica, GA
Bill To 571 West Bankhead Highway
Villa Rica, GA 30180
US

Description	Quantity	Total Price
2023 - Fitness Court® and National Campaign Resources (Shipping Included)	1.00	\$155,000.00
NFC Design Studio Art	1.00	\$10,000.00
NFC National Grant Funding Award	1.00	-\$30,000.00
Tax %	0.0000%	
Grand Total	\$135,000.00	

Terms

1. PAYMENT TERMS

Purchaser will pay Seller 100% of the Purchase Price upon receipt of delivery. Purchaser is responsible for payment of shipping costs, including packing, insurance, and freight. These payment terms will apply unless both parties have agreed to other approved payment terms.

2. TAX EXEMPTION

This quoted total is based upon Purchaser's tax-exempt status, for which verifying documentation must be provided to the Seller. If the Purchaser is not tax-exempt, sales tax will be applied before Purchase Price is considered final or binding.

3. STANDARD WARRANTY AND TERMS

NFC standard warranty and terms apply. See nationalfitnesscampaign.com/warranty for details.

4. PURCHASER OBLIGATIONS / TERMS AND CONDITIONS

Purchaser acknowledges upon receipt of the Fitness Court that they are responsible for the following items concerning the purchase of the Fitness Court which includes Design, Activation, and Campaign Resources:

- Purchaser is responsible for providing storage of the Fitness Court with insured protection, including liability, theft, or damage.
- A safe and environmentally controlled storage environment is required to store the tile adhesive. Store tile adhesive at temperatures between 50°F (10°C) and 100°F (38°C).
- NFC is not responsible for damage after receipt of goods by the Purchaser.
- Purchaser is responsible for (under a separate agreement) providing installation of the concrete slab footing, applicable ADA Access, Pour In Place or Tile Flooring installation, and Fitness Court installation per the NFC Installation Manual, adhesive manufacturers recommendations, and local safety, permitting, building, and planning code requirements.
- Assembly Completion Certificate submission to NFC is required within 15 days of Fitness Court Installation.
- A safe and environmentally controlled storage environment is required to store digital print graphics.
- NFC shall not be responsible for work performed by others.
- Purchaser to provide all on-site maintenance, safety, and security.
- Purchaser shall not allow any use of Fitness Court until all Graphics are installed.
- Purchaser understands that the use of exercise equipment incurs risks that are voluntarily entered into. Terms of Use of the Fitness Court by the public located at the purchaser's site shall be governed by the Purchaser in addition to the NFC minimum guidelines.
- Purchaser must maintain graphics and posted safety rules and regulations.
- Purchaser shall be responsible for site selection and all inherent risks associated with the choice of site selection, including risk to the general public.
- Purchaser acknowledges that all sponsors providing funding for the Fitness Court shall not be held liable for any risk associated with the installation of or use of the Fitness Court.
- Purchaser acknowledges that all product defects shall be covered by the contract manufacturer of the Fitness Court and all defects related to the installation of the Fitness Court shall be covered by the installer hired by the purchaser.
- Purchaser accepts risks and requirements as outlined in the approved Grant Funding Application as applicable.
- If the Purchaser is not the legal Land Owner, then they are required to ensure that the Land Owner is aware of and willing to abide by all Obligations / Terms and Conditions. Otherwise, they shall be responsible for these obligations, including Terms of Use. The same obligations and liabilities shall exist if the Fitness Court, which includes Design, Activation, and Campaign Resources, is sold, acquired, assumed, transferred, or gifted to another party. The new party must be aware of and willing to abide by all Obligations / Terms and Conditions herein or they will retain responsibility.

5. PURCHASER ACKNOWLEDGMENTS

Purchaser acknowledges and accepts upon receipt of Fitness Court all terms and conditions as described above, including Payment Terms, Terms of Tax Exempt Status, NFC Standard Warranty & Terms, Warranty Disclaimers, and Purchaser Obligations.



QUOTE

National Fitness Campaign LP

For all questions regarding this quote, contact: info@nfchq.com

Created Date	9/13/2023
Expiration Date	10/5/2023
Quote Number	00000762
Bill To Name	Villa Rica, GA
Bill To	571 West Bankhead Highway Villa Rica, GA 30180 US



National Fitness Campaign
August 22, 2023

Dear Tracie and Chris,

This letter is written to communicate important funding confirmation and shipment deadlines for Villa Rica, GA, and grant program status updates to all remaining eligible awardees in National Fitness Campaign's 2023 Grant Cycle.

Important Updates Regarding Your Conditionally Awarded Grant :

Due to various factors, including limited funding availability as a result of the success of the 2023 campaign, National Fitness Campaign's Grant Committee is instituting new recommendations for 2023 awardees surrounding local funding confirmations, to ensure compliance with Grant Program Requirements (GPR) Deadlines that have been issued. These mechanisms are being put in place to ensure eligibility for our valued partners and communities, and reduce funding requirements nationwide before transfer applications must be considered for the 2024 campaign.

2023 Grant Fund Distribution Schedule and Projected Closure of 2023 Grant Window

This year, NFC has funding to support a maximum of 150 public agencies. We are pleased to report that all grants have now been awarded conditionally for local match and distribution. The grant funding must be distributed quarterly in accordance with GPR deadlines and requirements from national and state sponsors, who provide the funding to support communities across America.

Based on the latest projections, we now project that all 150 Grants for 2023 will be fully distributed by November 1st, 2023.

2024 Funding Requirements Increase

Transfer eligibility into the 2024 Campaign may be provided through a re-application process for qualified communities. However, funding requirements for the 2024 Campaign will be subject to an increase. 2024 Campaign transfers are projected to occur as soon as November 1st as 2023 funds are depleted.

Your Community Can Secure 2023 Funding: GPR Deadline Compliance

Villa Rica is currently eligible for funding within the remaining 2023 grant eligibility window, and our committee is prepared to allocate your conditionally awarded grant upon receipt of funding confirmation documentation (PO or other accepted document). It is now our objective to align and maintain 2023 funding requirements for your community. *2023 Funding can be ensured by submitting funding confirmation documentation to NFC, in compliance with your currently issued GPR Document:*

Villa Rica, GA Final Funding Confirmation Documentation / Submission of Purchase Order for remaining funding deadline:

- **October 4th, 2023 at 5 pm ET**

(continues on next page)

Minimum Requirement to Secure 2023 Funding

The minimum requirement to secure one of the remaining NFC Grants in your state is receipt of an official agreement or authorization to proceed, typically a purchase order for remaining funds, by the GPR Deadline. This will allow NFC, state and national sponsors to release your grant and confirm participation. Invoicing occurs subsequent to delivery of the Fitness Court and is typically due upon delivery (or as arranged through specific local requirements).

Should the deadline currently approved on your GPR Document for receipt of the funding confirmation document pose concerns, we ask that you contact your Partnership Development Manager immediately to assist with a solution and support, as adjusting the dates beyond November 1, 2023 may result in Grant Funding to be unavailable for 2023 in your state.

Support and Questions

Should you have any questions regarding this letter, please feel free to contact your Partnership Development Manager or NFC Director Trent Matthias at trent@nfchg.com. We appreciate the opportunity to support Villa Rica as a leading partner in the National Fitness Campaign this year, and look forward to working together to impact health and wellness opportunities for your residents.

Best Regards,

A handwritten signature in black ink, appearing to read 'Trent Matthias', with a stylized, cursive script.

Trent Matthias
Director, National Fitness Campaign



Villa Rica, GA NFC Georgia Healthy Cities Campaign 2023 Funding Cycle Grant Program Requirements (G.P.R.)

MILESTONE 1: ADOPTION

- **Summary:** Commit to project adoption and confirm matching funding
- **Requirement A:** Countersigned Grant Program Requirements Document
- **Deadline:** immediately following award call
- **Requirement B:** Letter of Support/ Resolution of Adoption from Council or appropriate governing body
- **Deadline:** 5/10/2023 following 5/9/2023 meeting

MILESTONE 2: AUTHORIZATION TO PROCEED - FUNDING CONFIRMED

- **Summary:** Execute budgeting and fundraising plan (as needed) and confirm total required funding
- **Requirement:** Funding confirmation document submitted to NFC for remaining program funding (typically P.O)*
- *Refer to Official Quote and Funding Requirements Summary for details
- **Deadline:** 10/4/2023 or sooner depending on sponsorship development

MILESTONE 3 : SHIPMENT FOR STORAGE

- **Summary:** Identify Fitness Court® storage location and schedule Fitness Court® delivery
- **Requirement:** Accept Fitness Court® delivery and store at a secure location, prepare to be invoiced for program funds
- **Deadline:** 10/5/2023-10/19/2023 or sooner if Milestone 2 achieved earlier

MILESTONE 4: INSTALL CONCRETE SLAB & ART APPROVAL

- **Summary:** Review slab drawings & schedule concrete installer, confirm Fitness Court orientation, Approve art print preview
- **Requirement:** Install concrete slab (cure time of 28 days before Fitness Court® installation)
- **Deadline:** October 2023 or sooner pending weather

MILESTONE 5: FITNESS COURT® ASSEMBLY

- **Summary:** Select Fitness Court® Assembly Team - NFC Factory Team EIS recommended, (EIS scope includes art install)
- **Requirement:** Confirm EIS or local contractor timeline with NFC, provide completed installation photos for NFC inspection
- **Deadline:** November 2023 or sooner pending weather

MILESTONE 6: PRESS LAUNCH CEREMONY

- **Summary:** hold Fitness Court® press launch event & ribbon cutting
- **Requirement:** Promote press release, hold launch event within campaign year (weather permitting)
- **Deadline:** December 2023 or sooner pending weather

Trent Matthias, Director
National Fitness Campaign

Chris Montesinos, Director, Special Projects
Villa Rica, GA

It is noted by the National Fitness Campaign and the municipality, school or organization listed above that this document in no way constitutes a binding agreement, or requirement to proceed with the NFC Program at any time. Formal commitment occurs upon receipt of complete local match funding by the program awardee, with submission of Funding Confirmation Documentation to National Fitness Campaign.



National Fitness Campaign LP | PO Box 2367, San Francisco CA 94126 | info@nfchq.com

August 22, 2022

To Whom it May Concern,

National Fitness Campaign LP is a consulting firm that partners with public and private organizations to impact quality of life through changing the built environment and community wellness practices. The NFC initiative provides design and planning services, a trademarked outdoor infrastructure product, the Fitness Court®, an integrated digital ecosystem, the Fitness Court® mobile app and engagement wall, and integrated public art wall to approved cities, schools, and organizations that apply to receive an NFC partnership and bring the program to their selected site location.

This program is highly specialized, and NFC is the only organization in the world that delivers these elements either individually, or as part of an integrated program. For the reasons listed below, the trademark ownership of the system and infrastructure, and the integrated nature of the initiative including services, products, tools and grant funding, it is approved as a sole source across the United States.

A competitive analysis has been conducted by hundreds of cities and institutions across the country, who have concluded that the products and services have no equal. This group includes cities like Sacramento California and Las Vegas Nevada, and institutions such as Stanford University and The University of Colorado at Boulder, where the Fitness Court® and associated tools and services were successfully sole sourced, evidenced by public documentation and approvals which have been documented widely. Further, the Fitness Court® is trademarked and owned by National Fitness Campaign.

While the integrated nature of the products and services is grounds for sole source by most national standards, there are three primary differentiators that validate the sole source justification of the Fitness Court® and national campaign resources, which are described below. In addition to the below descriptions of these three primary items, an appendix is provided as an attachment to this document that provides graphic aids and further detailed information regarding the differentiation of this program and its associated products and services.

1. *Patented Fitness Court® System*

- A. Fitness Court® is trademarked and owned by National Fitness Campaign LP.
 - a. As such, this product cannot be procured from any other organization. Any organization seeking to fund and install a Fitness Court® must do so through National Fitness Campaign LP.
 - i. *See Appendix for Trademark Document from the United States Patent and Trademark Office*
- B. The Fitness Court® and each element is manufactured only by National Fitness Campaign LP. It is impossible to not only procure the elements as a system, but individually. Every aspect of the Fitness Court®, including the functional design of all equipment, structural engineering, elements are the property of National Fitness Campaign LP. The individual elements are each named and registered with a unique design and serial number. Because the design of the elements is owned by National Fitness Campaign LP and not licensed to any other organization or distributor, it is not possible to procure them anywhere else.
- C. The Fitness Court® is available only in a single configuration, shown in the



appendix materials. The system includes over 118 unique elements. There is absolutely no variation in the layout of the elements. Elements can not be added or removed. Spacing cannot be altered. Like many integrated products, Individual elements can not be procured separately.

- D. The Fitness Court® has a patented training envelope that accommodates more users per square foot than any other system in the world. The Fitness Court® is a comprehensive outdoor circuit training system, laid out in 32'x32' of space, for a total of 1024 sq ft of training area. NFC's patented design is able to support 28 simultaneous users on 30 integrated bodyweight training components, derived from the previously stated 118 elements. This configuration is impossible to re-create in only 1024 square feet without NFC's patented equipment and components due to specific requirements set forth by other manufacturers.
- E. Public Art Mural and Digital Engagement Wall
- a. Each Fitness Court® is designed as a one-of-a-kind work of art that includes a 32'x5.5' public art mural. The mural is an integral component of the Fitness Court design, and makes each Fitness Court® a one-of-a-kind public art installation.
 - b. Further, the mural can be periodically re-designed and introduced, to create a rotating art mural.
 - i. NFC provides integrated consulting and design services to assist in this process.
 - c. Digital Engagement Wall
 - i. On the opposite side of the mural wall, the Fitness Court includes a custom digital engagement wall.
 1. This wall provides digital QR codes and embedded, proprietary information regarding the use of the Fitness Court® and Fitness Court App.
 2. This information is unavailable from any other organization because it is the IP of National Fitness Campaign LP.
 3. Tracking Fitness Court® usage wouldn't be possible without the built in GPS tracking features available on the Fitness Court® digital engagement wall.
 - d. NFC is unaware of any other outdoor fitness element that provides an integrated art mural of any kind.
 - e. Further, NFC has an in-house art studio that designs, produces, and creates the art and custom graphics that are integrated into each Fitness Court.
 - i. This scope of services for design and production of commercial grade, anti-graffiti laminate vinyl specific to the Fitness Court® is not provided by any other organization as an integrated service.

2. Fitness Court® App and Digital Tracking System

- a. Each Fitness Court® is supported by a mobile app called the Fitness Court® App. All IP, including the app itself are owned by National Fitness Campaign LP. The training resources, world-class workout programs, challenges and data analytics features are only available for Fitness Court® users and site partners.
- b. No other outdoor fitness equipment provides a mobile app with the following four categories of functionality:



- c. Mobile App Primary Features
 - 1. Mark Lauren Training Series
 - a. Mark Lauren is a US Special Operations Trainer and Bestselling Author. He has developed 18 proprietary workout programs specifically for the Fitness Court® system. They are only available on the Fitness Court® App. Mark Lauren has no other programs for outdoor fitness equipment available.
 - 2. Fitness Court® App Live Challenge Feature
 - a. This is a proprietary feature that allows a user to score a 7 station circuit on the Fitness Court® using their mobile device. This feature is not available for any other outdoor fitness product of any kind.
 - 3. Annual Data Analytics Reporting
 - a. Each site partner who builds a Fitness Court® receives an annual data report tracking usage on their Fitness Court®.
 - b. To NFC's knowledge, no other manufacturer of any type of outdoor exercise component provides regular, annual report of key usage metrics using digital, GPS based systems.
 - i. The Report is provided by NFC, and includes annual demographic data, user age ranges, Fitness Court app downloads and other important information.
 - ii. This information is generated by NFC's proprietary GPS based data analytics services for each Fitness Court® in America.
 - c. See appendix for sample annual user data report.
 - d. See appendix for additional information regarding the Fitness Court® App.

3. National Grant Funding

- a. National Fitness Campaign LP builds and maintains a National Grant Fund, supported each year by sponsors and partners of the campaign. This funding takes tremendous effort to build, and it is provided by National Fitness Campaign and partners and sponsors to support the mission of making wellness infrastructure free and accessible across America in partnership with leading cities, schools and organizations.
- b. For 2023, National Campaign sponsors include:
 - i. The Keith Haring Fitness Court® Signature Series Collection
 - ii. Engineered Installation Solutions
 - iii. Regupol America
 - iv. USA Shade and Fabric Structures
 - v. Badger Sport
- c. To procure a Fitness Court®, an organization must complete a formal application and be approved for funding and participation. Each partner organization that succeeds in submitting a successful application is eligible to receive a Grant Award which is deducted from the funds required for the NFC program from sponsors of the National Fitness Campaign.



- d. This funding is administered in the preferred method of receipt for each partner organization. Methods include a credit on final invoices for remaining funding, and direct grant disbursements provided by National Fitness Campaign.
- e. This funding is available for a limited number of partners in each state on an annual basis, and is awarded based on merit of application from a qualified site partner, including the requirement for the Fitness Court to build in a publicly accessible location.
- f. For more information, see: <https://nationalfitnesscampaign.com/grants>

No other vendor, distributor or organization makes these materials available for procurement by any city, school, or organization. They must be acquired from National Fitness Campaign LP. If you have further questions regarding this sole source letter or require additional information, please contact us per the information provided on this letterhead.

Sincerely,

Mitch Menaged, *Founder and Director*
National Fitness Campaign LP



National Grant Funding

National Fitness Campaign is a quality of life consulting firm builds and maintains a National Grant Fund, supported each year by sponsors and partners of the campaign. This funding takes tremendous effort to build, and it is provided by National Fitness Campaign and its sponsors to support the mission of making wellness infrastructure free and accessible across America in partnership with leading cities, schools and organizations. Distributions from this Grant Fund are provided directly to cities, schools, and organizations who qualify for, and are approved to become, campaign partners.

For the 2023 Campaign, National Campaign sponsors include:

1. The Keith Haring Fitness Court® Signature Series Collection in partnership with Artestar and the Keith Haring Foundation
2. Engineered Installation Solutions
3. Regupol America
4. USA Shade and Fabric Structures
5. Badger Sport

Additional state and regional sponsors are now joining the campaign, as well as state recreation agencies and other partners. Sponsor funding and grant distribution varies per state and location, based on participating partners and the presence of campaign sponsors and partners within that region. Funding distributions can vary annually based on these factors, and the overall size of NFC's National Grant Fund.

Participating as a partner in the National Fitness Campaign

To become a partner in the NFC program and bring a Fitness Court® and associated services to a location, an organization must engage in a qualification and feasibility process, and be approved to complete a formal application and be approved for funding and participation.

NFC's feasibility and qualification process is led by consultants that assist eligible cities and schools in determining if they are qualified for participation. Limited funding exists on an annual basis for partners to participate based on NFC grant maximums established for America and each of the fifty states.

Each partner organization that succeeds in submitting a successful application and is approved by the NFC Grant Committee is eligible to receive a Grant Award which is deducted from the funds required for the NFC program from sponsors of the National Fitness Campaign.

This funding is administered in the preferred method of receipt for each partner organization. Methods include a credit on final invoices for remaining funding, and direct grant disbursements provided by National Fitness Campaign.

For more information, see: <https://nationalfitnesscampaign.com/grants>

United States of America

United States Patent and Trademark Office

THE FITNESS COURT

Reg. No. 4,307,958

Registered Mar. 26, 2013

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

MITCH MENAGED (UNITED STATES INDIVIDUAL)
1740 KEARNY STREET
SAN FRANCISCO, CA 94133

FOR: PROVIDING OUTDOOR FACILITIES FOR RECREATION ACTIVITIES AND BODY BUILDING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE: 0-0-1979; IN COMMERCE 0-0-1979.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SEC. 2(F).

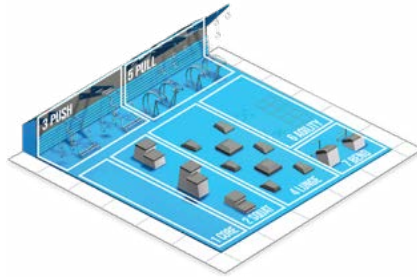
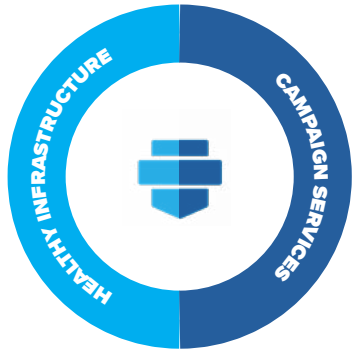
SER. NO. 85-600,534, FILED 4-17-2012.

KIMBERLY FRYE, EXAMINING ATTORNEY



Lisa M. Smith
Acting Director of the United States Patent and Trademark Office

NFC : COMPREHENSIVE PROGRAM CAMPAIGN SUMMARY



FITNESS COURT

21st Century Healthy Infrastructure

National Fitness Campaign's Fitness Court is the centerpiece to its holistic health and wellness initiative. The Fitness Court is an outdoor bodyweight circuit training center with functional fitness DNA. The best-in-class system provides a full-body workout to adults of all ability levels. With 7 functional fitness zones, the Fitness Court can be used in thousands of ways. The Fitness Court is the world's best outdoor gym!



7 Minutes 7 Movements



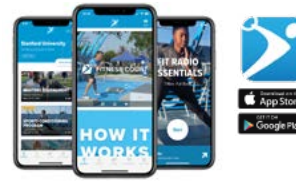
Strategic Planning Studies

Strategic Planning & Feasibility Study, Site Design Consulting



Campaign Funding Support

Sponsor Strategy, Best Practices, National Installation Team Support



Fitness Court App

Free digital App Delivering Programming, Workouts & Content



Ambassador Training

NFC Fitness Court Ambassador Training ACE Certified (*America Council of Exercise*)



Launch & Public Relations

Featured Stories Highlighted through Press and Local Media



Annual Fitness Season

Spring/Summer/Fall national & local training, classes & challenges series



WORLD-CLASS TRAINING

SPRING

World-class training videos will available on the Fitness Court App.



WORLD-CLASS TRAINING

SUMMER

World-class training videos will available on the Fitness Court App.



CHALLENGE SERIES

FALL

The Fitness Season culminates with local, regional and national challenges for residents.

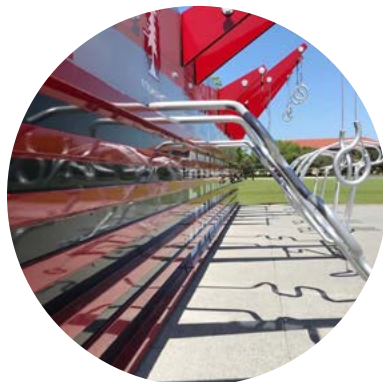
Made & Manufactured in the USA

Designed by NFC in California.



High Quality

Dual-layer powder-coating
carbon steel



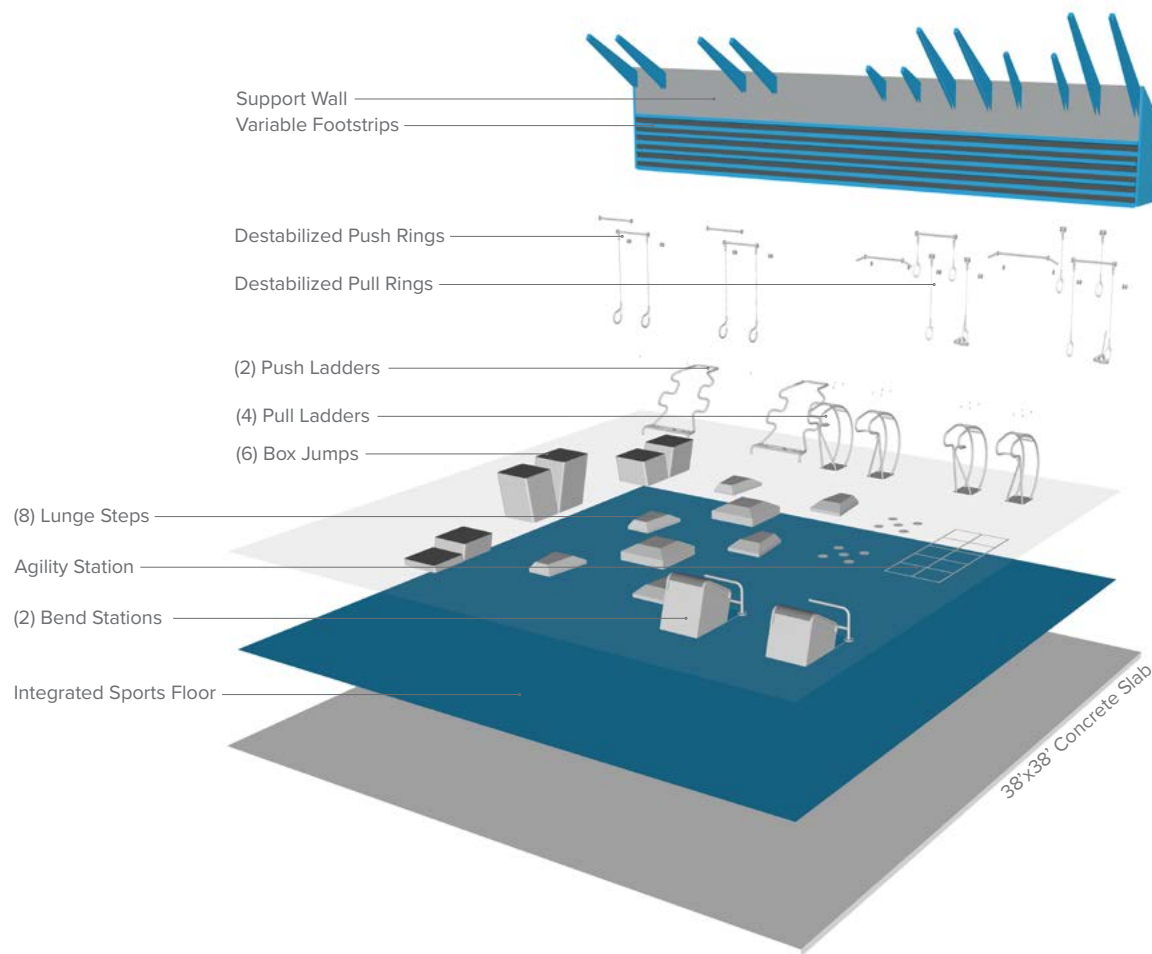
Durable Materials

Tamper-resistant,
galvanized & stainless
steel bolts and fittings.

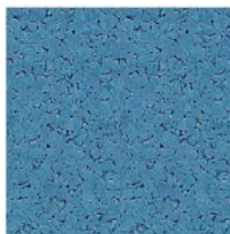


Best In Class

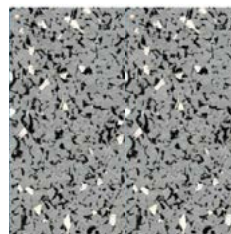
Anti-graffiti laminate vinyl
decals



Each Fitness Court® includes an integrated sports floor made from durable 2'x2' tiles which adhere directly to the concrete slab. Available in our standard NFC Blue or Grey to match any custom design.



Top (Blue Option)



Top (Grey Option)



Bottom



Reducer with Tile



Reducer

NFC 2022 CAMPAIGN SPECIFICATIONS PROGRAM SUMMARY



2023 PROGRAM SUMMARY: All items and services below are delivered to approved partners as part of the 2023 Campaign.

HEALTHY INFRASTRUCTURE

FITNESS COURT®

Fitness Court® Description:

32'x35' outdoor bodyweight circuit training system with the following components:

- Seven station circuit training system providing full-body workout modules
- Fitness Court body-weight training wall - 32'W x 2'D x 6' H with custom graphics
- Thirty pieces of body-weight fitness elements for simultaneous use by 28 users at one time. Fitness Elements anchored and grouped within seven stations.
- Bolts, attachments and anchors required for installation

Fitness Court Surface - Tile Surface Specifications

- Outdoor Sports Floor Size: 1,024 SF (32'x32')
- Color: NFC Blue
- Thickness: 1" Tiles
- ADA Border Included

Fitness Court Specifications:

- All structural components are made from high-grade carbon steel
- Structural components receive high-grade dual layer powder coating
- All cladding (skins) made from high-grade aluminum and powder coated
- Graphics and signage printed with anti-graffiti over-lamination material
- Manufactured in the United States
- Resilient to heavy, repeated daily use
- Over 30 individual pieces of equipment
- Powder-Coated Structural Components
- Galvanized fittings and bolts - *included*
- Stainless steel cables
- Full installation guide provided
- Warranty through NFC

HEALTHY INFRASTRUCTURE DESIGN SERVICES

Strategic Planning & Feasibility Study

- City-wide impact analysis and master plan integration plan
- Site Design and Visibility Analysis

Custom Fitness Court Design Services & Construction & Installation Support

- Customized Fitness Court powder-coating and decal design - no two Fitness Courts are the same!
- stamped and certified design plans, concrete slab drawings, and contractor management are provided by the NFC Activation Team.
- With all ready-to-build plans included, most installations require less than 90 days to complete from ground-breaking to launch.
- NFC National Installation Partner Access - EIS (contracted separately)

GRANT FUNDING, CONSENSUS BUILDING, SPONSOR SUPPORT

NFC Grant Funding Qualification

- Access to qualify for NFC's Grant Funding through NFC's national partners to support seeding the program.

Consensus Building Consulting

- NFC has industry experts in project management, and from conception through execution, they will collaborate on an average of 2 intensive monthly planning calls to drive success.

Sponsor Strategy Consulting Support

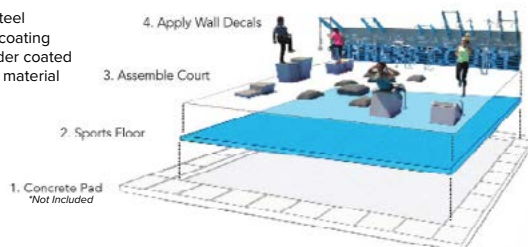
- Up to 10 custom renderings provided by NFC Design Team to support outreach to local sponsors and partners. Up to 5 custom slide presentations provided for in-person meetings and internal stakeholder consensus-building.



Warranty + Maintenance

- Made for all climates
- Almost no moving parts (only cables)
- Equipment is anchor bolted into concrete
- Replacement parts available through NFC
- No requirement for disassembly in winter
- Maintenance guide, including touch-up paint & necessary tooling included

See Official Warranty for Full Coverage Detail



CAMPAIGN SERVICES

FITNESS COURT® APP

The Fitness Court App

Free mobile app for iOS / Android teaches proper use, routines and challenges to all users

- **Classes:** schedule, run and track attendance using the Fitness Court App back-end scheduling tool, providing live class management through the OnSched platform. Training and basic setup provided by NFC within 30 days of launch event.
- **Learn:** video guides deliver workouts, and teach the basics for beginners on the Fitness Court. New content released quarterly, and updated by NFC National Training Team.
- **Train:** individual audio guides. New content released quarterly, updated by NFC National Training Team.
- **Challenge:** competitive tracking allows users to participate in timed, scored challenges, with an option to submit their scores to a national Leaderboard. Acts as a regional and national event qualification tool.

CERTIFIED AMBASSADOR TRAINING

Programming and Training Tools

Fitness Court Ambassadors build and sustain a healthy culture around the Fitness Court ecosystem

- **Learn:** education modules provided by the NFC Training Team are eligible for a range of industry certifications, are offered both in-person and remote, and provide a range of class templates, coaching tips and more to qualified Ambassadors. Partnership includes program vouchers for up to 12 individual Ambassadors per Fitness Court, individually eligible for up to 3 continuing education credits (CECs), approved through the American Council on Exercise (ACE).
- **Train:** classes, clinics and challenges become the building blocks of a Fitness Season, led by Ambassadors, that engage all ages and fitness levels. These guided workout options expand the user community and increase long-term usage and adoption.
- **Share:** continuous online and print storytelling, engagement and social connection further build out a healthy culture on each Fitness Court. Up to five local Ambassadors are eligible to attend an in-person regional training event of their choice in 2023. **Regional training schedule provided May 2023*

MEDIA, PRESS, & PROMOTIONS

Promotions and Marketing Package

Media support and community engagement materials excite users and strengthen program adoption

- **Custom Grant Announcement Kit:** promote the development of the program in your community with NFC support through traditional and social media channels - including a custom Press Release, site rendering, and outreach planning tools.
- **Launch Event Promotions Toolkit:** announce the launch of the Fitness Court on traditional media channels with a separate customized press release, outreach support and uniquely branded assets for social media.
- **NFC Website Feature Story:** NFC-hosted custom storytelling showcases the partnership and program development in your community.
- **Fitness Court Gear:** minimum \$750 credit towards the official NFC gear store - gear and giveaways (provided in part by national Campaign sponsor, Badger Sport®) nurture Ambassador relationships, honor stakeholders and excite event attendees, to amplify launch activities.
- **Opening Day Launch Support:** NFC provides event management templates, guidance for launch event planning, and custom promotional materials (flyers, media assets).

FITNESS SEASON 2023

Annual Activation Series: 2023 Fitness Season

Bring the Latest Events & Programs to Your Fitness Court® this Year!

- Spring 2023 : 18 new workout routines & video tutorials introduced to the Fitness Court App, featuring pro trainer, Mark Lauren.
- Summer 2023: Classes and Clinics support ongoing programming for group exercise and app-based class
- Fall 2023: Challenge series builds competition & strengthens community. Marks the success of year's activation program for all users.
- Healthy Infrastructure Awards: annual recognition program highlighting exceptional partners and leaders nationwide, winners receive custom awards, decals and press support to announce





Fitness Court

NATIONAL FITNESS CAMPAIGN

SAN FRANCISCO, USA
NATIONALFITNESSCAMPAIGN.COM
INFO@NFCHQ.COM
(415) 702-4919



FITNESS COURT™

SCHEMATIC DESIGN SET



NATIONAL FITNESS CAMPAIGN



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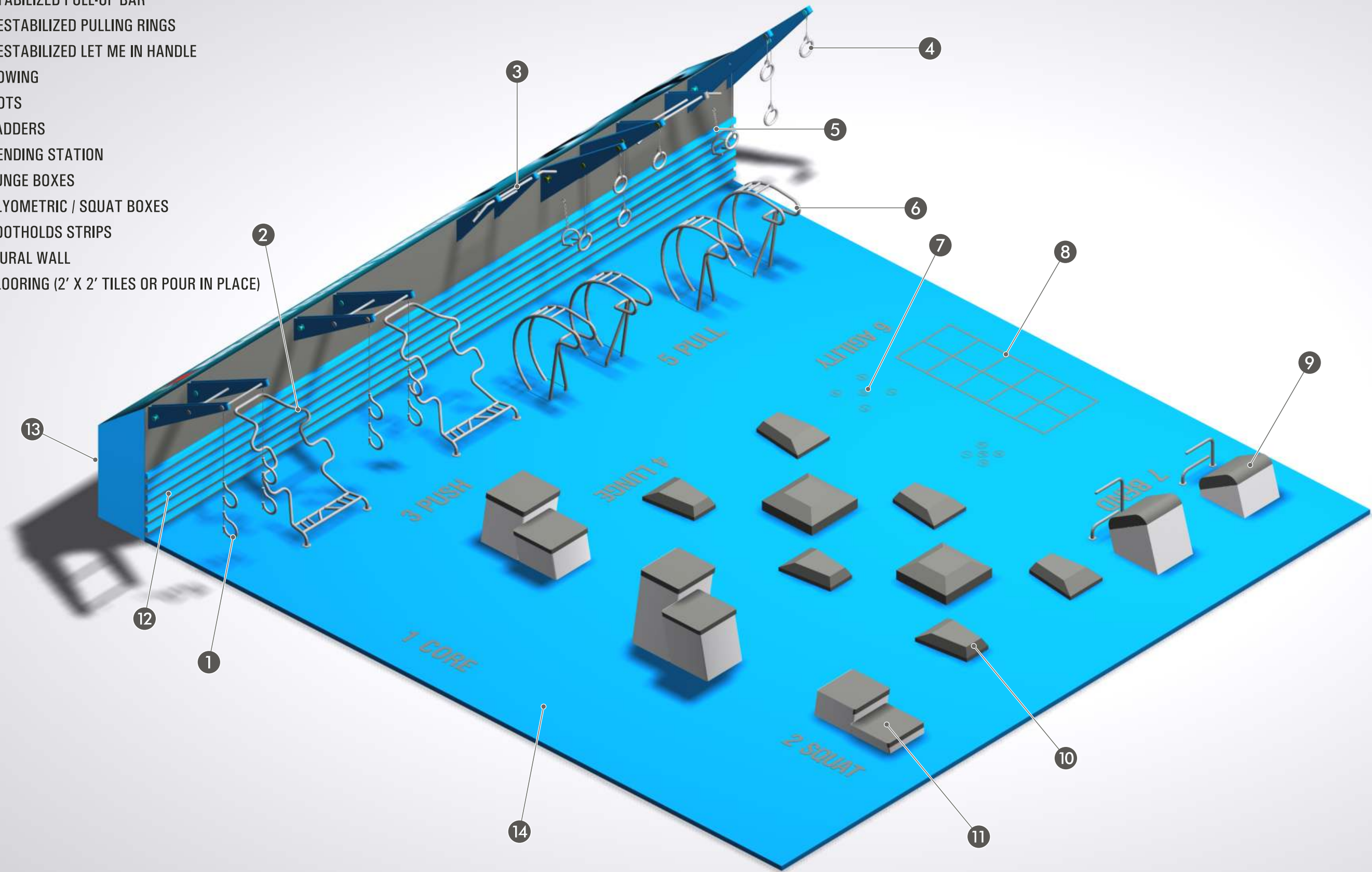
DATE

DESIGN NUMBER
565382

ARCHIVE NUMBER

SHEET
FC 01

- 1 DESTABILIZED PUSHING RINGS
- 2 STABILIZED FREEFORM PUSHING BARS
- 3 STABILIZED PULL-UP BAR
- 4 DESTABILIZED PULLING RINGS
- 5 DESTABILIZED LET ME IN HANDLE
- 6 ROWING
- 7 DOTS
- 8 LADDERS
- 9 BENDING STATION
- 10 LUNGE BOXES
- 11 PLYOMETRIC / SQUAT BOXES
- 12 FOOTHOLDS STRIPS
- 13 MURAL WALL
- 14 FLOORING (2' X 2' TILES OR POUR IN PLACE)



Body Weight Fitness

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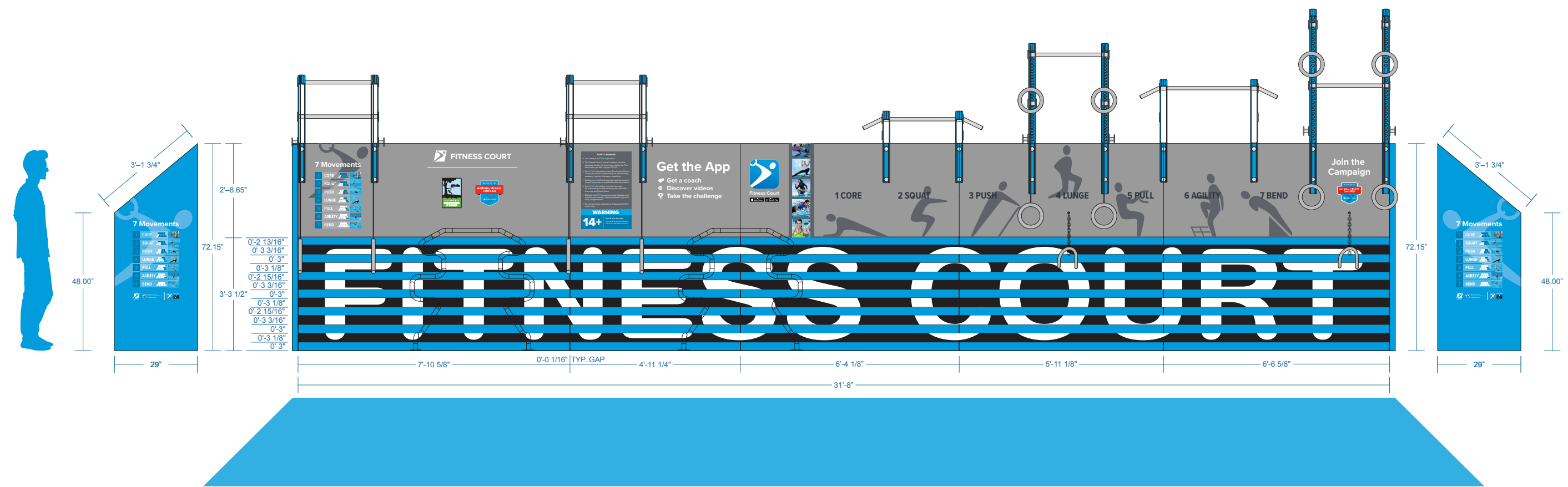
NATIONAL FITNESS CAMPAIGN

DATE 06.30.17

DESIGN NUMBER 565382

ARCHIVE NUMBER

SHEET FC 02



NOTE: Sponsor Recognition shown for reference only. For Custom Decals, additional fee applies.

EQUIPMENT AND FLOOR MARKING LAYOUT

WALL WITH ATTACHED
WALL BRACKETS AND
PULL CHAINS

PUSH STATION
QTY 2

PLYO BOX 1

PLYO BOX 2

PLYO BOX 3
(TALLEST)

PLYO BOX 4

PLYO BOX 5

PLYO BOX 6
(SHORTEST)

PULL STATION RIGHT
QTY 2

PULL STATION LEFT
QTY 2

STATION NAME TEXT
QTY 7 STATION NAMES
(FLOOR MARKING)

LADDER PATTERN
(FLOOR MARKING)

DOTS PATTERN QTY 2
(FLOOR MARKING)

LUNGE STATION 1
QTY 2

LUNGE STATION 2
QTY 8

BEND STATION SHORT

BEND STATION TALL

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NOT FOR CONSTRUCTION



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Proposal for installation of the Fitness Court Equipment

AGENDA DATE: October 3, 2023

DATE PREPARED: September 27, 2023

PREPARED BY: Tracie Ivey, Recreation Director

AMOUNT: \$25,000

GL ACCOUNT #: 350-6110-542500

FUNDING SOURCE: Capital General Fund

BUDGETED ITEM: Yes

PURPOSE: To accept proposal for the installation of the Fitness Court Equipment. This service will be provided by an approved and recommended installer of the National Fitness Court company.

BACKGROUND: Once the concrete is poured for the site of the Fitness Court, the installation will occur. This will be after approximately 3 weeks of cure time. After installation is complete, there will be a Launch Party that the community can take part in.

STAFF RECOMMENDATION: Staff recommends acceptance of the Proposal provided by Nationwide Fixture Installations.

IMPACT: To provide the knowledge and familiarity of an installer of said equipment.

MOTION: I move to accept the proposal provided by Nationwide Fixture Installations.



**Installation Proposal for Site Partner Project
City of Villa Rica, GA**

City of Villa Rica, GA
Gold Dusk Park
646 Industrial Blvd
Villa Rica, GA
30180

2-Oct-23

Proposal #: 230822

Thank you for allowing Nationwide Fixture Installations (NFI) the opportunity to provide a proposal for the installation of Fitness Court® provided by the National Fitness Campaign.

Please review the details of this proposal to ensure we have accurately described the scope of work (SOW), and that we have met all your expectations.

Scope of Work:

Installation of Fitness Court® provided by the National Fitness Campaign in accordance with the National Fitness Campaign Installation Instructions and associated manufacturer's guidelines. This proposal represents the full scope of work.

Installation Documentation & Guidelines:

- NFC provided Concrete Slab Drawings
- The Fitness Court® Tile overview
- The Fitness Court® Specifications
- The Fitness Court® Installation Kit overview
- The Fitness Court® Installation and Maintenance Manual
- The Fitness Court® Vinyl Artwork Alignment Guide

Anticipated Schedule:

1. Anticipated Project Start Date: 3/4/2024
2. Project End Date: 3/8/2024

Installation of the Fitness Court® will not be scheduled for installation any sooner than 28 days after concrete is poured unless approved Spray-Lock product is used allowing installation to occur as soon as

14 days after concrete is poured / application of the Spray-Lock treatment. Installation of the Fitness Court® will only be scheduled if the conditions of the concrete and atmospheric conditions meet product manufacturers' requirements during use of product(s) including the 24-hour period following use of product(s). Schedule will be coordinated with Customer 14 days or more prior to installation. Schedule may also be affected by requirements for curing if using PIP flooring.

Assumptions:

1. All work to be completed with Non-Union Labor.
2. Proposal is based on one single mobilization and a continuous work schedule with no downtime.
3. NFI will be responsible for completing punch list items related to our original SOW based on materials available during our mobilization. NFI will NOT be responsible for new SOW items, punch list items added after our demobilization, item(s) requiring materials not available or part of our SOW, or finish touch-ups or repairs due to manufacturing defects or damage caused by other trades.
4. In the event we must return for reasons outside the control of NFI, additional charges may apply.
5. This proposal is based on NFI providing a standard required COI. It does not reflect OCIP or CCIP job requirements, unless disclosed by Customer and stated otherwise in our Inclusions.
6. NFI reserves the right to review and revise said proposal upon receipt of an updated Scope of work.

Inclusions:

Installation of the following items:

- Body Weight Training Wall
- Anchor Bolts
- Sports Tile Flooring
- ADA Tile Border (Where applicable)
- All Equipment Elements
- Floor Markings
- Wall Graphics Installation according to 3M product requirements and the NFC Graphics Installation Guide.
- Signed Certificate of Completed Installation
- Close Out Documents filed with NFC for Fitness Court® Warranty
- Owner Site Walk Thru upon completion
- Completion of Fitness Court Installation in 4 Days or less (Weather permitting)
- Completion of Graphics installation within 1 week of completion of Fitness Court

Installation

- Travel & Logistics
- Installation Project Management & Scheduling
- Pre- Installation Kickoff Meeting
- Insurance Certificate

Exclusions:

1. Repairs required due to damage caused by shipping, mishandling by others, or onsite damage by others.
2. Call backs due to site issues outside the control of NFI.
3. Punch list item(s) not related to original SOW, item(s) added after our demobilization, item(s) where necessary materials are not available, touch-up or repairs to SOW due to manufacturing defects or damages by other trades.

4. Any required permits required for construction (unless specifically noted in Inclusions).
5. Any taxes or other fees (unless specifically noted in Inclusions).

Provided by Customer:

- Procurement / supply of The Fitness Court®, Fitness Court® Tile, and Fitness Court® Install Kit.
- Site Prep
- Concrete slab built & cured, according to provided slab drawing specifications
- Construction fencing which will remain in place until all graphics are installed.
- Traffic and Pedestrian Control
- Restroom Facilities
- Storage of Fitness Court®
- Safe environmentally controlled storage of graphics until time of installation
- 6' Step Ladder
- Charging capabilities for cordless tools
- Exact location and orientation of the Fitness Court® relative to the concrete footing.
- Parking adjacent to installation site for one vehicle
- Shade Structure
- Construction Lighting (as required)
- Pour in Place (PIP) Flooring (If chosen)

Concrete Slab Installation Requirements: Slab must be installed per NFC Installation Manual Including dimensions, slope, and surface preparations. Surfaces of concrete must be clean, dry, and flat, free of voids, projections, loose materials, oil, grease, sealers, and all other surface contaminants. Slab to be swept and cleaned prior to the arrival of the installation crew. "Concrete substrate should NOT be smooth and reflective; it must have a concrete surface profile of CSP 1-3 (similar to a light broomed finish). Alkaline surfaces need to be coated with primer prior to installation of tiles. Application of Spray-Lock treatment must be done in accordance with manufacturers recommendations.

Provided by Customer as coordinated with installation team:

- Site Security
- Delivery and staging of Fitness Court® to site prior to arrival of installation crews
- Debris and trash removal & recycling

Qualifications:

1. All work to be completed with Non-Union labor.
2. If job schedule changes or deviates from schedule noted above, NFI reserves the right to adjust our pricing accordingly.
3. To avoid expediting fees NFI must receive a written approval of this proposal twenty-one (21) days prior to the start of the installation.
4. Missing or damaged inventory items will be ordered as soon as they are identified. Customer will be contacted and is expected to deliver priority overnight or as necessary in order that there are no delays in meeting critical completion dates. Any missing materials that arrive after our completion date may require a return trip that will be billed at Time & Material (T&M) including all labor, remobilization costs, and any materials required for installation of missing materials.
5. Proposal is based on the site being "Installation Ready" prior to the arrival of the installation crew. Permanent or adequate power required for operating all power tools and equipment must be operating and available to our installation crew.

Execution of this Agreement:

- Signed Proposal, Customer issued Purchase Order, or other acceptable agreement by all parties.
- 50% Down Payment required prior to deployment of installation team
- Final payment invoice will be processed following installation and customer sign off on both the Fitness Court installation and the Graphics installation.

Price:

Installation of Fitness Court: \$25,000.00

Total: \$25,000.00

Expiration Date – Unless the Customer accepts this Proposal in writing within thirty (30) days of the date listed above, this Proposal will expire.

Pre-lien Notice - Please be advised that the state in which the Project is located may require subcontractors to issue pre-lien notifications and/or filings. NFI reserves the option to complete all statutorily required notifications and filings to preserve its right to lien the Project in the future, if necessary.

COVID-19 - The impact on travel, manpower, job site access, job location, and other unforeseen issues is ongoing and will continue to evolve. As a result, NFI reserves the right to modify the contract terms contained herein to ensure our ability to provide the services on the day / time requested and seek additional time and compensation if it or the Project are disrupted due to circumstances beyond NFI's control.

Payment Terms:

NFI will submit invoice upon completion of Fitness Court installation. Payment terms are net 10 Days from date of invoice. A signature below and a hard copy purchase order is required a minimum of 21 days in advance of the scheduled installation date. Changes made less than 14 days of the agreed upon installation date may require this proposal to be modified.

NFI terms and conditions will apply unless specifically countermanded in writing prior to the project start.

Thank you again for the opportunity to provide you with an install proposal for this project. Be assured that everyone on our team will do our part to exceed your expectations. If accepted, please provide your signature below:

Approval Signature:

Authorized Name

Date

Authorized Signature

Position/Title

Sincerely,

Michael Haddon

Terms and Conditions

1. Proposal is for previously described scope of work only; price does not include any manufacturing or fabricating of any components. Our proposal includes all travel expenses and per diems, tools, and miscellaneous supplies to complete the work. Proposal does not include for any specialty hardware, fasteners, or material handling equipment unless specifically indicated within this proposal.
2. All work to be completed with Non-Union labor. If at any time union labor is required, current pricing will no longer be valid. Proposal will need to be repriced with applicable union labor rates.
3. The proposal price and time are based on the representation and warranty, hereby made by Customer to NFI, that all products shall be delivered in accordance with the delivery schedules set forth in this proposal, that deliveries will be complete, and organized in a logical sequential order; that all fixtures are reasonably capable of being installed with little or no adjustment, reworking or refinishing; that the project space is in a condition of construction that is capable of installing fixtures free from interference by the work of the owner, general contractor and/or other trades if applicable.
4. Proposal is based on the site having adequate lighting and electrical service.
5. Price is based on unloading material as adjacent to jobsite as is possible, with clear access from the unload point into the space.
6. Should unloading of materials and goods be required off premise, additional work required will be executed on a Time and Material basis for all applicable labor, facilities, equipment, and additional transportation and shipping charges.
7. Proposal includes for removal of trade related debris to a dumpster provided by others.
8. Pricing is based on one crew mobilization, unless otherwise specifically noted within this proposal.
9. Customer will process Change Order requests within a timely manner such that NFI's operations at each project site are not impacted. In the event that Customer directs NFI to proceed with installation of fixtures or other work that: 1) is outside the scope of this proposal; 2) was the subject of late, disorganized, defective or partial deliveries; 3) occurs before the space is ready for fixture installation; 4) occurs while other trades are working in the space; 5) is impacted by means that are outside of NFI's reasonable control, then NFI shall be entitled to an equitable adjustment of the Proposal Amount and/or Proposal Time for the impacted project or projects.
10. Back charges will not be accepted without prior written approval from NFI Project Manager.
11. Mutual Consequential Damages Waiver. Notwithstanding any other provisions in this proposal to the contrary, Customer and NFI mutually waive all claims for consequential, incidental, and exemplary damages that each may have against the other.
12. Notwithstanding any other provisions in this proposal to the contrary, NFI shall bear no responsibility for the condition of fixtures and materials provided by others, or for blocking, electrical, flooring, mechanical, plumbing and/or any sub-trade work installed by others.
13. Mutual Subrogation Waiver. Customer and NFI mutually waive all claims for damage to any property to the extent that such property is covered by builder's risk or other first-party property insurance maintained by anyone.
14. Dispute Resolution. The first step in the resolution of any dispute between NFI and Customer will be a meeting to discuss and attempt to resolve the dispute. If both parties agree, the dispute may be submitted to mediation with any service offering mediation services acceptable to both NFI and Customer.
15. Any claim arising out of or relating to this proposal, which is not resolved by a meeting, as required in the preceding paragraph, shall be subject to arbitration which, unless the parties mutually agree otherwise, shall be administered by the American Arbitration Association in accordance with its Construction Industry Arbitration Rules in effect on the date of the agreement. A demand for arbitration shall be made in writing, delivered to the other party to this agreement, and filed with the person or entity administering the arbitration. The party filing a notice of demand for arbitration must assert in the demand all claims then known to that party on which arbitration is permitted to be demanded.
16. Either party, at its sole discretion, may consolidate an arbitration conducted under this proposal with any other arbitration to which it is a party provided that (1) the arbitration agreement governing the other arbitration permits consolidation; (2) the arbitrations to be consolidated substantially involve common questions of law or fact; and (3) the arbitrations employ materially similar procedural rules and methods for selecting arbitrator(s).
17. Either party, at its sole discretion, may include by joinder persons or entities substantially involved in a common question of law or fact whose presence is required if complete relief is to be accorded in arbitration, provided that the party sought to be joined consents in writing to such joinder. Consent to arbitration involving an additional person or entity shall not constitute consent to arbitration of a claim not described in the written consent.
18. This agreement to arbitrate and any other written agreement to arbitrate with an additional person or persons referred to herein shall be specifically enforceable under applicable law in any court having jurisdiction thereof. The award rendered by the arbitrator

or arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

19. Fire, explosion, theft, lightning, windstorm, earthquake, flood, hurricane, tornado, storm, labor disputes not caused by the Contractor, area-wide labor disputes impacting the Work, riot, civil commotion, act of war, act of foreign or domestic terrorism, malicious mischief, epidemic, pandemic (including but not limited to the COVID-19 coronavirus pandemic), act of God, or any other event not listed above that is both reasonably unforeseeable and beyond the Parties' reasonable control shall be a "Force Majeure Event." A Party to this Agreement shall not be held responsible for or liable to the other for any unavoidable loss, damage, or delay to the extent that such loss damage or delay is caused by a Force Majeure Event. Should a Force Majeure Event occur, the Parties shall promptly notify one another of the event. The Parties shall use all commercially reasonable efforts to overcome and mitigate all resulting losses, damages, or delays and to resume as soon as practical the normal pursuit and schedule of the Work. Should a Force Majeure Event result in increased labor or material costs or unavailability of same, or other loss, damage or delay to the Project, the Project schedule and price shall be equitably adjusted to reflect the actual time and cost impact caused by the Force Majeure Event.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Purchase of One New Ford F150 Crew Cab 4x4 Truck

AGENDA DATE: October 3, 2023

DATE PREPARED: September 19, 2023

PREPARED BY: Chris Maddox

AMOUNT: \$42,000

GL ACCOUNT #: 322-4420-542200

FUNDING SOURCE: 2016 Douglas County SPLOST

BUDGETED ITEM? Yes

PUBLIC HEARING: No

PURPOSE: To purchase one new vehicle for the Water Treatment Plant.

BACKGROUND: The automotive industry has been extremely volatile ever since COVID and dealers have struggled to obtain inventory. It's one of the few markets that hasn't rebounded. In addition, Ford, GM, and Chrysler are in the middle of labor strikes which will negatively affect the market even more. We have been given no real timeframe from any dealer on how long after we put in an order and how long it'll be that we get that unit. Ford could also significantly raise the price of the vehicle as well.

STAFF RECOMMENDATION: Buster Miles Ford in Heflin, Alabama has a new Ford F150 crew cab 4x4 truck on their lot for \$42,000 that meets our needs. A \$1,000 deposit was authorized by the City Manager to hold these units until our next City Council meeting.

IMPACT: Purchasing a vehicle currently on a dealer's lot allows us to avoid a wait of several months or longer. In addition, with this cost savings we will be well under budget after the safety lights have been installed.

MOTION: I move to authorize the Mayor to purchase from Buster Miles Ford one new Ford F150 Crew Cab 4x4 truck for \$42,000.



Purchase Agreement

Mim Miles
Buster Miles Automotive
Ford 1880 Almon St
Chevy 1884 Almon St.
Heflin, AL 36264

Buyer	Co-Buyer	Vehicle
City Of Villa Rica City of Villa Rica 571 W Bankhead Hwy Villa Rica, GA 30180 C: (770) 550-6099		2022 Ford F-150 XL VIN: 1FTEW1EB9NKF09505 Stock #: Mileage: Color:

Purchase Details	
Retail Price:	\$43,555.00
Sales Price:	\$41,176.00
Accessories:	\$0.00
Service Contract:	\$0.00
GAP:	\$0.00
Government Fees:	\$35.00
Proc/Doc Fees:	\$789.00
Total Taxes:	\$0.00
Total Sales Price:	\$42,000.00
Trade Allowance:	\$0.00
Trade Payoff:	\$0.00
Trade Equity:	\$0.00
Rebate:	\$0.00
Cash Down:	\$0.00
Cash Price:	\$42,000.00

X

Customer Signature

Date

X

Manager Signature

Date

Disclaimer:

*With approved credit.

Printed 9/20/23 4:15 PM



Don-Rich Ford Company, Inc.

221 Montgomery Street

Villa Rica, GA 30180

Tel: 770-459-5132 • Fax: 770-459-3201

09/26/2023

To: City of Villa Rica
42 Community Square Blvd
Villa Rica, Ga. 30180

We are pleased to have the opportunity to provide the following bids:

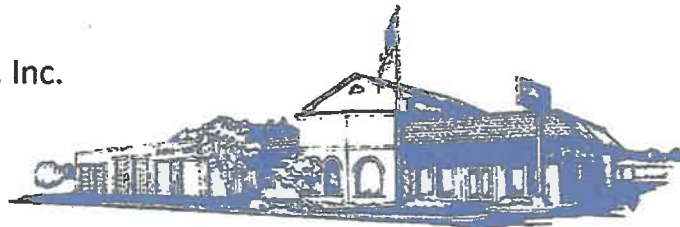
2024 White F250 xl 4x4 swb srw
17" tires
Per requested specs
Bid: \$53,070.00
Don Rich Ford Co.

2024 F150 White super cab 4x4
Per requested specs
Bid: \$47,860.00
Don Rich Ford Co.

2024 F150 White crew cab 4x4 5 ½
Per requested specs
Bid: \$50,175.00
Don Rich Ford Co.

Sincerely,

Bart Smith,
General Manager
Don Rich Ford Co., Inc.



Servicing all of your automotive needs since 1971
www.donrichford.com



F150 Pickup Contract 10590-WS

Regular Cab, 4x2, Short Wheel Base, Spare, 3.3L V6, Automatic, AC,Vinyl 40-20-40 seats, AM/FM/Bluetooth

WADE FORD Government Sales 3860 South Cobb Dr Smyrna, GA 30080

ROLLINS WALKER Phone (678) 385-3474 FAX (678) 385-3474 email: rollins.walker@wade.com

Order	Code	Chassis	Price	Total	Order	Code	Chassis	Price	Total
	X1*	Super Cab w/ 6.5 ft Bed	4,610.00	0.00		66S	SSV Special Svc Pkg Crew only	49.00	0.00
1	W1*	Crew Cab w/ 5.5 ft Bed	6,945.00	6,945.00			req 3.5 or 5.0 Engine		0.00
	LWB	Long Bed	295.00	0.00		102A	XL Plus Upgrade Pkg (CC only)	2,257.00	0.00
1	*1E	4x4 Drive System w/ SoF*	5,065.00	5,065.00		61S	STX Appreance Pkg (101A)	1,650.00	0.00
1	413	Skid Plates	152.00	152.00		43A/54R	Co-Pilot 360	919.00	0.00
	99D	3.5/Hybrid Engine Crew only	7,990.00	0.00		17T	Tow Tech Pkg	844.00	0.00
	477	Pro Pwr 7.2 Kw Generator	719.00	0.00		aataf	Trailer TPMS/Camera	695.00	0.00
						300A	XLT Upgrade	5,405.00	0.00
	99P	2.7L V6 Ecoboost Engine	1,285.00	0.00		59R	Remote Start	187.00	0.00
	998	3.5L V6 Ecoboost Engine	2,735.00	0.00		50N	Navigation Req SYNC4	763.00	0.00
	995	5.0L V8 Gasoline Engine	2,335.00	0.00		763	360 Degree Camera Req53A	733.00	0.00
	98G	CNG/Pro Prep for Alt Fuel	301.00	0.00		301A	XLT Plus Upgrade	1,973.00	0.00
1	Bi-CNG	17 Gallon CNG		0.00		85P	LED box lighting	120.00	0.00
	Bi-CNG	23 Gallon CNG (no 5.5)		0.00		617	Power Adj Pedals	163.00	0.00
	Bi-CNG	10 Gallon CNG Underbody		0.00		86B	Chrome App Pkg	1,325.00	0.00
	XL*	Limited Slip Rear Axle	545.00	0.00		302A	XLT Luxury Upgrade	5,215.00	0.00
	CG	Cloth 40-20-40 Seats	125.00	0.00		47R/W	Rubber floor (no reg cab)	150.00	0.00
	WG	Cloth 40-Console-40 SC/CC only	283.00	0.00		472	2kW ProPwr (no Reg, Diesel,3.3)	954.00	0.00
	50M	Interior Work Surface	158.00	0.00					0.00
1	85A	Power Equip Grp W,L,M	0.00	0.00		90B	Cross Bed Toolbox Matte	895.00	0.00
	91P	Power Driver Seat	336.00	0.00		90P	Cross Bed Toolbox Bright	895.00	0.00
1	53B	Trailer Tow Hitch class IV	196.00	196.00					0.00
	53A	Trailer Tow Package class V	1,044.00	0.00		BAK	Back Rack w/ Strobes	1,575.00	0.00
1	67T	Trailer Brake Cont Req 53*	265.00	265.00		TT15	1500 Lb Liftgate	3,585.00	0.00
1	76R	Reverse Sensors Req 53*	265.00	265.00			Thieman TT15 56x26+5		0.00
1	471	400W Inverter 53A,76R,85A	327.00	327.00		Leer	Hard Tonneau Cover	1,995.00	0.00
	68P	Snow Plow Prep Req 995, 4x4	49.00	0.00		627	Hvy Payload/towing pkg	3,690.00	0.00
1	T7C	LT265/75Rx17E BSW AT Tires 4x4	284.00	284.00			Incl HDtowing and LS axle		0.00
1	18B	Black Platform Running Boards	240.00	240.00					0.00
1	50S	Cruise Control	216.00	216.00					0.00
1	524/582	SYNC 4	387.00	387.00					0.00
	57Q/924	Rear Defrost/Privacy Tint	306.00	0.00					0.00
	54R/59S	LED Mirror Spotlights 85A,53A	465.00	0.00					0.00
	942	Daytime Running Lights	41.00	0.00					0.00
	85H	Backup Alarm	120.00	0.00					0.00
	94S/W	LED Warning Strobes A/AW*	695.00	0.00					0.00
	655	Ext Range 36 gal Gas only	427.00	0.00					0.00
	595	Fog Lights	135.00	135.00					0.00
1	17C	Chrome F&R Bumpers	169.00	169.00			** Bi-Fuel CNG systems will be		0.00
	68L	Bed Utility Pkg	665.00	0.00			installed at Westport **		0.00
	47W	Tray Style Floor Liners	152.00	0.00			* Shift on the Fly		0.00
1	96W	Spray in Bed Liner	571.00	571.00			* Amber, or Amber/ White		0.00
1	XTR	Extra Keys	275.00	275.00			Tag / Title	75.00	0.00

PAINT COLORS		
1	YZ	Oxford White
	UM	Agate Black Metallic
	PQ	Race Red
	D1	Stone Grey Metallic
	M7	Carbonized Grey
	HX	Antimatter BLue
	JS	Iconic Silver Metallic
	E7	Velocity Blue Metallic
	AT	Yellow \$725.00
	B1	School Bus Yellow \$725.00
	E4	Vermillion Red \$725.00
	GR	Green \$725.00

Delivery Region		
1	- 61.00	
2	- 80.00	
3	- 100.00	
4	- 80.00	
5	- 80.00	
6	- 80.00	
7	- 100.00	
8	- 120.00	
9	- 135.00	
10	- 140.00	
11	- 180.00	
12	- 200.00	

Base Vehicle	37,296.00
Total Chassis options	15,492.00
Total Body options	0.00
Delivery Zone	0.00
Special Paint	
Total	52,788.00

Agency Contact	
Phone	
Agency	
Address	



Preview Order V01R - W1L - 4x4 XL SuperCrew : Order Summary Time of Preview: 09/25/2023

16:48:04 Receipt: 9/25/2023

Dealership Name : Hardy Family Ford

Sales Code : F21570

Dealer Rep.	Austin Harris	Type	Fleet	Vehicle Line	F-150	Order Code	V01R
Customer Name	VILLA RICA	Priority Code	A1	Model Year	2024	Price Level	415

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F150 4X4 SUPERCREW XL - 145	\$47395	3.55 ELECTRONIC LOCK RR AXLE	\$470
145 INCH WHEELBASE	\$0	6650# GVWR PACKAGE	\$0
TOTAL BASE VEHICLE	\$47395	BLACK PLATFORM RUNNING BOARDS	\$250
OXFORD WHITE	\$0	50 STATE EMISSIONS	\$0
VINYL 40/20/40 FRONT SEAT	\$0	EXTENDED RANGE 36GAL FUEL TANK	\$0
MEDIUM DARK SLATE	\$0	INTEGRATED TRAILER BRAKE CONT	\$275
EQUIPMENT GROUP 101A	\$0	BEDLINER-TOUGHBED SPRAYIN*ACCY	\$595
.XL SERIES	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
.17" SILVER STEEL WHEELS	\$0	FUEL CHARGE	\$0
2.7L V6 ECOBOOST	\$0	PRICED DORA	\$0
ELEC TEN-SPEED AUTO W/TOW MODE	\$0	ADVERTISING ASSESSMENT	\$0
.265/70R 17 BSW ALL-TERRAIN	\$0	DESTINATION & DELIVERY	\$1995

	MSRP
TOTAL BASE AND OPTIONS	\$50980
DISCOUNTS	NA
TOTAL	\$50980

FLEET ADJUSTMENT - \$4,600
TOTAL PRICE \$46,380

This order has not been submitted to the order bank.

This is not an invoice.

ALLAN VIGIL FORD-LINCOLN GOVERNMENT SALES

2024 Ford F150 (1/2 ton)

Base Price

\$36,798.00

Regular Cab, 6 Cyl, 4x2, SWB

SWC #99999-SPD-ES40199373-002

Equipment included in base price:

2.7L V-6 Engine
10 Speed Automatic Transmission
Factory Installed A/C
AM-FM Radio
Solar Tinted Glass
Power Steering/ABS Brakes
Rear view back up camera
Vinyl 40/20/40 Bench Seat
Rubber Floor Covering
Full Size Spare/ Step bumper
Autolamp headlights
Short Bed (6.5 ft)
Power Windows, Locks & Mirrors
Cruise control
P245/70R17 Tires
Ford SYNC (Bluetooth)
Reverse sensing

Exterior Colors	Interior Color
D1 Stone Gray	Gray
YZ Oxford White	"
HX Antimatter Blue	"
B3 Atlas Blue	"
JS Iconic Silver	"
UM Agate Black	"
M7 Carbonized Gray	"

School Bus Yellow is available at
\$925.00 per vehicle

FOB Allan Vigil Ford
Delivery- see chart, \$75 minimum

ALLAN VIGIL FORD GOV'T SALES
6790 Mt. Zion Blvd
Morrow, GA 30260
770-368-0680 Phone
678-364-3910 Fax

- * 5.0L V8 or 3.5L Ecoboost engine required
- ** Not available with regular cab short wheel base
- *** Super cab & Crew cab only

Options	Price	Code
5.0L V8 Flex Fuel engine	2,150.00	995
3.5L V6 EcoBoost engine**	2,545.00	99G
Long Bed (8 ft)	350.00	145
Extended range fuel tank**	410.00	655
Super Cab (6.5 ft. bed)	6,435.00	X1C
Super Cab (8 ft. bed) *	7,766.00	X1C/Long
4x4 Option-Regular cab	5,225.00	F1E
4X4 Option-Super&Crew Cabs	5,225.00	X1E
Skid plates (4X4s only)	175.00	413
Crew Cab SWB (5.5 ft bed)	8,765.00	W1Cs
Crew Cab LWB* (6.5 ft bed)	9,995.00	W1C/Long
Limited Slip Axle	625.00	XL9
Daytime Running Lights	85.00	942
Power Driver Seat	425.00	91P
LT265/70R17C A/T tires	325.00	T7C
Class IV Hitch (w/o tow pkg)	295.00	53B
Trailer Tow Pkg(includes Electric Brake Controller)	1,525.00	53A
Tow Mirrors w/ spotlights***	995.00	54Y/59S
Running boards (black)	325.00	18B
Electric Brake Control for 53B	425.00	67T
40-20-40 Cloth Split Bench	N/C	CS
Cloth Buckets w/console***	475.00	WS
Rear window defroster	305.00	57Q/924
Fog Lights	225.00	595
Carpet w/ Mats	160.00	168

Spray-In Bedliner	499.00	ATK
400 Watt outlet***	425.00	471
XLT Package	6,650.00	300A
XLT Power Driver Seat	425.00	91P

Options total
Other vendor added equipment

Delivery

Total
Contact person
Agency
Phone Number

Chris Maddox
VILLA RICA

770-550-6099

6/13/2023

15,709

125

52,632

OK
MB



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Purchase of Two New Ford F250 Crew Cab 4x4 Trucks

AGENDA DATE: October 3, 2023

DATE PREPARED: September 19, 2023

PREPARED BY: Chris Maddox

AMOUNT: \$54,000 each, \$108,000 total

GL ACCOUNT #: 350-4910-542200 (Grounds Maint)
540-4500-542200 (Solid Waste)

FUNDING SOURCE: Grounds Maint (General Fund Capital)
Solid Waste

BUDGETED ITEM? Yes

PUBLIC HEARING: No

PURPOSE: To purchase two new vehicles, one for the Solid Waste Department and one for the Grounds Maintenance Department.

BACKGROUND: The automotive industry has been extremely volatile ever since COVID and dealers have struggled to obtain inventory. It's one of the few markets that hasn't rebounded. In addition, Ford, GM, and Chrysler are in the middle of labor strikes which will negatively affect the market even more. We have been given no real timeframe from any dealer on how long after we put in an order and how long it'll be that we get that unit. Ford could also significantly raise the price of the vehicle as well.

STAFF RECOMMENDATION: Buster Miles Ford in Heflin, Alabama has two new Ford F250 Trucks with service bodies on their lot for \$54,000 each that meet our needs. A \$1,000 deposit for each was authorized by the City Manager to hold these units until our next City Council meeting.

IMPACT: Purchasing units currently on Buster Miles Ford's lot allows us to avoid a wait of several months or longer. In addition, with this cost savings we will be well under budget after the safety lights have been installed.

MOTION: I move to authorize the Mayor to purchase from Buster Miles Ford two new Ford F250 Crew Cab 4x4 trucks with service bodies for \$54,000 each.



Purchase Agreement

Mim Miles
Buster Miles Automotive
Ford 1880 Almon St
Chevy 1884 Almon St.
Heflin, AL 36264

Buyer	Co-Buyer	Vehicle
City Of Villa Rica City of Villa Rica 571 W Bankhead Hwy Villa Rica, GA 30180 C: (770) 550-6099		2022 Ford Super Duty F-250 SRW VIN: 1FD7W2B63NEG17392 Stock #: 219678 Mileage: 425 Color: OXFORD WHITE

Purchase Details	
Retail Price:	\$65,000.00
Sales Price:	\$53,176.00
Accessories:	\$0.00
Service Contract:	\$0.00
GAP:	\$0.00
Government Fees:	\$35.00
Proc/Doc Fees:	\$789.00
Total Taxes:	\$0.00
Total Sales Price:	\$54,000.00
Trade Allowance:	\$0.00
Trade Payoff:	\$0.00
Trade Equity:	\$0.00
Rebate:	\$0.00
Cash Down:	\$0.00
Cash Price:	\$54,000.00

X

Customer Signature

Date

X

Manager Signature

Date

Disclaimer:

*With approved credit.

Printed 9/20/23 3:51 PM



Purchase Agreement

Mim Miles
Buster Miles Automotive
Ford 1880 Almon St
Chevy 1884 Almon St.
Heflin, AL 36264

Buyer	Co-Buyer	Vehicle
City Of Villa Rica City of Villa Rica 571 W Bankhead Hwy Villa Rica, GA 30180 C: (770) 550-6099		2022 Ford Super Duty F-250 SRW VIN: 1FD7W2B61NEG17391 Stock #: 219677 Mileage: 413 Color: OXFORD WHITE

Purchase Details	
Retail Price:	\$65,000.00
Sales Price:	\$53,176.00
Accessories:	\$0.00
Service Contract:	\$0.00
GAP:	\$0.00
Government Fees:	\$35.00
Proc/Doc Fees:	\$789.00
Total Taxes:	\$0.00
Total Sales Price:	\$54,000.00
Trade Allowance:	\$0.00
Trade Payoff:	\$0.00
Trade Equity:	\$0.00
Rebate:	\$0.00
Cash Down:	\$0.00
Cash Price:	\$54,000.00

X

Customer Signature

Date

X

Manager Signature

Date

Disclaimer:

*With approved credit.

Printed 9/20/23 3:50 PM

EXTERNAL EMAIL: 2024 F250

Mim Miles <milesmim@gmail.com>

Tue 9/19/2023 3:35 PM

To: Chris Maddox <cmaddox@villarica.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

2024 F250 w/out utility body crew cab 4x4

\$49,000 (the bodies are generally 7-10k depending on what you get)

I can't get a 23 F-250 w/out the body to price, I can price it as an order but I cant actually order it so its pointless. 23 superduty is balanced out.

I can price a stock 23 F-250 that I have now but its not a crew cab and has a utility body on it.

I have a 23 F-150 xl 4x4 crew in stock right now that I can sell for \$50,000. I'm working a deal now that I may be able to get leftover 22s for a lot less. Stay tuned. Thanks.

--

Mim Miles

Buster Miles Chevy and Ford

1-256-310-5163 Cell/Text

milesmim@gmail.com

www.bustermiles.com

Buster Miles Chevrolet

1884 Almon Street

Heflin, AL 36264

Buster Miles Ford

1880 Almon Street

Heflin, AL 36264



New 2022 Knapheide Service Body Only, Plumber Service Body Only, Contractor Body Only
KNA6108D54-2

Stock # KNA73743

\$12,650

Country Blacksmith Trailers - Mount Vernon

Popularity Stats

- Seen 39 times (last 30 days)
- Saved by 1 person
- The price has not decreased recently

Description

Stock # KNA73743

2022 Knapheide KNA6108D54-2, Service Body Trailer, . Knapheide Standard Service Body, 108" Long, 94" Wide, 60" Cab to Axle, This Bed Fits a Dual Wheel Cab and Chassis Truck, Rear Slam Tailgate, Rear Black Spray-Lined Bumper, White Exterior, LED Clearance Lights and Rear Tail Lights, Large Upright Toolbox in Front Corners (2 Shelves per Box), Cross Body Toolbox over Wheel Wells on Both Sides (One Shelf on Passengers Side Box), and Rear Upright Toolbox on Both Sides (One Shelf per Box), Automotive Rotary Style Latches, Double Panel Door Construction, 20" Compartment Depth, Steel Treadplate Floor, 54" Inside Floor Width, 5K Year Warranty, Steel, 9 x 8.00 x

Message From Country Blacksmith Trailers - Mount Vernon

Over 800 trailers and Truckbeds in stock We install truckbeds while you wait!

Detailed Specifications

Condition:	New
Year:	2022
Make:	Knapheide
Model:	KNA6108D54-2
Class:	TRUCK BODY
Category:	Service Body Only, Plumber Service Body Only, Contractor Body Only
Location:	Mount Vernon, IL
Stock Number:	KNA73743
VIN:	20211206-0773743
Trailer Length:	9
Trailer Width:	8
Color:	WHITE

[See more Trucks from this dealer.](#)



Don-Rich Ford Company, Inc.

221 Montgomery Street

Villa Rica, GA 30180

Tel: 770-459-5132 • Fax: 770-459-3201

09/26/2023

To: City of Villa Rica
42 Community Square Blvd
Villa Rica, Ga. 30180

We are pleased to have the opportunity to provide the following bids:

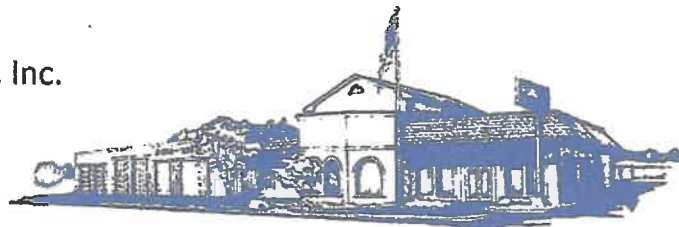
2024 White F250 xl 4x4 swb srw
17" tires
Per requested specs
Bid: \$53,070.00
Don Rich Ford Co.

2024 F150 White super cab 4x4
Per requested specs
Bid: \$47,860.00
Don Rich Ford Co.

2024 F150 White crew cab 4x4 5 ½
Per requested specs
Bid: \$50,175.00
Don Rich Ford Co.

Sincerely,

Bart Smith,
General Manager
Don Rich Ford Co., Inc.



Servicing all of your automotive needs since 1971
www.donrichford.com



Pickup Contract 10590-WS 10,000 GVWR Pickup Ford F-250

F2A Regular Cab, 6.8L V8 Gasoline Engine, Automatic, 8 ft Bed, AC, AM/FM

WADE FORD Government Sales 3860 South Cobb Dr Smyrna, GA 30080
Rollins walker Phone (678) -385-3474 email: rollins.walker@wade.com

Order	Code	Chassis	Price	Total	Order	Code	Body / Equipment	Price	Total
	F3A	F350 10,500 GVWR	1,045.00	0.00		43K	2kW Pro Power	985.00	0.00
	F3C	Dual Tire F350 14,000 GVWR	2,740.00	0.00		76C	Backup Alarm	132.00	0.00
	F4C	F450 Dual Tire 14,000 GVWR *	14,485.00	0.00		76Z	Anti-Theft Security System	58.00	0.00
	X*A	Super Cab Short Bed (no 450)	2,335.00	0.00		942	Daytime Running Lights	43.00	0.00
1	W*B	Crew Cab Short Bed	3,797.00	3,797.00	1	96V	XL Chrome Package	225.00	225.00
	LWB	Long bed (SC CC only)	210.00	0.00		61N	Wheel Well Liners	325.00	0.00
1	B / D	4x4 Drive System (all cabs)	3,470.00	3,470.00		874	360 Camera	1,150.00	0.00
1	41P	Skid Plates	95.00	95.00		15W	12,000 lb Warn Winch	3,000.00	0.00
	99T	6.7L Powerstroke Diesel Engine	9,995.00	0.00	1	66S	Upfitter switches	165.00	165.00
	99M	High Output Diesel Engine	2,500.00	0.00		41H	Block Heater	100.00	0.00
	99N	7.3 I V8 Gasoline Engine (250)	1,705.00	0.00		17Y	Tremor Package	4,375.00	0.00
	62R	PTO Provision Transmission	260.00	0.00		87S	Retractable Bed Side Step	330.00	0.00
	98F	Gaseous Fuel Prep Pkg (gas only)	Job 2			87B	Retractable Bed Corner Step	330.00	0.00
	17X	FX4 Off Road Pkg	995.00	0.00		603A	XLT Package Upgrade (4x4 only)	6,135.00	0.00
	X4*	Limited Slip Rear Axle	430.00	0.00		17P	XLT Premium Package	4,150.00	0.00
	TBM	LT245/75R17E AT Tires	181.00	0.00		54F	PowerScope Trailer Mirrors	280.00	0.00
	1S	Cloth 40-20-40 Seats	315.00	0.00		2S	Captains Chairs w Console	300.00	0.00
	52S	Interior Work Surface	140.00	0.00					0.00
1	67*	Heavy Duty Alternator(s)	115.00	115.00					0.00
	473	Snow Plow Prep Pkg	250.00	0.00					0.00
	43C	110V/400W Inverter (req 67*)	175.00	0.00					0.00
	67H	HD Front Suspension	225.00	0.00					0.00
	535	High Cap Trailer Tow Pkg	1,130.00	0.00					0.00
	52T	Tow Tech Pkg	925.00	0.00					0.00
	53W	5th Wheel Gooseneck Prep Kit	550.00	0.00					0.00
	15J	Gooseneck Hitch Kit	250.00	0.00					0.00
	15L	5th Wheel Hitch Kit	1,095.00	0.00					0.00
1	85S	Spray In Bedliner	595.00	595.00			Multiple body options available		0.00
1	18B	Platform Running Boards	421.00	421.00					0.00
	76S	Remote Start	250.00	0.00	1		8 ft Utility Body	17,250.00	17,250.00
	86M	Dual Batteries 78AH	210.00	0.00			Crane Body		0.00
	19J	Cross Bed Tool box Matte	950.00	0.00			Lift Gates Installed		0.00
	19K	Crossbed Toolbox Bright	950.00	0.00			Animal Control Body		0.00
	91S	LED Amber Warning Strokes	650.00	0.00					0.00
	91G	LED White Warning Strokes	650.00	0.00			Extended Service Plans		0.00
	66B	Box Link Connectors	69.00	0.00			Maintenance Plans		0.00
	52R	Bed Ramps	640.00	0.00					0.00
	85G	Tailgate Step	375.00	0.00			* F450 Diesel Engine is STD		0.00
	66L	LED Box Lighting	60.00	0.00			Hard Plate	85.00	0.00

PAINT COLORS			Special Paint Colors**		
1	Z1	Oxford White	Fleet Green	GR	
	UM	Agate Black	Fleet Orange	MB	
	PQ	Race Red Metallic	School Bus Yellow	BY	
	M7	Carbonized Gray Metallic	Fleet Vermillion Red	E4	
	HX	Antimater Blue	Fleet Yellow	AT	
	JS	Iconic Silver			
	D1	Stone Grey Metallic			
	D4	Rapid Red XLT Only			

Base Vehicle	44,730.00
Total Chassis options	8,493.00
Total Body options	17,640.00
Delivery Zone	
Metallic / Special Paint	
Total	70,863.00
Units ordered	
Total for PO	0.00
Agency Contact	
Phone	
Agency	
Address	



Preview Order V02R - W2B 4x4 Crew Cab SRW : Order Summary Time of Preview: 09/25/2023
16:57:35 Receipt: 9/25/2023

Dealership Name : Hardy Family Ford

Sales Code : F21570

Dealer Rep.	Austin Harris	Type	Fleet	Vehicle Line	Superduty	Order Code	V02R
Customer Name	VILLA RICA	Priority Code	L1	Model Year	2024	Price Level	420

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F250 4X4 CREW CAB PICKUP/176	\$51770	PICKUP BOX DELETE	\$-625
176 INCH WHEELBASE	\$0	.REAR VIEW CAMERA & PREP KIT	\$0
TOTAL BASE VEHICLE	\$51770	JOB #1 ORDER	\$0
OXFORD WHITE	\$0	PLATFORM RUNNING BOARDS	\$445
VINYL 40/20/40 SEATS	\$0	9900# GVWR PACKAGE	\$0
MEDIUM DARK SLATE	\$0	50 STATE EMISSIONS	\$0
PREFERRED EQUIPMENT PKG.600A	\$0	ROOF CLEARANCE LIGHTS	\$95
.XL TRIM	\$0	UPFITTER SWITCHES	\$165
.AIR CONDITIONING – CFC FREE	\$0	250 AMP ALTERNATOR	\$85
.AM/FM STEREO MP3/CLK	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
.6.8L DEVCT NA PFI V8 ENGINE	\$0	FUEL CHARGE	\$0
10-SPEED AUTO TORQSHIFT-G	\$0	PRICED DORA	\$0
.LT245/75R17E BSW ALL-SEASON	\$0	ADVERTISING ASSESSMENT	\$0
3.73 ELECTRONIC-LOCKING AXLE	\$430	DESTINATION & DELIVERY	\$1995

	MSRP
TOTAL BASE AND OPTIONS	\$54360
DISCOUNTS	NA
TOTAL	\$54360

FLEET ADJUSTMENT	-\$2,500
PRICE BEFORE UPFIT	\$51,860
KNAPHEIDE SERVICE BODY	\$12,999
TOTAL PRICE	\$64,859
TOTAL FOR 2 TRUCKS	\$129,718

This order has not been submitted to the order bank.

This is not an invoice.

ALLAN VIGIL FORD-LINCOLN GOVERNMENT SALES

2024 Ford F250 Regular Cab
V8 Long Bed 4X2 (3/4 ton)

Base Price \$42,950.00

SWC #99999-SPD-ES40199373-002

Equipment included in
Base price

6.8L V8 Gasoline/E85 Engine
10 Speed Automatic Transmission
Factory Installed A/C
9800# GVWR
AM-FM RadioMP3
8" screen, bluetooth
Power windows, locks, mirrors
Remote keyless entry
40/20/40 Vinyl Bench Seat
Rubber Floor Covering
Full Size Spare Tire
Rear Step Bumper
Solar Tinted Glass
Trailer brake controller
2.5" Receiver Hitch (12.5k)
Tilt Steering Wheel
Rear View Camera
Electric Shift (4X4 only)
Cruise control

Colors Available

Exterior	Interior
M7 Carbonized Gray	Gray
PQ Race Red	Gray
JS Iconic Silver	Gray
D1 Stone Gray	Gray
UM Agate Black	Gray
Z1 Oxford White	Gray

Options	Price	Code
6.7L V8 Diesel Engine	9,495.00	99T
6.7L V8 Diesel Eng. Hi output	11,570.00	99M
4X4 Option	2,935.00	F2B
LT245 All-terrain tires	160.00	TBM
Super Cab Long Bed	2,830.00	X20I
Super Cab Short Bed	2,475.00	X20s
Crew Cab Long Bed	4,242.00	W20I
Crew Cab Short Bed	3,888.00	W20s
Electronic locking axle	435.00	X3H
Roof Clearance Lights	89.00	592
Chrome package	215.00	96V
Cab Steps (running boards)	425.00	18B
Retractable Bed Side-Step	315.00	87S
Engine block heater	95.00	41H
PTO Transmission -diesel only	270.00	62R
Interior work surface	135.00	52S
110 AC outlet	165.00	43C
XL Off-road package-4X4 only	940.00	17Z
Includes skid plates		
R.window defrost-privacy glass	468.00	435/024
Cloth 40/20/40 Bench Seat	295.00	1S
HD Alternator	80.00	67D
Upfitter Switches	160.00	66S
Spray-in Bedliner	450.00	ATK
XLT Pkg Upgrade	6,411.00	XLT
The XLTs are 4X4, 2 wheel drive is not available		
Tailgate Step	345.00	85G
Snow plow prep	235.00	473
Gooseneck hitch(long bed & 4X4 required)	815.00	53W/15J
Dual battery(gas engines)	199.00	86M
2KW Pro Power Onboard-	945.00	43K
Delete pickup bed	(235.00)	66D

FOB Allan Vigil Ford
Delivery \$1.50 per mile, \$75 minimum

ALLAN VIGIL FORD GOV'T SALES
6790 Mt. Zion Blvd
Morrow, GA 30260

770-868-0680 Phone
800-821-5151 Toll Free
678-364-3910 Fax

Option total
Other vendor added equipment
Delivery

Total

Contact person

Department

Phone Number

Fax number

9167
11,308 Knapheide
125
63,550

Chris Mader

Vicki Roca

770-550-6099

08/13/23



SINCE 1848

Knapheide Truck Equipment - Griffin
2570 N Expressway
Griffin GA 30223
Phone: 770-227-4688
Fax: 770-227-0106
atlanta.knapheide.com

QUOTATION

Quote ID: BT00002807

Page 1 of 3

Customer: ALLAN VIGIL FORD LINCOLN INC
P. O. BOX 100001
MORROW GA 30260-9998

Quote Number: BT00002807
Quote Date: 9/26/2023
Quote valid until: 10/26/2023

Contact:
Phone: 678-364-3100
Fax: 1-678-364-3908

By: Prepared BTHOMPSON
Salesperson: MIKE PRINCE
PO#:

Enduser:

Make: FORD	Model: F-250	Year: 2023	Single/Dual: SRW
Cab Type: CREW	Wheelbase: 176.0	Cab-to-Axle: 56.0	VIN:

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
		ADD CAMERA SYSTEM / ADD ON OR FACTORY PROVIDED		
1	CAMERA INSTALL	FACTORY INSTALL OF LOOSE PROVIDED CAMERA, LABOR ONLY	\$180.00	\$180.00
		HITCH & PLUG		
1	HITCH&PLUG-CL2-3	HITCH & PLUG - CLASS 2 & 3		
1	BUYE 1801050	HITCH UNIVERSAL FIT SERVICE BO	\$314.65	\$314.65
1	POLL 11-893	7 POLE METAL TRAILER PLUG	\$135.35	\$135.35
1	KNAP A698	PRICES INCLUDE THE FOLLOWING STANDARD FEATURES: 40" HIGH SIDE PACKS AEROSPACE DESIGN AND ASSEMBLY 6061 T6 EXTRUSION UNDERSTRUCTURE EXCLUSIVE "RETURN FLANGE" FLOOR DESIGN RUGGED 6"X 1-1/2" INTERLOCKING EXTRUSION FLOOR INSET DOUBLE TRAY DOOR DESIGN NEOPRENE COMPARTMENT DOOR SEALS CONTINUOUS ALUMINUM DOOR HINGE WITH STAINLESS STEEL RODS AUTOMOTIVE QUALITY ROTARY-STYLE LATCHES ADJUSTABLE SECURITY DOOR RING STRIKERS NITROGEN STRUT DOOR RETAINERS TPO FENDER SKIRTS ALUMINUM CONSTRUCTION SLAM LOCK TAILGATE OEM SPECIFIC QUICK MOUNT-(MUST BE ORDERED SEPERATELY) INTERIOR LIGHT GUARDS SURFACE MOUNT REAR LIGHTS, LED S/T/T, B/U, BUILT IN REFLECTIVITY, UPGRADABLE (8) PATTERN STROBES-(MUST BE ORDERED SEPERATELY) ALUMINUM ETCHING PRIMER PAINT * TWO (2) ADJUSTABLE DIVIDER SHELVES & DIVIDERS, STREET & CURB SIDE FRONT VERTICAL COMP. * ONE (1) ADJUSTABLE DIVIDER SHELF & DIVIDERS, STREET AND CURB SIDE FULL HEIGHT REAR VERTICAL COMPARTMENT * ONE (1) ADJUSTABLE DIVIDER SHELF & DIVIDERS, CURB SIDE HORIZONTAL COMPARTMENT * AUTOMOTIVE STYLE ROTARY LATCHES & GAS SPRING DOOR RETAINERS ON ALL VERTICAL DOORS, ONE (1) 12" SLAM TAILGATE	\$9,067.10	\$9,067.10
1	KNAP 20128850	LED SURFACE MOUNT STOP/TURN/TAIL LIGHTS FOR STEEL SERVICE BODY (80" & WIDER BODY ALSO ORDER 20170980) -	\$466.51	\$466.51



Knapheide Truck Equipment - Griffin
2570 N Expressway
Griffin GA 30223
Phone: 770-227-4688
Fax: 770-227-0106
atlanta.knapheide.com

QUOTATION

Quote ID: BT00002807

Page 2 of 3

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
		LOOSE		
65	KNAP 12221958	DOOR SEAL (PRICED PER FOOT - SOLD IN 500 FT INCREMENTS) - LOOSE	\$6.25	\$406.25
1	KNAP 35293873	KIT QK MT FORD 17+ 56CA	\$729.78	\$729.78
1	KNAP 34000948	FORD 2020 & NEWER 40"/56" CA P ICKUP (BCM REPROGRAMMED) 6-CIR	\$221.63	\$221.63
1	KNAP 20104660	FENDERSKIRT STREETSIDE OR CURBSIDE, 40"-60" CA BODY, KNAP WHITE - LOOSE	\$338.89	\$338.89
1	KNAP 20104720	FENDERSKIRT STREETSIDE WITH FRONT FUEL FILL CUTOUT, FORD OR RAM 40"-60" CA BODY, KNAP WHITE - LOOSE	\$401.45	\$401.45
150	PAINT MAT	PAINT MATERIAL	\$1.56	\$234.00
65	MISC SUPPLIES	SUPPLY ITEMS	\$1.56	\$101.40
1	DISCOUNT	MUNI DISCOUNT	(\$500.00)	(\$500.00)

Quote Total: \$12,097.01

Discount: (\$900.00)

Total Due(Sales tax not included): \$11,197.01

The following options may be added:

QUANTITY	DESCRIPTION	PRICE EACH	AMOUNT	ADD TO QUOTE
				Yes / No

Notes:

CITY OF VILLA RICA

This Quote is subject to the following terms and conditions:

Credit Card Policy

We do not accept credit cards for payment of any order in excess of \$3,000.00. For other orders, we do accept MasterCard, American Express, Visa and Discover cards for payment.

Pricing Policy

- Price Quotation is good on orders received through the expiration date.
- Pricing quoted applies to chassis make/model originally provided and quantity quoted. Any change may result in price change.
- Orders are subject to all applicable state, local and federal excise taxes. Applicable taxes will be applied on final billing to customer upon completion of order.
- Knapheide Truck Equipment must be in possession of the vehicle for this order within 90 days of quote acceptance or the order can be subject to price adjustments due to cost increases for materials, labor, and shop supplies.

Payment Policy

- Payment Terms are due upon receipt of signed quote unless prior credit agreement has been established at the time of order.
- Payment terms for customers with an established credit account will be Net 30 from date of invoice.
- Knapheide has right to assess late charges at 1.5% per month on all invoices that are 60 days or more past due.

Return Policy

- All sales are final. Purchased parts or products are non returnable.

Cancellation Policy

- Payment is due in full upon cancellation of any orders for non-stocked parts or products (provided part/product has been ordered by Knapheide) and upon cancellation of installation orders, once product installation has begun.

Customer agrees and understands this Quote is an offer to sell subject to the terms and conditions above and any additional terms or modifications are hereby objected to, unless mutually agreed upon in writing by Customer and Knapheide. The undersigned represents and warrants that he/she is duly authorized to sign below on behalf of Customer and thereby accepts offer and Knapheide will begin processing the order.

11,197
+ 111.97
11,308
STATE
FEE
1%



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Roadway Management Technologies
AGENDA DATE: 9/20/23

DATE PREPARED: 10/3/23
PREPARED BY: Hal Burch

AMOUNT: \$20,400.00 Annually
GL ACCOUNT #: 100-4210-521300
FUNDING SOURCE: GF
BUDGETED ITEM? Yes
PUBLIC HEARING: No

PURPOSE: To purchase, pending legal review, Real Time Pavement Performance Analytics from Roadway Management Technologies.

BACKGROUND: RoadMan Tech provides government agencies and engineering firms with a unique integrated solution for roadway and infrastructure management. RMT offers the only real-time solution for pavement performance analytics easing the transition to a preservation based proactive roadway maintenance program. Roadway Management Technologies, LLC (“RMT”) is the sole source provider of RMT’s RoadRunner Passive Road Surveying Solution (“RoadRunner”), a product and service developed and sold exclusively by Roadway Management Technologies, LLC.

STAFF RECOMMENDATION: Real Time Pavement Performance Analytics is a cloud-based system that records data year-round and provides continuous road surveillance along with weekly updated photos.

IMPACT: Real Time Pavement Performance Analytics allows for comparison of various pavement cost/rehabilitation strategies to maximize the return on investment for the city.

MOTION: I move to allow the City Manager to purchase and implement Real Time Pavement Performance Analytics from Roadway Management Technologies for \$20,400.00 annually.

REAL-TIME PAVEMENT PERFORMANCE ANALYTICS



	OBJECTIVE	SAFE	COST-EFFECTIVE	PASSIVE	REAL-TIME
VISUAL INSPECTIONS					
ARAN/LIDAR SURVEYS	✓	✓			
IMAGE-BASED SURVEYS	✓		✓		
RMT DAILY INSPECTION	✓	✓	✓	✓	✓

"WORST-FIRST" APPROACH

TREATMENT	MILES TREATED (LANE MILES)	ADDED LIFE (LANE MILES)	TOTAL COST
RECONSTRUCTION	9	225	\$2,883,618
REHABILITATION	16	208	\$1,737,283
PRESERVATION	0	0	\$0
TOTAL	25	443	\$4,620,901

OPTIMIZED APPROACH

TREATMENT	MILES TREATED (LANE MILES)	ADDED LIFE (LANE MILES)	TOTAL COST
RECONSTRUCTION	4	100	\$937,634
REHABILITATION	8	104	\$815,912
PRESERVATION	192	900	\$2,905,547
TOTAL	204	1,104	\$4,654,093



RMT mounts hardware on your agency's fleet of vehicles.



You analyze visual data, allocating resources to optimize your budget.



RMT hardware passively collects road quality data and uploads daily.



ROADWAY MANAGEMENT TECHNOLOGIES, LLC

425 W Capitol Ave. Suite 1201 | Little Rock, AR 72201 | (501) 551-0780 | roadmantech.com

September 20th, 2023

ATTN: Villa Rica, Georgia
571 W Bankhead Hwy
Villa Rica, GA 30180
770-459-7000

Dear City of Villa Rica, Georgia:

Roadway Management Technologies, LLC ("RMT") is the sole source provider of RMT's RoadRunner Passive Road Surveying Solution ("RoadRunner"), a product and service developed and sold exclusively by Roadway Management Technologies, LLC.

RMT's RoadRunner platform allows agencies to passively crowdsource road surface quality information using agency-owned vehicles. RMT's unique and proprietary hardware and software combination preclude competition, as there is no other company allowing agencies to collect their own road quality data passively on a large, repeatable scale.

Sincerely,

Candler McCollum

CEO

501.626.1313



QUOTE #: 072023L1

DATE DELIVERED

07/20/2023

EXPIRATION DATE

10/20/2023

FROM:

Roadway Management Technologies
425 W Capitol Ave, Suite 1202
Little Rock, AR 72201
501-647-7272
candler@roadmantech.com

TO:

Hal Burch
106 Temple Street
Villa Rica, GA 30180
678-840-1213
hburch@villarica.gov

	Qty	Description	Unit Price	Annual Total
Required System Component:				
—	1	Real-time Pavement Performance Analytics, Annual	\$20,400.00	\$20,400.00
			Total	\$20,400.00

This is a quotation on the services named, subject to the conditions in Roadway Management Technologies' contract agreement.



ROADWAY MANAGEMENT TECHNOLOGIES

425 W CAPITOL AVE

SUITE 1202

LITTLE ROCK, AR 72201

(501) 551-0780 | ROADMANTECH.COM

CONTRACT AGREEMENT

This Contract Agreement ("Agreement") is made and entered into on this **25th** day of **September 2023**, by and between Roadway Management Technologies, LLC ("RMT" or "Party") and **Villa Rica** ("Agency" or "Party"), a duly constituted political subdivision of the state of **Georgia**.

1. Subscription Period

This subscription period is effective from **November 1st, 2023** ("Effective Date") until midnight, **October 31st, 2027**. This Agreement shall automatically renew for an additional term of one (1) year, unless either Party shall give notice of cancellation at least thirty (30) days prior to the subscription period or any renewal thereof.

2. Usage

a. Use Rights. During the term and subject to the terms of this Agreement, RMT hereby grants to Agency a non-exclusive, non-transferable, non-sublicensable right to permit Agency's Users to use hardware, support, and documentation provided by RMT (together referred to as "Licensed Materials") as well as RMT's online software and services (together referred to as "Software") for operating purposes. Said use rights are non-transferable, except in the event of a voluntary transfer of substantially all assets by Agency to a transferee which executes RMT's form of agreement agreeing to be bound by all of the terms and conditions of this Agreement. All rights in and to Software, intellectual property, and Licensed Materials owned by RMT not expressly granted herein are reserved to RMT.

b. License and Use Restrictions. Agency shall not, directly, indirectly, alone, or with another party, (i) copy, disassemble, reverse engineer, or decompile Licensed Material or Software; (ii) modify, create derivative works based upon, or translate the Licensed Material or Software; (iii) license, sell, rent, lease, transfer, grant any rights in or otherwise commercially exploit Licensed Material or Software in any form to any third party, nor shall Agency

The contents of this agreement are CONFIDENTIAL and shall remain between RMT and Agency. RMT reserves the right to redact any information prior to public release.



attempt to do any of the foregoing or cause or permit any third party to do or attempt to do any of the foregoing, except as expressly permitted hereunder.

RMT shall own all right, title and interest in and to all intellectual property rights (including all derivatives or improvements thereof) in Licensed Material and Software and any suggestions, enhancement requests, feedback, recommendations, or other information provided by Agency or any of Agency's Users relating to the Licensed Material and Software.

c. Agency Responsibility. To the extent permitted by Georgia law, Agency is solely responsible for the content of communications transmitted by Agency using the Software, and shall defend, indemnify, and hold harmless RMT from and against all liabilities and costs (including reasonable attorneys' fees) arising from any and all third-party claims by any person based upon the content of any such communications. Agency is not permitted to resell the Licensed Materials or Software. Agency shall use the Licensed Materials and Software only for lawful purposes. To the extent deemed necessary by Agency, Agency shall implement security procedures necessary to limit access to the Licensed Materials and Software to Agency's authorized users and shall maintain a procedure external to the Software for reconstruction of lost or altered files, data or programs.

d. Data. All data collected by Licensed Material and Software is owned by RMT and is to be strictly held as confidential without the prior written consent of RMT. RMT may delete and destroy all copies of data once the Agreement is terminated with or without default. Agency has the option to receive a backup of data prior to deletion. RMT will provide this backup at cost plus a \$1,000 fee, paid for by Agency.

All right, title and interest in and to the Licensed Material, and all copyrights, patents, trademarks, service marks or other intellectual property or proprietary rights relating thereto, belong exclusively to RMT. Any modification to the Software performed by the Agency directly or indirectly extending the current capabilities shall be the property of RMT and all copyrights and other rights are hereby assigned to RMT.

e. System Administrator; User Access. Agency shall designate one or more System Administrators. System Administrators shall be responsible for



managing User access, including adding and subtracting Users, resetting passwords, as well as being a regular point of contact for RMT.

The System Administrator shall ensure that multiple Users do not share a password or username. Agency acknowledges and agrees that it is prohibited from sharing passwords and/or usernames with unauthorized users.

The System Administrator is the first point of contact for any administrative issues Users may experience within the system. If the System Administrator is unsuccessful in correcting the issue the System Administrator needs to contact RMT for assistance.

f. Security. Agency is solely responsible for maintaining the security of all usernames and passwords granted to it, for the security of its information systems used to access the System, and for its Users' compliance with the terms of this Agreement. RMT will act as though any electronic communications it receives under Agency's usernames have been sent by Agency. Agency will immediately notify RMT if it becomes aware of any loss or theft or unauthorized use of any of Agency's passwords or usernames. RMT has the right at any time to terminate or suspend access to any User or to Agency if RMT believes in good faith that such termination or suspension is necessary to preserve the security, integrity, or accessibility of Software or RMT's network.

3. Termination

a. General - If a Party fails to perform or observe any material term or condition of this Agreement and the failure continues unremedied for fourteen (14) days after receipt of written notice (email or otherwise), (i) the other Party may suspend or terminate this agreement, or (ii) where the failure is a nonpayment by Agency of any charge when due, RMT may, at its option, terminate or suspend service with or without any notice. This Agreement may be terminated immediately upon written notice by either Party if the other Party becomes insolvent or involved in a liquidation or termination of business, files a bankruptcy petition, has an involuntary bankruptcy petition filed against it (if not dismissed within thirty days of filing), becomes adjudicated bankrupt, or becomes involved in an assignment for the benefit



of its creditors. Agency shall be responsible for payment of all charges under a terminated Agreement incurred as of the effective date of termination.

b. Non-Appropriation - Agency reserves the right to terminate this Agreement without penalty if funds are not appropriated for this Agreement in the fiscal year budget. Agency agrees to use best efforts to obtain appropriation in the full amount required under this Agreement.

4. Billing and Payment

(i) Agency shall pay to RMT the first period's subscription fee ("Subscription Fee") in the amount entered and agreed to pursuant to the "Original Service Invoice".

(ii) The Subscription Fee for subsequent years of the term of this agreement shall be due to RMT on the first day of each subsequent Subscription Period.

(iii) The Subscription Fee will not increase in price throughout the term of this Agreement unless there is an increase in the number of units or the scope of services requested by Agency.

(iv) Products and services appearing on the Original Service Invoice will not increase in price by more than 25% upon renewal of this Agreement.

(v) The amount of the Subscription Fee does not include any applicable taxes. Agency is responsible for any and all applicable taxes.

(vi) Any additional payment terms between Parties shall be agreed to in writing and set forth in an invoice, billing agreement, or other written document.

(vii) At RMT's discretion, Services may be terminated if payments are not received within the terms, after serving a fourteen (14) day notice via email or fax.



5. General Overview

Roadway Management Technologies, LLC (RMT) is an integrated solution to roadway management. Using big data, our firm provides real-time surveys of road conditions and displays this data visually in a user-friendly web-based platform. Alongside road survey functionality, RMT can provide additional modules for data management, task and dispatch, and fleet management services all accessible through an easy-to-use web-based platform.

6. Services

a. Passive Road Surveying

- i. RMT will provide proprietary sensors that will be mounted underneath agency-owned vehicles.
 1. Vehicles will be pre-determined by RMT.
 2. RMT will perform initial installation and train Agency Mechanic on installation of sensors - each sensor can be easily installed in approximately 30 minutes once installer is sufficiently trained.
 - A. If Agency has no Mechanic on staff, RMT will send their field installer or work with a local shop for replacement installation in the event any sensors are damaged. This service will be quoted and priced separately, if needed.
- ii. RMT will need access to an existing internet signal but will not and cannot obtain any information regarding data sent through internet signal.
 1. Agency shall make its own arrangements to ensure Wi-Fi connectivity in parking locations at its own expense.
 2. At Agency's request, RMT will install routers, signal extenders, or access points to ensure WiFi connectivity in parking lots where vehicles will be parked each night. This service will be quoted and priced separately, if needed. If RMT performs the installation Agency is financially



responsible for routers, signal extenders, or access points once installed.

A. Installation of internet hardware will be done under supervision of Agency Administration.

- iii. While vehicles are used in day-to-day operation, sensors will read vibrations in the road to determine road quality.
- iv. When vehicles are parked in a WiFi-connected parking spot, data from sensors will be sent to RMT servers, where data will be automatically evaluated by RMT's proprietary algorithm.
- v. Information regarding road quality (as compared to other roads in Agency) will be overlayed on a map interface available through RMT's website login portal.
 - 1. Information may be filtered to show the worst/best roads in Agency.
 - 2. Street view images of network roads can be viewed via map.
 - A. Camera images are updated each time a vehicle travels a road (in increments of 30 days).

7. Agency Responsibilities

a. Onboarding

- i. A successful onboarding experience requires effective communication. As such, Agency shall identify a primary and alternate point of contact to RMT. That point of contact will be RMT's touchpoint for communicating all onboarding requirements and milestones. Attachment C contains a list of items by priority which are required for onboarding new customers. RMT's ability to meet the agreed installation timeline is dependent on the customer's ability to provide the items listed in Attachment C in a timely manner.
- ii. Agency will be responsible for attending an Initial Onboarding Kickoff meeting where Attachment C will be reviewed in detail. Weekly sync meetings will be required to assist with training, ensure milestones are met, and schedule equipment installation. Once installation is complete, RMT and the customer will agree



on a cadence of meetings to ensure successful implementation of RMT's platform across the customer's staff. Milestones for each meeting are described below.

1. Initial Onboarding Kickoff Meeting:
 - A. Introduction and exchange of contact information.
 - B. RMT will outline the onboarding process.
 - C. Agency will be provided templates to populate their Agency specific data with a suspense date (Users list, vehicle information, WiFi info, etc.).
 - D. Vehicle installation dates will be discussed (primary and alternate).
2. Weekly Meetings Throughout Onboarding (topics not all inclusive and dependent on onboard status):
 - A. Confirm vehicle installation dates.
 - B. Confirm WiFi information (see paragraph 7.b.).
 - C. Confirm successful User access through log in data.
 - D. Review RMT platform and discuss any issues Agency may have.
 - E. Confirm all hardware has been installed and working properly.
 - F. Introduce RMT's Customer Service/Maintenance Account Executive who will handle all future interactions for the life of the contract.

b. WiFi

- i. Agency shall provide RMT with internet service details, to include username and password. This information is preloaded into the RoadRunner hardware that will be installed on Agency vehicles.
- ii. Agency shall ensure WiFi signal is strong enough to reach area where RoadRunner enabled vehicles are parked to ensure successful upload of data each evening.
 1. If RoadRunner enabled vehicles are parked in multiple areas each area must have the same internet service details. Different internet service details (username and



password) will adversely affect the RoadRunner system from uploading properly.

- iii. Agency shall notify RMT prior to any changes made to internet service (new service provider, password changes, router upgrades, etc.). Changes of this nature will disable the RoadRunner systems' ability to connect to the WiFi and upload data.
 1. In the event these changes occur, RMT will need to reprogram each RoadRunner system and a service charge will be applied to Agency account during next billing cycle.

c. Sell, Auction, Junked Vehicle with RMT Hardware/Devices

- i. Agency shall remove all RMT hardware/devices (RoadRunner, Fleet Management Devices, etc.) from Agency vehicles prior to selling, auctioning, wrecked/junked, etc., and return those items to RMT.
 1. In the event RMT hardware/devices are not returned Agency will be charged the following per device:
 - A. RoadRunner system: \$1,500 per device
 - B. Fleet Management system: \$1,000 per device

d. iPads / Field Tablets

- i. Agencies can purchase iPads outright in their initial customer agreement or anytime thereafter. If an iPad is damaged or lost Agency is responsible for full replacement costs.
 1. Agency's primary or alternate point of contact shall inform RMT of the damaged item, to include the IMEI and serial #, so RMT can facilitate a replacement order. Agency shall return damaged item to RMT via mail post notification. RMT will have replacement item shipped to Agency.



8. Representations and Warranties

a. General. Each Party represents and warrants that it has the right and authority to enter into this Agreement, and that by entering into this Agreement, it will not violate, conflict with or cause a material default under any other contract, agreement, indenture, decree, judgment, undertaking, conveyance, lien or encumbrance to which it is a party or by which it or any of its property is or may become subject or bound.

b. Compliance with the Laws. Each Party represents and warrants that no additional consent, approval, or authorization of or designation, declaration or filing with any governmental authority is required in connection with the valid execution, delivery, and performance of this Agreement. Each Party shall, at its own expense, comply with all laws, regulations and other legal requirements that apply to it and this Agreement, including copyright, privacy and communications decency laws.

c. Acceptable Use. RMT represents and warrants to Agency that:

(i) it has the right, power, and ability to enter into and perform under this Agreement;

(ii) it has all necessary rights to grant the rights and licenses granted under this Agreement;

(iii) its performance under this Agreement and provision of the services will comply with all applicable laws; and

(iv) it will maintain all licenses, permits and other permissions necessary to provide the services.

Agency is solely responsible for the content of any postings, data, or transmissions using the Software, or any other use of the Software by Agency or by any person or entity Agency permits to access the Software. Agency represents and warrants that it will:



(i) not use the Services in a manner that: (a) is prohibited by any law or regulation, or to facilitate the violation of any law or regulation; or (b) will disrupt a third parties' similar use of Services;

(ii) not violate or tamper with the security of any RMT computer equipment or program.

If RMT has reasonable grounds to believe that Agency is utilizing the Services for any such illegal or disruptive purpose, RMT may suspend the Services immediately with or without notice to Agency. RMT may terminate the Agreement as contemplated in Section 3 if Agency in fact fails to adhere to the foregoing acceptable use standards.

DISCLAIMER. THE WARRANTIES SET FORTH IN SECTION 8 ARE THE ONLY WARRANTIES MADE BY RMT. TO THE MAXIMUM EXTENT PERMITTED BY LAW, RMT MAKES NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, WITH RESPECT TO THE SERVICES, ANY RELATED SERVICE OR SOFTWARE. RMT HEREBY EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR IMPLIED WARRANTIES ARISING FROM A COURSE OF DEALING OR COURSE OF PERFORMANCE. NO ORAL OR WRITTEN INFORMATION GIVEN BY RMT, ITS EMPLOYEES, LICENSORS, VENDORS OR THE LIKE WILL CREATE A WARRANTY.

9. Limitation of Liability

Excluding the liability under the section entitled "NO INFRINGEMENT" below, *UNDER NO CIRCUMSTANCES WILL RMT OR ANYONE ELSE INVOLVED IN ADMINISTERING, DISTRIBUTING OR PROVIDING THE SERVICES, BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES THAT RESULT FROM THE USE OF OR INABILITY TO USE THE SERVICES, INCLUDING BUT NOT LIMITED TO LOSS OF REVENUE OR LOST PROFITS, OR DAMAGES THAT RESULT FROM MISTAKES, OMISSIONS, INTERRUPTIONS, DELETION OF FILES OR EMAIL, ERRORS, DEFECTS, VIRUSES, DELAYS IN OPERATION OR TRANSMISSION, FAILURE OF PERFORMANCE, THEFT, DESTRUCTION OR UNAUTHORIZED ACCESS TO RMT'S RECORDS, PROGRAMS OR SERVICES, EVEN IF SUCH*



PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN THE EVENT OF ANY BREACH BY RMT OF THIS AGREEMENT, RMT'S LIABILITY TO AGENCY WILL NOT EXCEED THE AMOUNT PAID TO RMT BY Agency DURING THE PREVIOUS TWELVE (12) MONTHS.

NO INFRINGEMENT: RMT warrants the Licensed Material will not infringe any patent, trademarks, copyright or any proprietary rights of a third party or constitute a misuse or misappropriation of a trade secret. Agency shall notify RMT promptly in writing of any known action brought against Agency based on an allegation that Agency's use of any materials infringes any patent, trademark, copyright, or infringes any right of a third party, or constitutes misuse or misappropriation of a trade secret ("Infringement"). RMT will defend, indemnify and hold Agency harmless from any such action at RMT's sole expense, provided that RMT shall have the sole control of the defense of any such action, all negotiations and/or its settlement, and Agency reasonably cooperates with RMT in such defense. In the event that a final injunction is obtained against Agency's use of the Services by reason of an Infringement or Agency is otherwise prohibited from using same, RMT shall to the extent possible and at its expense, within three (3) months, either (a) procure for Agency the right to continue to use the Services that are infringing, or (b) replace or modify the Services to make its use non-infringing while being capable of performing the same function. If neither option is available to RMT, then Agency, at Agency's option, may terminate this Agreement without penalty or further payment.

10. Confidential Information

a. Definition. For purposes of this Agreement, "Confidential Information" shall mean information including, without limitation, all Agency data, computer programs, code, algorithms, names and expertise of employees and consultants, know-how, formulas, processes, ideas, inventions (whether patentable or not), schematics and other technical, business, financial and product development plans, forecasts, strategies and information marked "Confidential", or if disclosed verbally, is identified as confidential at the time of disclosure. In addition to the foregoing, Confidential Information shall include third party software, if any, that may

be provided to Agency under this Agreement, including any related source or object codes, technical data, data output of such software, documentation, or correspondence owned by the applicable licensor. Confidential Information excludes information that: (i) was or becomes publicly known through no fault of the receiving Party; (ii) was rightfully known or becomes rightfully known to the receiving Party without confidential or proprietary restriction from a source other than the disclosing Party; (iii) is independently developed by the receiving Party without the participation of individuals who have had access to the Confidential Information; (iv) is approved by the disclosing Party for disclosure without restriction in a written document which is signed by a duly authorized officer of such disclosing Party; and (v) the receiving Party is legally compelled to disclose; provided, however, that prior to any such compelled disclosure, the receiving Party will (a) assert the privileged and confidential nature of the Confidential Information against the third party seeking disclosure and (b) cooperate fully with the disclosing Party in protecting against any such disclosure and/or obtaining a protective order narrowing the scope of such disclosure and/or use of the Confidential Information. In the event that such protection against disclosure is not obtained, the receiving Party will be entitled to disclose the Confidential Information, but only as, and to the extent, necessary to legally comply with such compelled disclosure. Notwithstanding anything to the contrary contained herein, the parties acknowledge that the **City of Villa Rica** must comply with the provisions of the Georgia Open Records Act.

b. Nondisclosure. During the term of this Agreement and for a period of five (5) years thereafter, each Party agrees to maintain all Confidential Information in confidence to the same extent that it protects its own similar Confidential Information, but in no event using less than reasonable care, and to use such Confidential Information only as permitted under this Agreement; Each Party agrees to only disclose the other Party's Confidential Information to its employees: (a) with a need to know to further permitted uses of such information; and (b) who are informed of the nondisclosure/non-use obligations imposed by this Section. Both parties shall take steps that each determines appropriate to implement and enforce such non-disclosure/non-use obligations. Notwithstanding anything to the contrary contained herein, the parties



acknowledge that the **City of Villa Rica** must comply with the provisions of the Georgia Open Records Act.

c. Terms of Agreement Confidential. Each of the Parties agrees not to disclose to any third party the terms of this Agreement, including pricing, without the prior written consent of the other Party hereto, except to advisors, investors and others on a need-to-know basis under circumstances that reasonably ensure the confidentiality thereof, or to the extent required by law. Notwithstanding anything to the contrary contained herein, the parties acknowledge that **City of Villa Rica** must comply with the provisions of the Georgia Open Records Act.

d. Injunctive Relief. In the event of an actual or threatened breach of the above confidentiality provisions, the non-breaching Party will have no adequate remedy at law and will be entitled to immediate injunctive and other equitable relief, without bond and without the necessity of showing actual money damages.

11. Accessibility/Performance.

RMT shall use commercially reasonable efforts to make Services available on a continuous basis (twenty-four hours per day, seven days per week) during the Term, except for: (i) scheduled system back-up or other on-going maintenance as required and scheduled in advance by RMT, or (ii) for any unforeseen cause beyond RMT's reasonable control, including but not limited to internet service provider or communication network failures, denial of service attacks or similar attacks, or any Force Majeure Events as stated in Section 12. RMT will monitor performance indicators on the systems network infrastructure in order to gauge the overall performance of its hosting services, and will take reasonable steps to address systems and network infrastructure as required to maintain satisfactory performance of the Software. RMT further reserves the right to monitor and reasonably restrict Agency's ability to use Services if Agency is using excessive computing resources which are impacting the performance of Services for other subscribers. RMT agrees to notify Agency in cases where it restricts such use and use good faith efforts to determine an appropriate alternative or work-around solution.

12. General Provisions & Force Majeure/Beyond Control

(a) This Agreement, including any amendments and attachments hereto that are incorporated herein, constitute the entire agreement between the parties and shall be binding on the parties when accepted by Agency. No modification, termination, or waiver of any provisions of this Agreement shall be binding upon a Party unless in writing and signed in person or electronically by an authorized officer of the relevant Party(ies). No provision of any purchase order or other document issued by Agency, which purports to alter, vary, modify, or add to the provisions of this Agreement, shall be binding upon RMT or effective for any purpose, unless accepted by RMT in writing.

It is further expressly understood and agreed that, there being no expectations to the contrary between the parties, no usage of trade or other regular practice or method of dealing either within the computer software industry, RMT's industry or between the parties shall be used to modify, interpret, supplement, or alter in any manner the express terms of this Agreement or any part thereof.

(b) Nothing contained in this Agreement shall be construed as creating a joint venture, partnership, or employment relationship between the parties, nor shall either Party have the right, power, or authority to create any obligation or duty, express or implied, on behalf of the other.

(c) The Licensed Materials shall not be exported or re-exported in violation of any export provisions of the United States or any other applicable jurisdiction.

(d) This Agreement may not be assigned, sublicensed, or transferred, in whole or in part, by Agency without the prior written consent of RMT. Any attempted assignment, subletting or transfer shall be void.

(e) If any provision or provisions of this Agreement shall be held to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(f) No delay or failure of RMT or Agency in exercising any right herein and no partial or single exercise thereof shall be deemed of itself to constitute a waiver of such right or any other rights herein. Any waiver by RMT or Agency of any breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent or other breach.

(g) In the event that either Party is unable to perform any of its obligations under this Agreement or to enjoy any of its benefits because of natural disaster, terrorism, fire, explosion, power blackout, earthquake, flood, the elements, strike, embargo, labor disputes, acts of civil or military authority, war, acts of god, acts or omissions of carriers or suppliers, acts of regulatory or governmental agencies, actions or decrees of governmental bodies or communication line failure not the fault of the affected Party or other causes beyond such Party's reasonable control (a "Force Majeure Event") the Party who has been so affected shall immediately give notice to the other Party and shall do everything possible to resume performance. Upon receipt of such notice, all obligations under this Agreement shall be immediately suspended. If the period of nonperformance exceeds fourteen (14) days from the receipt of notice of the Force Majeure Event, the Party whose ability to perform has not been so affected may by giving written notice immediately terminate this Agreement as provided in Section 3.

(h) On RMT's request, no more frequently than annually, Agency shall furnish RMT with a signed certification (i) verifying that the Licensed Material is being used pursuant to the terms of this Agreement and (ii) listing the locations where the Licensed Material is being used.

(i) This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, and each of which together shall constitute a single instrument.

(j) The Parties can amend this Agreement only by a written agreement of the Parties that identifies itself as an amendment to this Agreement.

(k) This Agreement constitutes the final agreement between the parties. It is the complete and exclusive expression of the parties' agreement on the



matters contained in this Agreement. All prior and contemporaneous negotiations and agreements between the parties on the matters contained in this Agreement are expressly merged into and superseded by this Agreement. The provisions of this Agreement cannot be explained, supplemented or qualified through evidence of trade usage or a prior course of dealings. In entering into this Agreement, neither party has relied upon any statement, representation, warranty or agreement of any other party except for those expressly contained in this Agreement. There are no conditions precedent to the effectiveness of this Agreement, other than any that are expressly stated in this Agreement.

_____	SIGN: _____
<u>Candler McCollum</u>	NAME: _____
<u>Chief Executive Officer</u>	TITLE: _____
_____	DATE: _____



ATTACHMENT A

COST ELEMENT FOR ROADWAY DATA, WORK ORDER, INVENTORY MANAGEMENT SOFTWARE, AND EQUIPMENT DEVICE PACKAGE

1. **Annual Software Licenses Total.....\$20,400 .00**
 1. Passive Road Survey Software License.....\$20,400.00
 2. Annual Maintenance Fee.....Included with Software Licenses
 3. Hardware Installation Cost.....Included with Software Licenses
 4. End User Remote Training- total of 24 hours.....Included with Software Licenses
 5. Tech Support: 7am-6pm CST.....Included with Software Licenses
2. **Cost of Equipment**
 1. RoadRunner Road Survey Hardware.....Included with Software Licenses
 2. Road Imaging Hardware.....Included with Software Licenses

Optional Elected Integration Services:

1. **Additional Devices**
 - (A) *iPad 9th Gen 10.2 inch Tablet with unlimited data.....*\$525.00 per unit per year
 - (B) Additional Add-Ons
 - i. *Tablet Rugged Case.....*\$50 per unit
 - ii. *Tablet Vehicle Mount.....*\$85 per unit
2. **Cost of Legacy System Data Migration (40 hrs)..... Included with Software Licenses**
 1. *Additional Integration/Migration.....*\$150.00 per hour
3. **Custom Development**
 1. *Custom Development.....*\$10,000 per 40 hours
 2. *Custom Development: Major Features.....*\$30,000 per 160 hours
4. **End User Remote Training (24 hrs)Included with Software Licenses**
 1. *Additional On-Site Training.....*\$3,200.00 per 16 hour session

NOTE: * = optional Add-On

Total Annual Base Cost (Licenses, Maintenance, Fleet and Survey Hardware, Installation, Remote Training): **\$20,400.00**

Add-On Cost (tablets, accessories, additional integration, or training hours): **Dependent on Agency Selections**

Roadway Management Technologies, LLC
COMPANY

September 25th, 2023
DATE


_____, Candler McCollum, Member/Chief Executive Officer
AUTHORIZED SIGNATURE, NAME, TITLE



ATTACHMENT B

Roadway Management Technologies, LLC

425 W Capitol Ave, Ste 1202 | Little Rock, AR, 72201

Date: 09/25/2023

Pricing Sheet

Villa Rica, Georgia

106 Temple Street

Villa Rica, GA 30180

Service	Price	Qty	Extended Price (Period)
RMT Passive Road Surveying Software License	\$20,400.00	1	\$20,400.00
TOTAL			\$20,400.00

Refer to the previous pages for service details. Billing occurs at the beginning of each period.

Hardware Installation Period: 10/01/23-10/31/23 (midnight)

Subscription Periods: 11/01/23 - 10/31/24 (midnight) Total: \$20,400.00

11/01/24 - 10/31/25 (midnight) Total: \$20,400.00

11/01/25 - 10/31/26 (midnight) Total: \$20,400.00

11/01/26 - 10/31/27 (midnight) Total: \$20,400.00

Candler McCollum

SIGN: _____

NAME: _____

TITLE: _____

DATE: _____

 RMT
Checklist**01 GIS**

- Centerline File for Roads (Preferred .SHP or .DBF)
- Rest End Point for Asset Layers (if purchasing Work Order Management)

02 Wi-fi

- SSID's and Password's for any available networks that extend to vehicle parking area to ensure successful data uploads

03 Fleet List

- Candidates for RoadRunner devices
 - Ideal Departments: Public Works, Code Enforcement, Street
 - Less Ideal Departments: Police, Parks, Sanitation
- Candidates for Cameras (if applicable)
 - Ideal Departments: Trucks, Vehicles with higher driving position
 - Less Ideal Departments: Cars, Heavy Machinery
- Shop Availability for Hardware Install
 - Address
 - Hours
 - Lift Access – Yes or No

04 User Information

- User List – Anyone who will need access to the system
- Establish primary contacts (Onboarding, Billing, Hardware Install)
- Departments (if purchasing Work Order Management)



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT:	Sidewalk Repair in Reid Plantation
AGENDA DATE:	10/3/23
DATE PREPARED:	9/26/23
PREPARED BY:	Hal Burch
AMOUNT:	\$14,015
GL ACCOUNT #:	323-4210-541410
FUNDING SOURCE:	2021 Carroll SPLOST
BUDGETED ITEM?	Yes
PUBLIC HEARING:	No

PURPOSE: To make 124 repairable sections of sidewalk ADA compliant. Leaving 36 identified hazards needing complete replacement. We estimate using this unique process will save the City approximately \$33,800.

BACKGROUND: Georgia Safe Sidewalks specializes in the identification and removal of vertical displacements, potential trip & fall hazards, from concrete walkways. We utilize a proprietary and patented process to horizontally cut away high concrete that can cause falls from citizens “tripping” on walkways. Georgia Safe Sidewalks is a sole source provider.

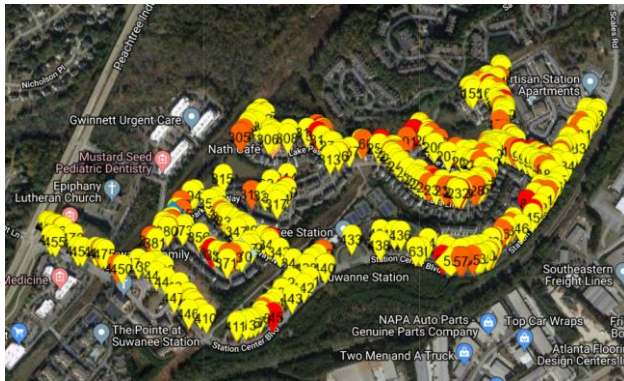
STAFF RECOMMENDATION: To approve Georgia Safe Sidewalks to repair 124 of 160 identified ADA Violations found in Reid Plantation subdivision.

IMPACT: Safe pedestrian travel free from tripping hazards, & impediments of assisted travel means.

MOTION: I move to allow the City Manager to approve for Georgia Safe Sidewalks to repair the sidewalks in Reid Plantation for \$14,015.



Sidewalk Inspection Summary And Repair Proposal



City of Villa Rica
Reid Plantation
September 16, 2023



Inspection Results

Following is a summary of a visual inspection of walkways conducted by Georgia Safe Sidewalks. This summary identifies defects we have identified in your walkways and provides an offer to remove vertical displacements using our horizontal saw-cutting procedure. The vertical displacements we have identified in your walkways represent a safety risk to pedestrians and a liability risk to the property owner. The American's with Disabilities Act places responsibility to maintain safe access to pedestrians and sets very specific guidelines in regards to the repair of uneven walkways.

ADA Issues: Our inspection has identified 160 pedestrian safety issues in your walkways that can be considered violations of ADA guidelines.

This inspection and summary is based upon our personal knowledge of ADA Guidelines. It is intended to be as comprehensive as possible, but in no way guarantees full compliance. Issues may exist of which we are not aware or did not observe. Our specialty is identifying vertical displacements.

Vertical Displacements: 124 (78%) of the ADA violations identified in this risk assessment are vertical displacements that can be removed with our repair process.

Potential Savings: Using Georgia Safe Sidewalks to remove the vertical displacements identified in this risk assessment will improve pedestrian safety and compliance with ADA at a savings of approximately \$33,800 versus traditional methods such as demolition and replacement.



Georgia Safe Sidewalks' Process

Georgia Safe Sidewalks specializes in the identification and removal of vertical displacements, potential trip & fall hazards, from concrete walkways. We utilize a proprietary and patented process to horizontally cut away high concrete that can cause falls from citizens "tripping" on walkways.

This is What You Can Expect From Georgia Safe Sidewalks

- Each vertical displacement will be removed to a 0" height difference between panels.
- The entire vertical displacement will be removed from one side of the walkway to the other.
- Only the elevated slab is contacted by our equipment, the opposing slab is left pristine.
- The repaired surface will be flat and smooth with no ridges, peaks or valleys.
- The repaired surface will be equal to a 1:12 slope as outlined in ADA repair guidelines.
- A dust containment system is utilized during the repair process to keep dust to the most possible minimum.
- All employees of GASS have been physician certified and wear prescribed safety equipment by OSHA crystalline silica dust laws.
- Our process is a dry cut, there is no slurry or runoff that is required to be contained from storm drains.
- All concrete debris removed from the sidewalk will be removed from the site by GASS staff and recycled.
- The panel under repair will be swept and blown off by GASS staff.
- During project production, the customer is supplied with a daily summary of our progress at the end of each production day.
- Satellite mapping technology is used to provide you with accurate location information for your sidewalk maintenance program documentation.
- Upon project completion, you will be supplied with a detailed summary identifying locations for issues that cannot be remedied with our repair process.





Policies & Support Materials

Sole Source versus Bidding: Georgia Safe Sidewalks is the only company in Georgia authorized and licensed to use the patented equipment and method for removing sidewalk vertical displacements as described by the following United States patent numbers: 6,827,074 – 6,896,604 – 7,000,606 – 7,143,760 – 7,201,644 – 7,402,095 – 9,759,559 – 16,670,737. This makes Georgia Safe Sidewalks a sole source for vertical displacement repair using the equipment and methods described in these patent numbers within the state of Georgia. Documentation can be provided to support your sole-source approval efforts.

You will not be able to find another company that is able to produce the quality and compliance with ADA that Georgia Safe Sidewalks does for vertical displacement remediation. This is a critical aspect of your decision if the appearance of your property and compliance with ADA is important to you.

If you are required to “bid” a project, then this proposal should **not** be considered as our official bid. If you want a project bid, then **you** will need to identify the specific number and location of displacements you want removed. We will then submit a firm bid for your project. To obtain a fair bid though, it falls on you to identify the repairs that you want completed so that all participants are bidding the same work.

If you care about the quality of your repairs, we will consider matching any competitive bid that offers to make the same number of repairs as ours.

The information provided in this proposal is considered confidential between Georgia Safe Sidewalks and its client, and should not be reproduced or shared with any other organization. In no way does the information included in this inspection transfer ownership of sidewalks or responsibility for your sidewalk maintenance responsibilities to Georgia Safe Sidewalks.

Safety & Insurance: Georgia Safe Sidewalks is a corporation registered in the state of Georgia. We maintain the highest safety standards using OSHA approved safety equipment for employees and conduct regular safety and health screenings. Copies of our W9, liability insurance, auto and workers compensation insurance are available upon request. We have worked in dense urban environments, residential neighborhoods, historic districts, and retail/business environments with no disruption to daily activities.

Warranty on Service: No warranty in the form of duration after repair is offered. It is impossible to warranty work against the acts of nature that create vertical displacements in walkways such as growth of tree roots, shifting ground, etc. Our guarantee for our repair is as follows:

- All displacements will be removed to a 0” height difference.
- The entire displacement will be removed.
- The repaired surface will be of a 1:12 slope.
- Adjacent sidewalk slabs will not be affected by the repair.
- Sidewalk debris created by our process will be removed from the work site and recycled.
- There will be no damage to surrounding landscaping, utilities or personal property.



ADA Guidelines for Trip Hazards:

Georgia Safe Sidewalks strives to meet compliance with ADA guidelines on each and every trip hazard repair that we make. Those guidelines are as follows:

303 Changes in Level

303.1 General. Where changes in level are permitted in floor or ground surfaces, they shall comply with 303.

303.2 Vertical. Changes in level of ¼ inch (6.4 mm) high maximum shall be permitted to be vertical.

Vertical Change in Level

TECHNICAL CHAPTER 3: BUILDING BLOCKS

303.3 Beveled. Changes in level between ¼ inch (6.4 mm) high minimum and ½ inch (13 mm) high maximum shall be beveled with a slope not steeper than 1:2.

303.4 Ramps. Changes in level greater than ½ inch (13 mm) high shall be ramped, and shall comply with 405 or 406.

Advisory 303.3 Beveled. Changes in level exceeding ½ inch (13 mm) must comply with 405 (Ramps) or 406 (Curb Ramps).

405 Ramps

405.1 General. Ramps on accessible routes shall comply with 405.

405.2 Slope. Ramp runs shall have a running slope not steeper than 1:12.

TECHNICAL CHAPTER 4: ACCESSIBLE ROUTES

Table 405.2 Maximum Ramp Slope and Rise for Existing Sites, Buildings, and Facilities

Slope1 Maximum Rise

Steeper than 1:10 but not steeper than 1:8 3 inches (75 mm)

Steeper than 1:12 but not steeper than 1:10 6 inches (150 mm)

1. A slope steeper than 1:8 is prohibited.

Information taken directly from Chapter 3: Building Blocks, pages 141-142 of ADAAG.



2023 Pricing Policy

Inch-Foot Definition:

Pricing is based upon the size of each trip hazard and the amount of concrete removed. Each trip hazard is measured for height and length. We use a unit of measure we refer to as "inch-foot".

An inch-foot equals the average height of the vertical displacement measured in inches, then multiplied against the length of the cut measured in feet. The example below represents a typical trip hazard.

$$\frac{\text{Height on high side (1/2") + Height on low side (1/4")}}{2} \times \text{Length of cut (4')} = 1.5 \text{ inch-feet}$$

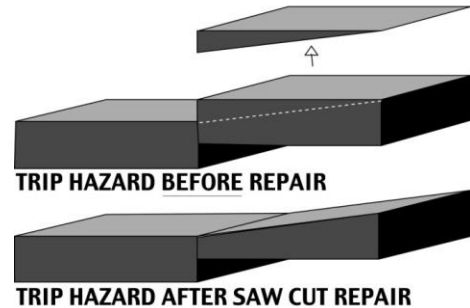
Incorporating the height of the trip hazard into our pricing is what distinguishes Georgia Safe Sidewalks from our competitors. ADA identifies trip hazards by height, not linear feet.

Pricing & Volume Discounts:

- ✚ Our pricing is based upon project size. Price discounts vary depending upon the size of your project.

Minimum Job Charge:

Georgia Safe Sidewalks does charge a minimum to mobilize a crew and equipment. We have a two-tiered minimum. Our minimum for a project within a 60-mile radius of Lawrenceville, GA is \$750. Our minimum for a project outside this 60-mile radius of Lawrenceville, GA is \$1,500.



Sole Source:

Georgia Safe Sidewalks is the only company in Georgia authorized and licensed to use the patented equipment and method for removing sidewalk trip hazards as described by the following United States patent numbers: 6,827,074 – 6,896,604 – 7,000,606 – 7,143,760 – 7,201,644 – 7,402,095 – 9,759,559 – 16,670,737. This makes Georgia Safe Sidewalks a sole source for trip hazard removal using the equipment and methods described in these patent numbers within the state of Georgia.

Payment Terms:

All invoices are due **15-days** from issuance date of the invoice. Jobs that require multiple weeks for completion will be invoiced weekly, at the end of each weeks' work.

Additional Charges:

- Credit card payments are acceptable with an additional fee equal to 3% added to each invoice.
- Any requirements placed upon Georgia Safe Sidewalks as a vendor that requires additional costs to our daily operations or modifications to our offered payment terms and policies will be subject to additional charges.
- If the customer requires custom insurance certificates with a vendor registration fee, a \$200 fee will be added to cover the acquisition of certificates. If the customer requires additional levels of insurance, the added cost to secure those levels will be invoiced to the customer.
- If required to "register" with a vendor management company, a fee of \$200 will be added to the invoice to cover the registration fee requirement.



Offer Summary

This estimate should be considered a “not-to-exceed” value. Georgia Safe Sidewalks will remove the number of vertical displacements identified in this estimate equal to the amount identified in this proposal.

The maps and tables on the following pages provide a general location for the vertical displacements that we identified and summarize their severity. Due to limited accuracy with GPS technology this information should only be used for general locations.

Full Project Offer

This option will remove all of the vertical displacements we identified in our survey with the intention of leaving your property as free of potential trip & fall hazards as possible. This option has already been discounted by 6%.

Price: \$14,015

Days to Complete: ~ 3 days

Severe Hazard Offer (Medium & Large)

This option provides a little less expensive option that will remove all of the vertical displacements we identified above 5/8” high. It will remove the most obvious displacements from the property but will not leave the property free of potential trip & fall hazards. Smaller displacements will remain in the walkways. This option has already been discounted by 4%.

Price: \$10,475

Days to Complete: ~ 2 days

Extreme Hazard Offer (Large only)

This option provides an even less costly option that will remove only the most severe trip & fall hazards. It will remove only the most extreme hazards. It is provided to allow action on a smaller budget, but it will not leave the property free of potential trip & fall hazards. This option has already been discounted by 2%.

Price: \$6,695

Days to Complete: ~ 1-2 days

Specific Budget Project

Sometimes customers are not able to remove all of the vertical displacements identified in our inspections due to budget restrictions. In this option Georgia Safe Sidewalks is more than happy to complete a project of a smaller value to a budget identified by the customer. In this option the customer usually specifies the budget amount they can afford, and an area to begin by providing us a list of priorities. This option allows the customer to spread their investment out over a period of months or even years.

Our minimum is \$1,500

Projects above \$4,000 are discounted by 2%

Projects above \$8,000 are discounted by 4%

Projects above \$12,000 are discounted by 6%

Projects above \$25,000 are discounted by 8%



Because we recognize that projects of this type may require time for budgeting, the prices in this proposal are valid for a period of 6 months. Operating costs increase with time, and sidewalk conditions change over time.

- ✚ After 6-months, the prices provided in this quotation will be increased by 5%.
- ✚ If unable to make a decision within 12 months, no problem, the proposal will still be valid, but the prices shown will be increased by 10%.
- ✚ If still unable to make a decision after 2 years, we still want your business. We will honor this proposal for as long as 24-months but the pricing shown at that point will be increased by an additional 10%.

In the event that we are asked to return to a property/community to re-inspect it, the 2nd inspection will be conducted at a cost of \$300 per pedestrian mile.

Schedule

We do fill our schedule on a first-come, first-serve basis which means the start date can change as we accept commitments from customers. We can normally remove approximately 90 trip hazards or 120 inch-feet in a single day depending upon their size and location.

First Available Start Date: November 30th

Our business has grown in popularity enough that we carry a steady 3-month backlog throughout the year. Uncertain business conditions and the fact that our employees are trained, skilled tradesman makes it difficult to add employees when our backlog increases. As a business, we cannot use part time labor. Our employees are skilled at what they do.

Don't exclude us from approval because we have a large backlog. Schedules change, and we sometimes have the ability to split our production team to complete smaller projects sooner than what is identified in this proposal. Tell us your needs and we might be able to work something out sooner.



Terminology

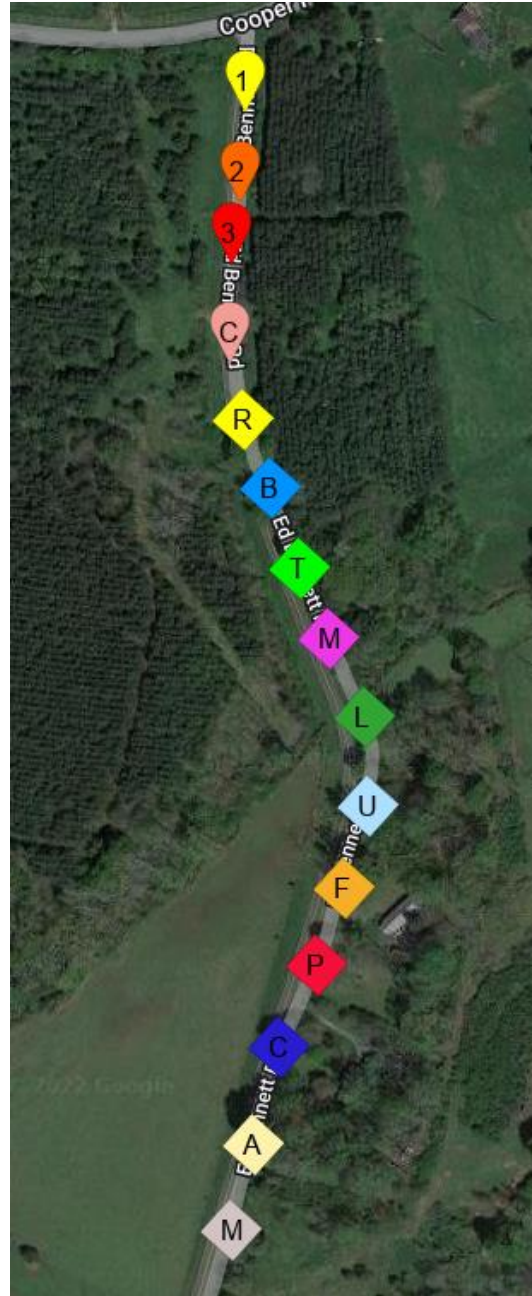
The inspection that this proposal is based upon was visual in nature. During the inspection we identify vertical height changes that we believe to be greater than ¼" and less than 2" in height. To conserve time during a survey, height is estimated only. The actual number of vertical displacements identified may vary once measurements are taken when the project is performed.

Repairs we can make that are included in this repair offer:

- A yellow balloon identifies a small vertical displacement estimated to be between ¼" and ½" high.
- An orange balloon identifies a medium size vertical displacement estimated to be between 5/8" and 1" high.
- A red balloon identifies a large vertical displacement estimated to be between 1-1/8" and 2" high.
- A pink balloon identifies a curb cut that we can make.

Repairs beyond our services, issues that require another source and is not included in this repair offer:

- A yellow diamond identifies a general condition that requires replacement of the existing sidewalk.
- A blue diamond identifies a walkway that is cracked and broken and is beyond repair. The sidewalk
- A light green diamond identifies a vertical displacement too big for a repair. The displacement is over 2" high and requires new concrete instead of a repair.
- A purple diamond identifies missing sidewalk. This requires new concrete to fill in the missing area.
- A dark green diamond identifies a landscaping issue. It can be buried sidewalk, or overgrown sidewalk. It is not work that we do.
- A light blue diamond identifies a utility issue. This can be any type of object blocking the sidewalk or uneven with the walking surface.
- An orange diamond identifies a wide gap in the walkway that needs filled.
- A red diamond identifies uneven pavers that need to be reset or has other issues.
- A dark blue diamond identifies an issue with a catch basin. It usually means the sidewalk must be replaced around the storm runoff catch basin.
- A pale-yellow diamond identifies an issue/problem with an ADA ramp.
- A gray diamond is a miscellaneous sidewalk problem or comment.





Survey & Options

Full Project Offer

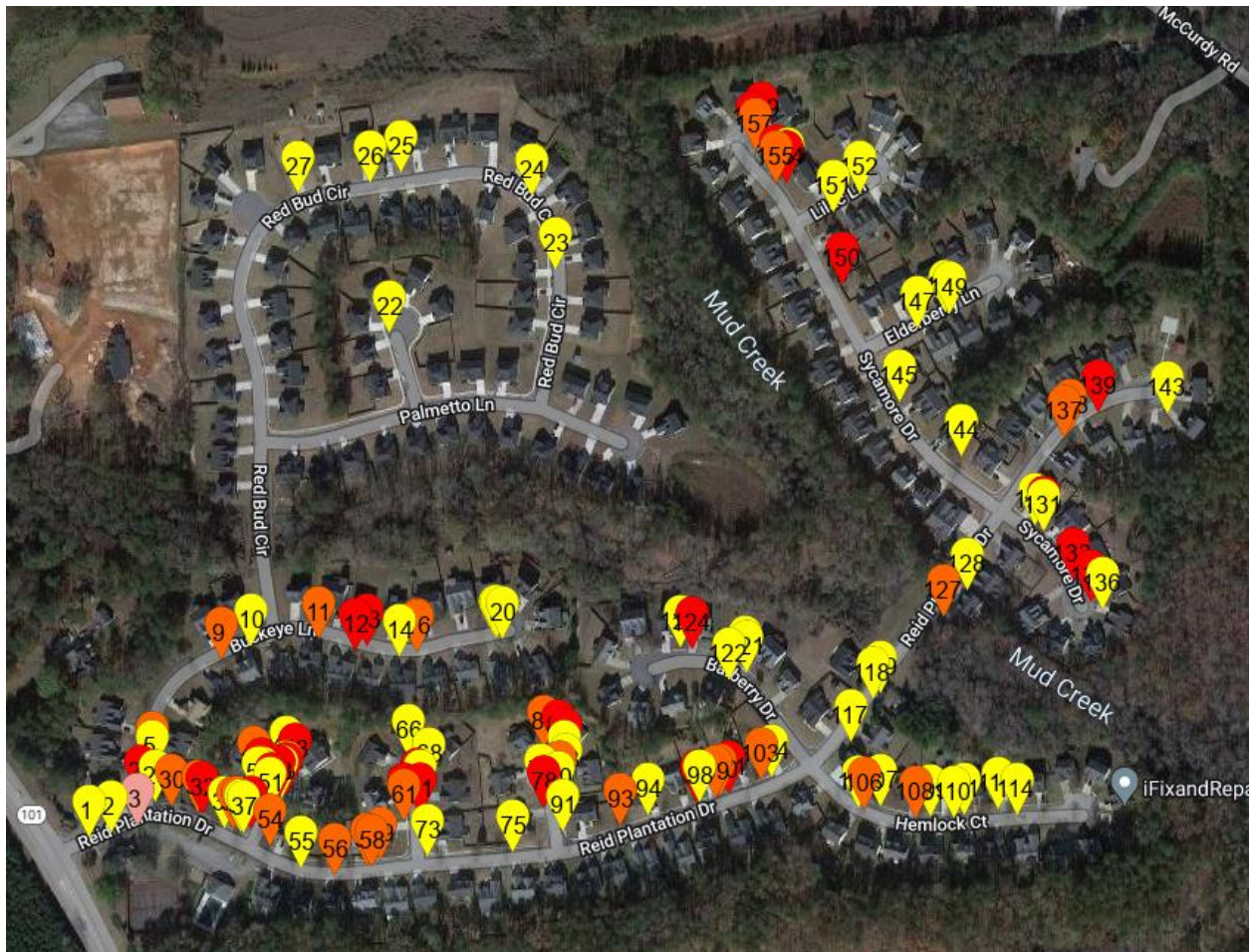
This option will remove all of the vertical displacements we identified in our survey with the intention of leaving your property as free of potential trip & fall hazards as possible.

Price: \$14,015

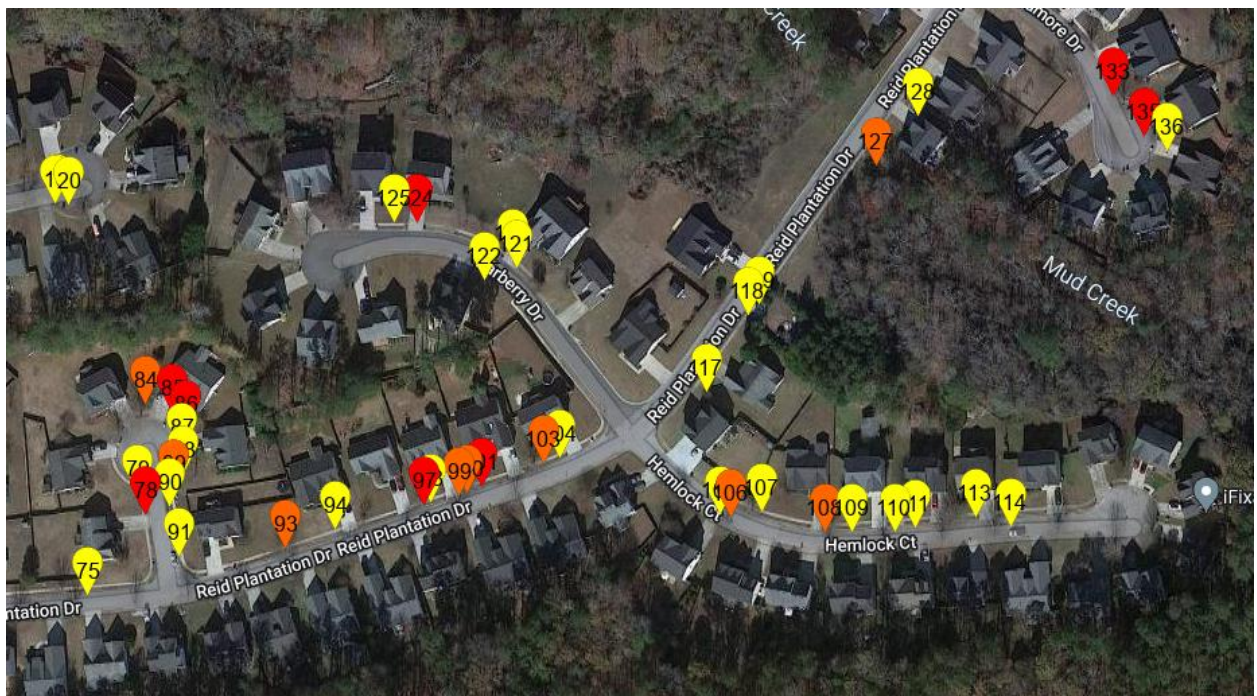
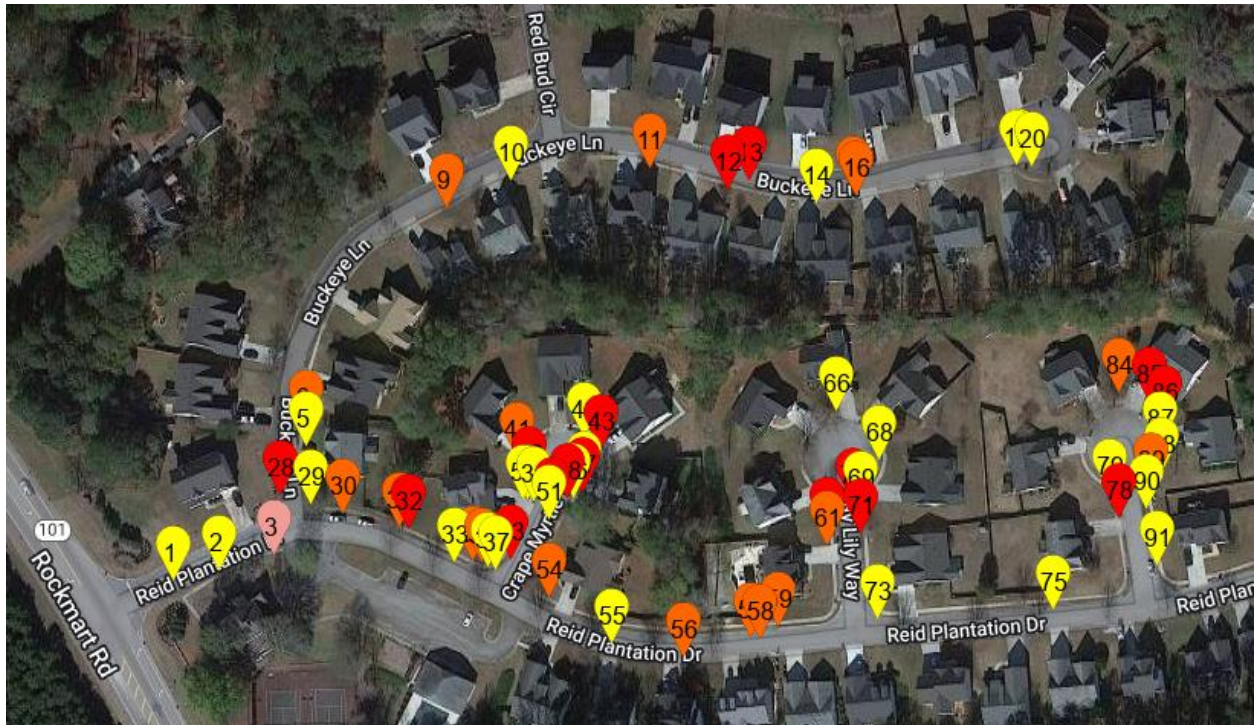
Days to Complete: ~ 3 days

	Small Hazards 1/4" to 1/2"	Medium Hazards 5/8" to 1"	Large Hazards 1-1/8" to 2"		
# of Hazards	67	29	28		
				Total # of Hazards	124
				Curbing (ft)	5 ft

The map below shows all trip & fall hazards identified in our survey that can be removed with our repair process.











Severe Hazard Offer (Medium & Large)

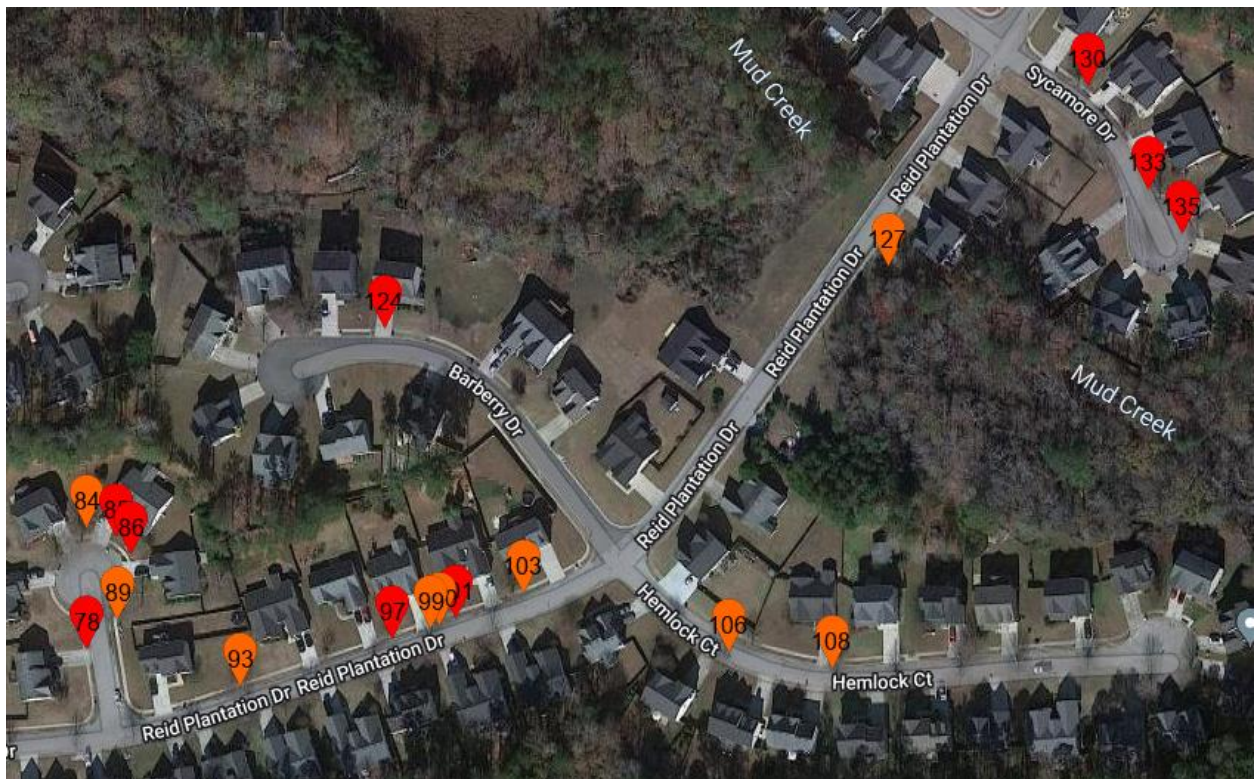
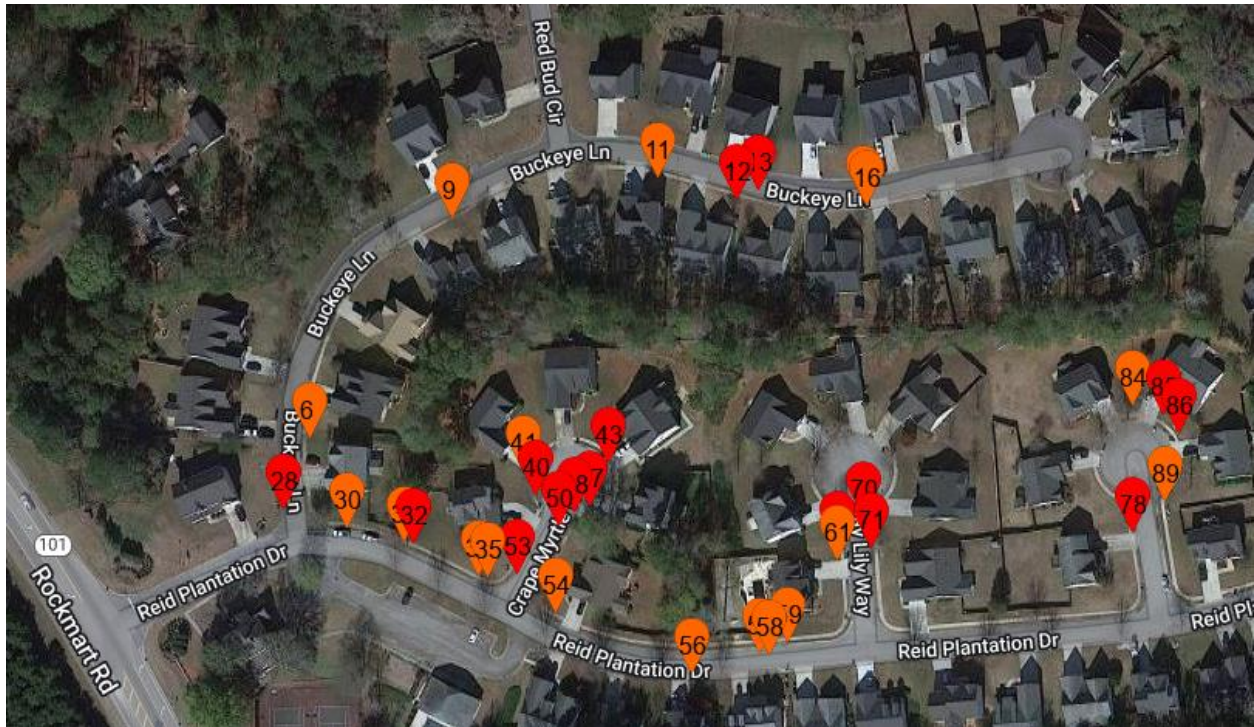
This option provides a little less expensive offer that will remove all of the vertical displacements we identified above 5/8" high. It will remove the most obvious potential trip & fall hazards from the property but will not leave the property free of vertical displacements. Smaller hazards will remain in the walkways.

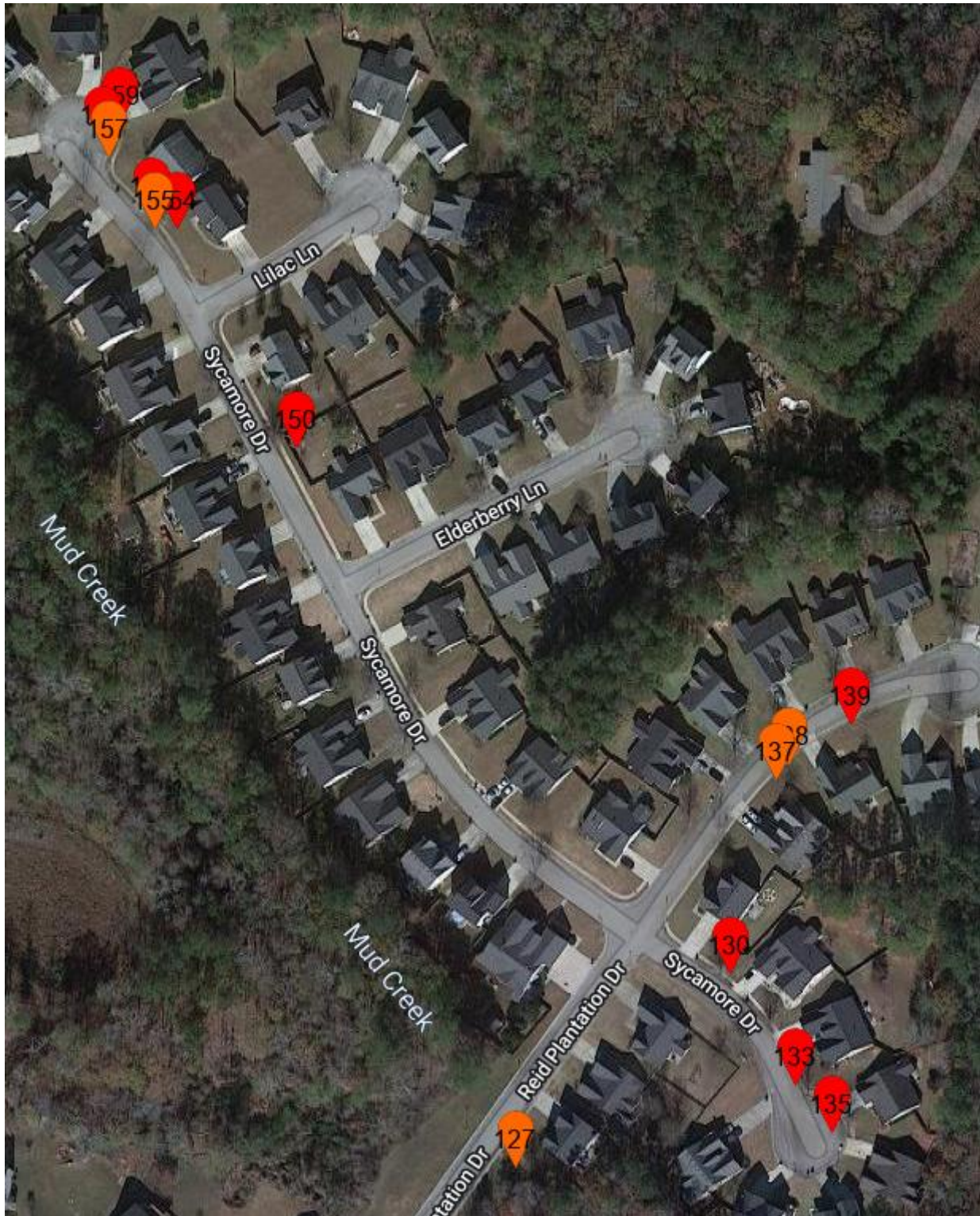
Price: \$10,475
Days to Complete: ~ 2 days

	Medium Hazards 5/8" to 1"	Large Hazards 1-1/8" to 2"		
# of Hazards	29	28		
			Total # of Hazards	57

The maps below show the location of the medium sized vertical displacements identified in our survey followed by the smaller displacements identified in our survey. The maps of the smaller displacements show what will be left behind if a full project is not approved.

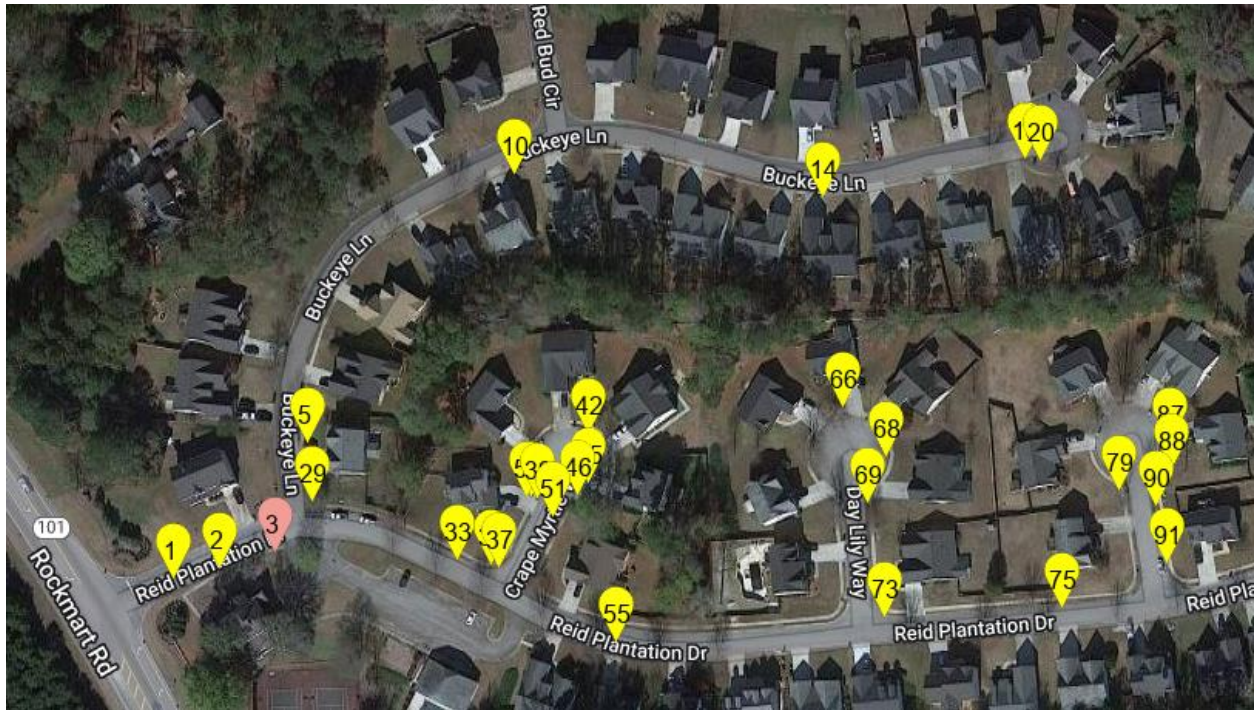
















Extreme Hazard Offer (Large only)

This option provides an even less costly offer that will remove only the most severe vertical displacements. It will remove only the most extreme hazards. It is provided to allow action on a smaller budget, but it will not leave the property free of vertical displacements.

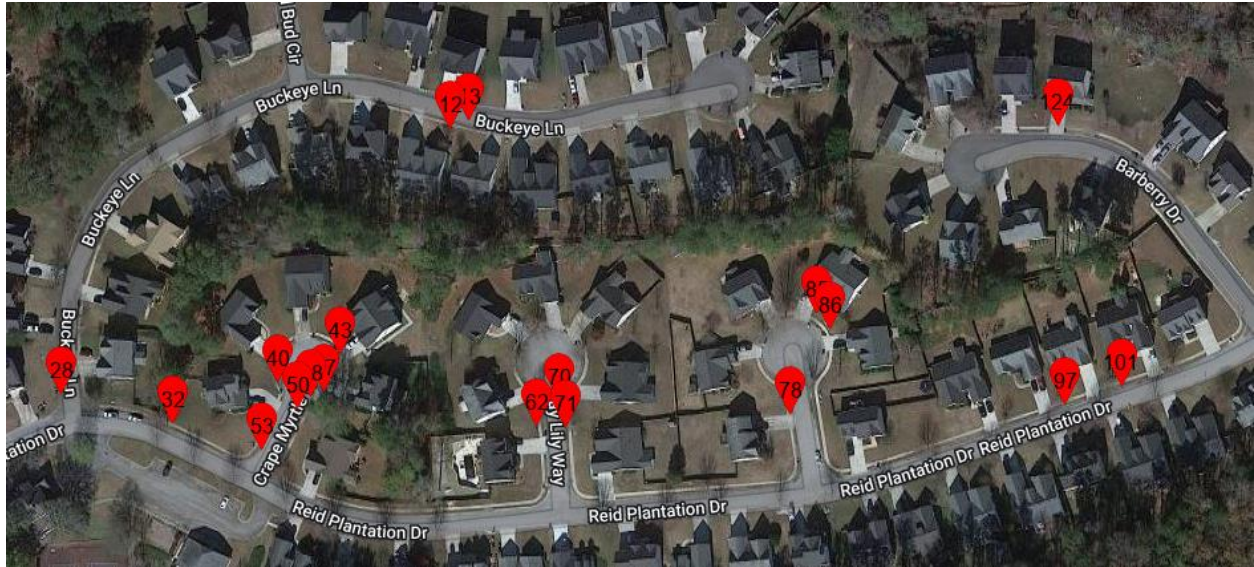
Price: \$6,695

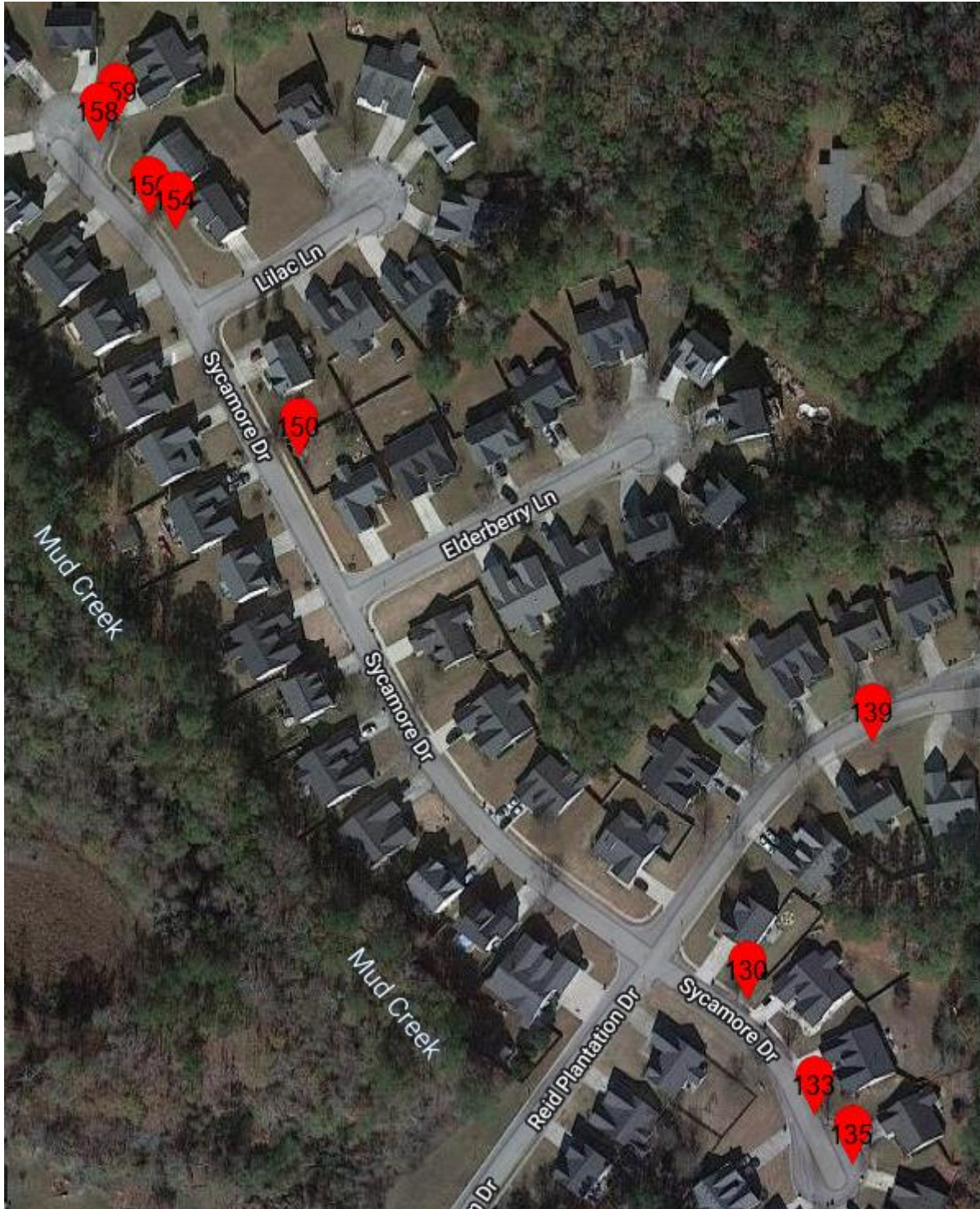
Days to Complete: ~ 1-2 days

	Large Hazards 1-1/8" to 2"		
# of Hazards	28		
		Total # of Hazards	28

The map below shows the approximate location of the large vertical displacements identified in our survey.







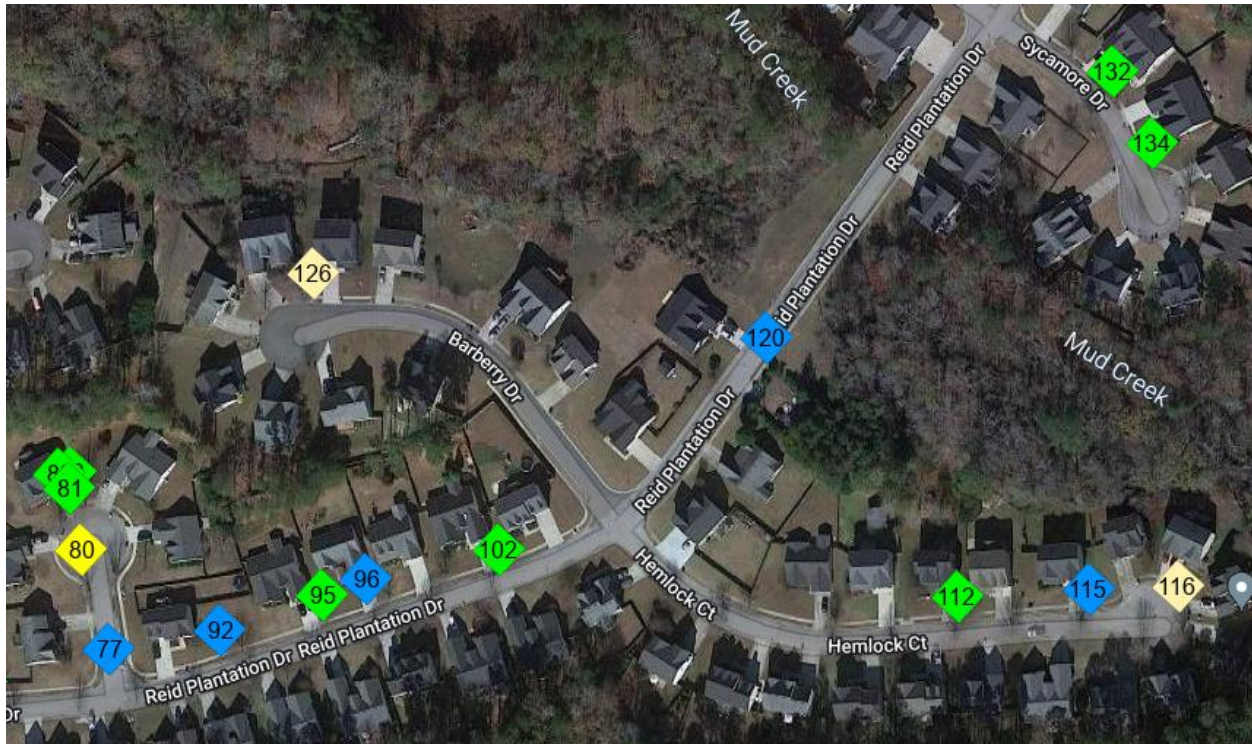


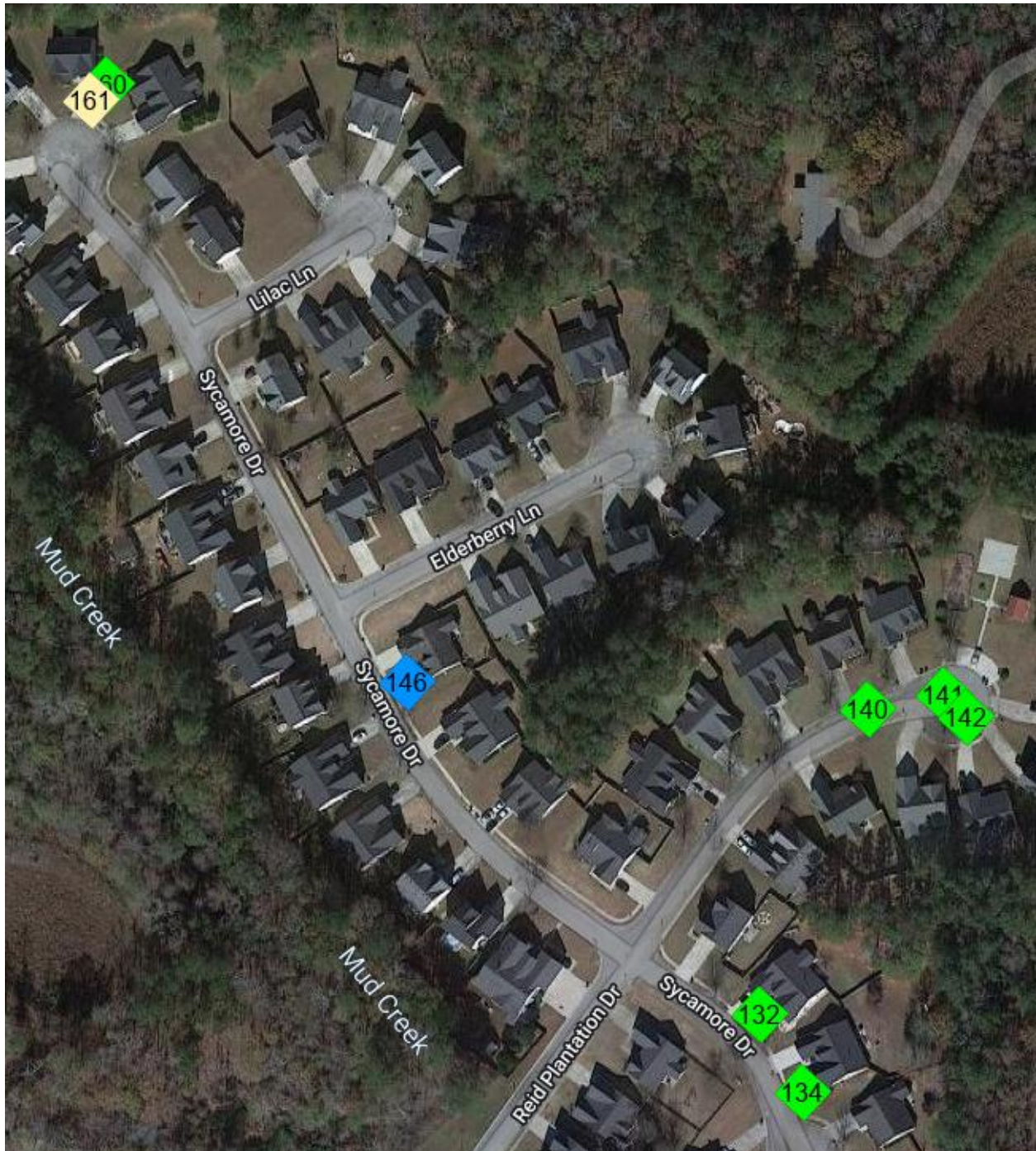
Replacement Areas – Repair not Possible

The maps below show areas identified in our survey where our repair process will not correct the issue. These areas need to be dealt with either by a concrete company, general contractor, or your in-house staff.











Summary Table

The following table summarizes our survey and corresponds to the previous maps.

#	Description/Size	#	Description/Size	#	Description/Size
1	Small	55	Small	108	Small
2	Small	56	Medium	109	Small
3	5 ft of curb	57	Medium	110	Small
4	Need ADA ramp	58	Md – basin cut	111	Too big
5	Sm – driveway cut	59	Md – basin cut	112	Small
6	Medium	60	Broken	113	Small
7	Missing	61	Md – driveway cut	114	Broken
8	Missing	62	Large	115	Non-complaint ramp
9	Medium	63	Too big	116	Small
10	Small	64	Too big	117	Small
11	Medium	65	Too big	118	Small
12	Large	66	Small	119	Broken
13	Large	67	Too big	120	Small
14	Small	68	Small	121	Small
15	Medium	69	Small	122	Sm – basin cut
16	Medium	70	Large	123	Sm – basin cut
17	Replace elevated	71	Large	124	Large
18	Small	72	Repl around basin	125	Non-complaint ramp
19	Small	73	Small	126	Medium
20	Small	74	Too big	127	Small
21	Broken	75	Small	128	Small
22	Small	76	Broken	129	Large
23	Small	77	Large	130	Small
24	Small	78	Small	131	Too big
25	Small	79	Replace	132	Large
26	Small	80	Too big	133	Too big
27	Small	81	Too big	134	Large
28	Large	82	Too big	135	Small
29	Small	83	Medium	136	Medium
30	Medium	84	Large	137	Medium
31	Medium	85	Large	138	Large
32	Large	86	Small	139	Too big
33	Small	87	Small	140	Too big



34	Md – basin cut	88	Medium	141	Too big
35	Md – basin cut	89	Small	142	Small
36	Small	90	Small	143	Small
37	Small	91	Broken	144	Small
38	Sm – driveway cut	92	Medium	145	Broken
39	Small	93	Small	146	Small
40	Large	94	Too big	147	Small
41	Medium	95	Broken	148	Small
42	Small	96	Large	149	Large
43	Large	97	Small	150	Small
44	Too big	98	Medium	151	Small
45	Small	99	Medium	152	Small
46	Small	100	Large	153	Large
47	Large	101	Too big	154	Medium
48	Large	102	Medium	155	Large
49	Cut back shrubs	103	Small	156	Medium
50	Large	104	Small	157	Large
51	Small	105	Medium	158	Large
52	Small	106	Small	159	Too big
53	Large	107	Medium	160	Non-complaint ramp
54	Medium				



The photo to the left shows a curb repair that is included in this offer. We will cut the curb where it is significantly higher ($>1/2"$) than the adjacent sidewalk to create a flush joint between the two surfaces.



The photo to the left shows where sidewalk is missing. New concrete should be added to complete the sidewalk. Because we do not provide concrete construction services, this is not work we can complete. It is not included in this repair offer.



This next photo shows elevated (peaked) sidewalk that should be replaced with new concrete. Because we do not provide concrete construction services, this is not work we can complete. It is not included in this repair offer.



The photo to the left shows a displacement that is too big for our repair process. It is above our 2" height limit. Cutting away the high concrete will leave a slab that is too thin and susceptible to break. This sidewalk should be replaced with new concrete. Because we do not provide concrete construction services, this is not work we can complete. It is not included in this repair offer.



The photo to the left shows a landscaping issue. The shrubs should be cut back to open-up the sidewalk. This is not work we provide since it is normally the responsibility of the property owner. It is not included in this repair offer.



This next photo shows an example of broken sidewalk that should be replaced with new concrete. Because we do not provide concrete construction services, this is not work we can complete. It is not included in this repair offer.



The photo to the left shows sidewalk that should be replaced around a storm runoff catch basin. The displacement is too big for our repair process. Because we do not provide concrete construction services, this is not work we can complete. It is not included in this repair offer.



This next photo shows an ADA ramp that does not meet design guidelines. Consideration should be given to replacing it. Because we do not provide concrete construction services, this is not work we can complete. It is not included in this repair offer.



The photo to the left shows an example of a “basin cut” that is included in this repair offer. We will cut the catch basin cover where it is higher than the adjacent sidewalk to create a flush joint between the two surfaces. We will only make this type of repair if the displacement is 1” or smaller, and the position of the manhole allows us to cut an ADA compliant slope.



The photo to the left shows an example of a “driveway cut” that is included in this repair offer. We will cut the driveway apron where it is higher than the adjacent sidewalk to create a flush joint between the two surfaces. We will not make this type of cut if the property owner has invested into a decorative driveway surface.



Competitive Analysis

Versus Demolition & Replacement

Our biggest advantages over removal & replacement is cost and time.

Georgia Safe Sidewalks has 16 years of history removing vertical displacements for organizations throughout Georgia. Our average cost throughout our history to remove a vertical displacement is \$65 per repair. We usually perform a repair to a single sidewalk slab that is most commonly 5' wide x 5' long or 25 square feet of concrete. This places our average repair cost at \$2.60 per square foot.

Research and customer feedback shows that sidewalk removal and replacement costs run between \$20 and \$25 per square foot. Costs associated with removal and replacement include:

- ✚ Labor to demolish the old sidewalk, dispose of waste concrete, prepare site for new sidewalk, pour and finish the new concrete, and clean up the site including possible damage to surrounding utilities and landscaping.
- ✚ Large equipment usage such as trucks, tractors, trailers, compressors, etc.
- ✚ Disposal costs for waste concrete at landfills.
- ✚ Investments into a multitude of small tools used for demolition, site preparation, and concrete finishing.

This proposal represents an opportunity to improve pedestrian safety, compliance with ADA in regards to vertical displacements, and to reduce liability associated with trip and fall injuries.

Estimated Concrete “not” Removed: 2,400 square feet

Estimated Savings: \$33,800

Additional Benefits over Demolition & Replacement

- ✚ Small crew means less disruption to the community during production.
- ✚ Small equipment means no risk of damage to property landscaping, irrigation systems, utilities, and personal property.
- ✚ No threat of vandalism to wet concrete.
- ✚ Faster production means less disruption to the community.
- ✚ Less concrete waste is produced meaning a smaller contribution to landfills, concrete waste is recycled.
- ✚ Small equipment means less greenhouse gas emissions into the environment.



Versus Grinding

These photos are of typical grinds on sidewalks in Georgia.

The photos at right show the uneven, unprofessional appearance of sidewalk repair by a grinder. It shows how the lower slab that didn't need repaired has been scarred and how the trip hazard at the edge of the sidewalk was not removed. They show how the grinder just knocked off the corner of the slab and left a trip hazard at least 1" high. In both instances any money spent on either repair, regardless of how little, was wasted because the repairs are not ADA compliant.



Additional Benefits over Grinding

- ✚ Faster production. Our customers report that GASS removes as many trip hazards in a single day as a grinding company does in a week.
- ✚ GASS removes the entire trip hazard each and every time.
- ✚ GASS guarantees an ADA compliant repair.
- ✚ GASS is priced equal to or lower than grinding. Most grinding companies charge \$15-\$20 per linear foot. On 5' sidewalks repairing 25 square foot slabs this equates to a cost equal to \$3-\$4 per square foot.



OSHA Certification

You need to be careful if you are doing your own grinding and asking employees to do this type of work. First, to grind a sidewalk you must utilize equipment that will minimize dust. The equipment being used must include dust abatement. Second, your employee or contractor performing this work must be wearing the recommended safety gear to work in a dusty environment. Third, any employee of yours, or your vendor must be certified by a physician for permission to work while wearing this safety equipment. If you send an employee to rent a grinder to repair sidewalks without this certification, you are in violation of OSHA regulations and can be fined or held liable in future years for any health issues to that employee.

All employees at Georgia Safe Sidewalks have been physician certified and meet OSHA requirements.

“Nobody that truly cares about the appearance of their property will allow anybody to tear up their sidewalks with a grinder.”



VERTICAL DISPLACEMENT REMOVAL AGREEMENT/AUTHORIZATION TO PROCEED

PART 1. GENERAL

Date: This Agreement made this _____ day of _____, 20____

1.1 Contractor

Georgia Safe Sidewalks
PO Box 336
Nicholson, GA 30565
Office: 770-722-2534
Email: Todd@GASafeSidewalks.com
Contractor's Representative: Todd Fulk

1.2 Client (herein called "Client") _____

Project Address Location:

On Site Contact Phone: _____

On Site Contact Email: _____

1.3 Project. Removal of sidewalk vertical displacements at various locations within the area as defined by the Georgia Safe Sidewalks Proposal dated _____. Method shall involve horizontal saw-cutting of vertical displacements from area defined in proposal.

PART 2. SCOPE OF WORK

2.1 Generally.

A. Georgia Safe Sidewalks shall furnish all labor, materials, equipment, insurance, permits, fees, and all other charges, expenses or assessments of whatever kind or character to complete the Project, consisting of horizontal saw-cutting, removing and disposing of concrete sidewalk vertical displacements designated in the Proposal as set forth in the Georgia Safe Sidewalk Proposal dated _____. All concrete shall be disposed of as required by law.



PART 3. PAYMENT/AUTHORIZATION

3.1 CONTRACT PRICE

- A. The Contract Price includes the cost of the Work specified in the Proposal, plus the cost of all insurance, permits, fees, and all charges, expenses or assessment of whatever kind of character.
- B. The Client shall pay the Contractor the amount not to exceed \$_____ total for all concrete cut, removed and disposed of set forth on the Proposal. Total amount is due within 15 days of each invoice submittal by Vendor.
- C. Other terms: N/A

3.2 LEGAL

- A. **Authorization.** By signing below, I attest that I am the legal representative for the property in question and have read and understand completely the contents of this agreement. By my signature and authorization, Georgia Safe Sidewalks is approved to schedule the work and complete it according to the agreed upon schedule.
- B. Acceptance of this contract/proposal in no way transfers ownership of clients sidewalks or responsibility for maintenance to Georgia Safe Sidewalks.

IN WITNESS WHEREOF, the parties have entered into this agreement on the day and year set out at the top of this agreement.

Client: _____

By: _____
Signature & Title

Printed Name

Date: _____

Georgia Safe Sidewalks

By: _____
Signature & Title

Printed Name

Date: _____



3191 N. Canyon Road Provo, UT 84604
P: (801) 224-0025 F: (801) 224-0062
www.SafeSidewalks.com

May 4, 2022

To Whom It May Concern:

Due to the nature of our business and our patented equipment and methods, frequently we have been asked to provide a letter stating that our technology relies upon patents that have been issued by the US Patent and Trademark office. These patents enable us and our branch offices to provide the best available trip hazard removal services to our clients.

Todd Fulk and Georgia Safe Sidewalks is the only company authorized to use the patented equipment and method for removing sidewalk trip hazards as described by the following patent numbers:

U.S. Pat. No. 6,827,074
U.S. Pat. No. 6,896,604
U.S. Pat. No. 7,000,606
U.S. Pat. No. 7,143,760
U.S. Pat. No. 7,201,644
U.S. Pat. No. 7,402,095
U.S. Pat. No. 9,759,559
U.S. Pat. No. 9,494,407
U.S. Application Pat. No. 16/670,737

If you have any questions or comments please feel free to give me a call.

Kind Regards,

Aaron Ollivier, CEO
Precision Concrete Cutting
3191 N. Canyon Rd
Provo, Utah 84604
(801) 373-6060





CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT:	Thermaer Jet Pump Replacement
AGENDA DATE:	October 3, 2023
DATE PREPARED:	September 20, 2023
PREPARED BY:	Erick Broz
AMOUNT:	\$63,400.00
GL ACCOUNT #:	505-4115-541400
FUNDING SOURCE:	Water/Sewer
BUDGETED ITEM?	Yes
PUBLIC HEARING:	No

PURPOSE: To engage with Hydra Services for the replacement of the Thermaer jet pump at the West Plant.

BACKGROUND: The existing Sulzer pump is original to the autothermal thermophilic aerobic digestion (ATAD) system. This equipment helps with the process of biosolids allowing the final product from the wastewater plant to be land applied.

STAFF RECOMMENDATION: As the ATAD system is exclusively Sulzer brand pumps and assemblies, staff reached out to manufacturer representatives for bids. Hydra Services was the only bid received. Staff recommends engaging with Hydra Services for the replacement of the pump, at a cost of \$63,400.00.

IMPACT: The pump replacement provides appropriate operation of the wastewater plant and mitigates a system failure.

MOTION: I move to authorize the Mayor to approve the purchase of the Thermaer jet pump for the ATAD system, at a cost of \$63,400.00.

Hydra Service (E), Inc2104 HWY 160
Warrior AL 35180**Sales Quote**

Customer Number
223792
Sales Quote No.
00696

Bill To:CITY OF VILLA RICA
ATTN: Accounts Payable
571 W BANKHEAD HWY
VILLA RICA GA 30180**Ship To:**CITY OF VILLA RICA
ATTN: Accounts Payable
571 W BANKHEAD HWY
VILLA RICA GA 30180

Date		Salesperson	Order Date	Purchase Order No.	Special Instructions		
		G12	6/12/2023		JASPER TO DELIVER RC		
Quantity	U/M	Description / Stock Number			Code	Unit Price	Amount
1.00	EA	QUOTE 0623-104 COMPLETE PUMP			1505	\$63,400.00	\$63,400.00
		Based on APT52-16 - no: 100071911					
		APT52-16 END SUCTION SINGLE STAGE CENTRIFUGAL PUMP PUMP ONLY SN _____					
		FREIGHT INCLUDED					
Payment/Terms: NET 30					Sales Quote Subtotal		\$63,400.00
					4.000% Tax Freight Charges		
					Sales Quote Total		\$63,400.00

West Plant ATAD System Components

ATAD Pump Room



ATAD WAS Jet Pump





CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Manhole Riser Adjustments - Bay Springs Interceptor Sewer

AGENDA DATE: October 3, 2023

DATE PREPARED: September 21, 2023
PREPARED BY: John Bain

AMOUNT: \$ 25,000.00
GL ACCOUNT #: 321-4440-541450
FUNDING SOURCE: 2015 Carroll SPLOST
BUDGETED ITEM? Yes
PUBLIC HEARING: No

PURPOSE: The installation of 4' riser sections to manholes currently in wetland area.

BACKGROUND: The Bay Springs sewer interceptor includes a portion west of Charleston Place and north of the V-Plex that is in a wetland area. Manholes in the wetland area become submerged during wet conditions, causing storm water to enter the City's sanitary sewer system. This project would place 4' sections on the appropriate manholes to raise the elevations of the covers and prevent storm water from entering the system. The area is also significantly overgrown, requiring clearing of the easement, both in the area of the manholes included in this project and along the easement upstream of the manholes.

STAFF RECOMMENDATION: Staff reached out to four contractors for pricing to install the manhole riser sections. Two of the four contractors withdrew the bid due to site conditions. Staff received bids from Grizzard and Associates and RDJE, Inc.

Contractor	Total Cost
Grizzard and Associates	\$ 25,000
RDJE, Inc.	\$ 27,000

Staff recommends awarding the project to Grizzard and Associates, at a cost of \$ 25,000.00.

IMPACT: The project would reduce the amount of storm water entering the sanitary sewer system, and allow staff to access and maintain that portion of the system.

MOTION: I move to approve the Mayor to sign the agreement with Grizzard and Associates for the Manhole Riser Adjustments – Bay Springs Sewer Interceptor, in the amount of \$ 25,000.00.

**Brennan Jones Engineering
Associates, LLC**

September 20, 2023

Mr. Tom Barber, City Manager
City of Villa Rica
571 W. Bankhead Hwy.
Villa Rica, Georgia 30180

Re: Contract Award Recommendation
Manhole Riser Adjustments Bay Springs Interceptor Sewer
City of Villa Rica, Georgia
BJEA Project #17003.12

Dear Mr. Barber:

In response to the request for proposals for manhole riser adjustments for Bay Springs gravity sewer basin manholes, the City received two responsive proposals from contractors. The responsive proposals were received from Timothy C. Grizzard & Associates, Inc., and RDJE, Inc. Each of these contractors has performed construction for the City of Villa Rica and each contractor is qualified to perform the required work. The proposals from the contractors are attached hereto for reference.

The RFP requested the unit cost and total cost for installation of three (3) manhole risers (with the option to add an additional 2 manholes at the same unit cost). Each of the contractors provided pricing to manhole riser adjustments. A summary of costs for manhole riser adjustments, excluding the cost for access or easement clearing is provided below:

Contractor	Unit Cost per Manhole Riser	Total for 3 MH Riser Adjustments
Timothy C. Grizzard & Associates, Inc.	\$5,000.00	\$15,000.00
RDJE, Inc.	\$9,000.00	\$27,000.00

The sanitary sewer and manholes are not readily accessible along the sewer alignment/easement due to heavy vegetation and potentially swampy conditions. Separate costs for easement clearing for manhole access was provided by Timothy C. Grizzard & Associates, Inc. The proposal from RDJE, Inc. excluded costs for easement clearing, but indicated that any costs associated with easement clearing would be considered as extra work and costs would be determined on a time and expenses basis.

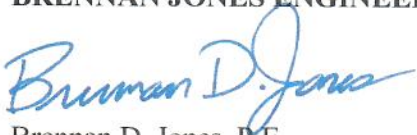
Based on review of the proposals, we recommend award of the project to Timothy C. Grizzard & Associates, Inc., in the amount of \$25,000.00 for manhole riser adjustments for up to five (5) manholes.

September 20, 2023
Mr. Tom Barber, City Manager
City of Villa Rica, Georgia
Page 2 of 2

Furthermore, since access to the sanitary sewer is presently not possible due to overgrown conditions, we recommend that the City clear the sewer alignment/easement and construct an easement access road with drainage piping to allow for long-term all-weather access for maintenance of the sewer line.

If there are any questions, please contact our office.

Very truly yours,
BRENNAN JONES ENGINEERING ASSOCIATES, LLC



Brennan D. Jones, P.E.
Principal Engineer

cc: John Bain

Enclosures Proposals from Contractors

Award Rec_Bay Springs MH Riser Adjustments_092023.docx

Proposal
Manhole Riser Adjustments
September 13, 2023

To: John Bain, Utilities Director
City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30180

Dear Sir:

We are pleased to quote the installation of risers on to manholes on the outfall near the V-Plex near the dead end of Mayor Humphries Drive in Villa Rica.

Considerations –

From our discussion with staff, it is our understanding that there would be a minimum of 3 manholes to be raised and possibly as many as 5. The risers, furnished by the city, are onsite.

The site conditions are challenging and might, if fully evaluated, contain wetlands. With that said, we believe that the necessary clearing will have to be done with a mulcher. We are concerned with the acceptability of grubbing.

We were unable to see all 5 of the manholes; however, we were able to obtain a general understanding of the site conditions.

We believe that the City of Villa Rica would benefit if the entire right of way, between all 5 manholes, be mulched.

Pricing –

Riser installation - \$5000 per manhole with a 3-manhole minimum

Clearing allowance from \$10,000 to \$35,000 depending on the conditions and the potential need for swamp mats. Some clearing will be necessary to do any of the manholes.

Total proposed cost - \$25,000 for 3 manholes and minimal clearing. \$60,000 for 5 manholes and full right of way clearing. Note that we cannot clear large trees or in standing water.



Timothy C. Grizzard, P.E., President
Grizzard & Associates, Inc.



GRIZZ-1

OP ID: TH

CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
10/21/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Carroll Realty & Insurance Co.
PO Box 278
Carrollton, GA 30112
Jay Willis

770-832-2461

CONTACT NAME: Jay Willis
PHONE (A/C, No, Ext): 770-832-2461

FAX (A/C, No): 770-834-1036

E-MAIL: tiffany@crinsure.net

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Frankenmuth Insurance Co

13986

INSURER B: NCCI

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
Grizzard & Associates, Inc.
2987 Mt. Pleasant Rd.
Franklin, GA 30217

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X	6718438	08/05/2022	08/05/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY ☐					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$		6718438	10/20/2022	10/20/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	QUOTE # 50923193	11/10/2022	11/10/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project: Cowan's Lake Row Water Pump Station Improvements

CERTIFICATE HOLDER

The City of Villa Rica
571 Bankhead Hwy
Villa Rica, GA 30180

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

NOTEPAD

INSURED'S NAME

Grizzard & Associates, Inc.

GRIZZ-1

OP ID: TH

PAGE 2

Date 10/21/2022

General Liability carries broadened form # 19263 which includes blanket additional insured as required by written contract.

Recent Project under Grizzard & Associates –

Villa Rica, Flowers Bakery Storm Water - \$240,000 bid price. \$40,000 gross profit.

Villa Rica, Cowan Lake Raw Water Pump Station - \$86,000. underway

Villa Rica, Mirror Lake Dam - \$99,650. awaiting council approval

Carrollton, GA – (those in **Bold** within the last 5 years and operating for at least 2 years)

New Hope Rd Sanitary Sewer Lift Station – 23 hp duplex Flygt. – \$500,000

Sand Hill School Sewer Lift Station – 25 hp duplex Hydromatic - \$500,000

Walmart.com Lift Station refurbishment – 23 hp duplex Flygt - \$50,000

Brock Street LS refurbishment – 40 hp duplex Hydromatic - \$350,000

Mote Road Potable Booster Pump Station – duplex 125 hp - \$500,000

Carroll Tech refurbishment – 25 hp duplex Hydromatic - \$200,000

Oak Mountain LS refurbishment – 39 hp duplex Grundfos - \$150,000

Tyus Rd LS – 10 hp duplex Flygt - \$75,000

Trident Seafood LS relocation – 25 hp duplex Hydromatic - \$100,000

Douglasville WSA –

Yeager Rd School LS – 23 hp duplex Flygt

Highway 166 potable water relocate to St. Andrews – 2". 10 hp pumps

North Douglas Elementary LS – 88 hp duplex Flygt

I-20 LS – 23 hp duplex Flygt

Tributary LS – 70 hp duplex Flygt

Older projects under Grizzard & Associates –

Chatt/Flynt Office LS, Franklin, GA – 2 hp Flygt - \$10,000

Heard County High Field House LS – 3 hp Flygt - \$10,000

Love Travel Stop Waco, GA – 3 hp Flygt - \$5,000

World Children's Ctr LS, Tallapoosa, GA – 23 hp duplex Flygt - \$250,000

Crosstown Village LS, Bremen, GA – 88 hp duplex Flygt - \$75,000

Reference Contacts:

Villa Rica, GA – Bobby Elliot, City Engineer (404) 314-1726.

Carrollton, GA – Tony Richardson, Operations Director (404) 535-0208

Carrollton, GA and Douglasville WSA – Tommy Holland, City Engineer (Carrollton) / Project Engineer (WSA) – (404) 535-0134

Carrollton, GA and Douglasville WSA – Randy Williams, Project Engineer/Maintenance Supt (Carrollton) / (Assistant Maintenance Manager (WSA) – (404) 661-6566.

Bremen, GA – Perry Hicks, City Manager (770) 876-2661.

Ephesus, GA – Denney Rogers, Mayor (770) 854-8616



STATE OF GEORGIA
BRAD RAFFENSPERGER, Secretary of State
Georgia Construction Industry Licensing Board
LICENSE NO. UC300756

Grizzard & Associates, Inc.

2967 Mount Pleasant Road
Franklin GA 30217

Utility Contractor

EXP DATE - 04/30/2023 Status: Active
Issue Date: 12/01/1998

A pocket-sized license card is below. Above is an enlarged copy of your pocket card.

Please make note of the expiration date on your license. It is your responsibility to renew your license before it expires. Please notify the Board if you have a change of address.

Wall certificates suitable for framing are available at cost, see board fee schedule. To order a wall certificate, please order from the web site – www.sos.ga.gov/plb.

Please refer to Board Rules for any continuing education requirements your profession may require.

Georgia State Board of Professional Licensing
237 Coliseum Drive
Macon GA 31217
Phone: (404) 424-9966
www.sos.ga.gov/plb

Grizzard & Associates, Inc.
2967 Mount Pleasant Road
Franklin GA 30217



STATE OF GEORGIA
BRAD RAFFENSPERGER, Secretary of State
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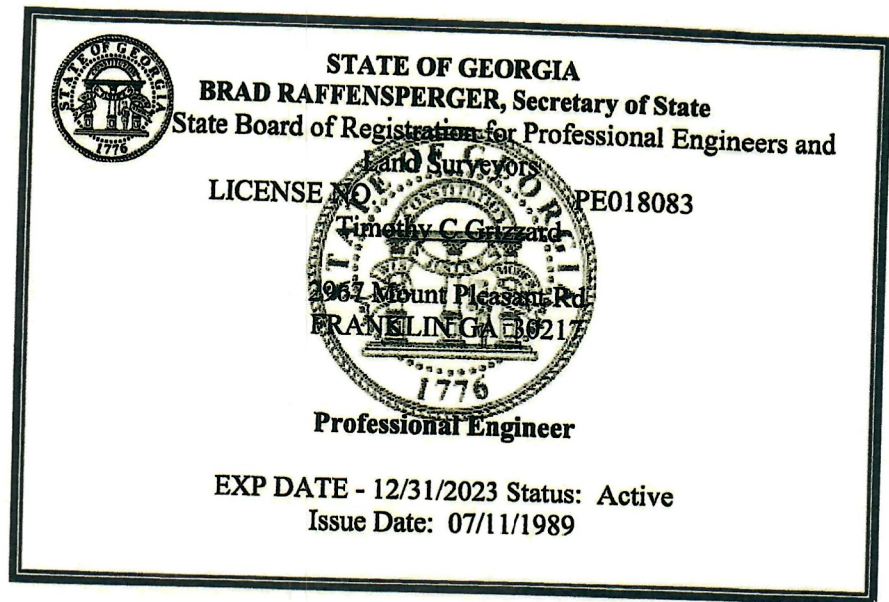
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Timothy C Grizzard
2967 Mount Pleasant Road
Franklin GA 30217



City of Villa Rica Manhole Riser Adjustments



RDJE, Inc.

679 Hwy 29 South, Suite A

Newnan, GA 30263

Contact: Evan C. Bryant

Phone: 770-652-3902

Email: ebryant@rdjeinc.com

Quote To: City of Villa Rica, Utilities Director
571 W. Bankhead Highway
Villa Rica, GA 30180
Phone: 478-249-6723
Email: jbain@villarica.gov
Attention: John Bain

Job Name: Manhole Riser Adjustment

Date of Plans:

Revision Date:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	Manhole Riser Adjustment	3.00	EA	9,000.00	27,000.00
GRAND TOTAL					\$27,000.00

NOTES:

Standard Terms & Conditions for RDJE Proposal:

- + Price includes mastic for riser and cone installation.
- + Price includes minimal clearing for equipment access only.
- + If cone breaks during removal due to existing condition, RDJE will replace cone on a cost plus basis.
- + Precast Risers to be provided by City of Villa Rica.
- + No Engineering included.
- + No Tap fees, Permits, or Impact fees included.
- + No Stabilization Stone included.
- + No Special Licenses included.
- + Permanent grassing/sod not included.
- + Erosion Control/BMPs not included.
- + Asphalt/Concrete paving not included.
- + Trench rock excavation/blasting not included.
- + Extra fee charged for Repair of Damages by others.
- + Extra fee charged for Locating Lines following installation.
- + Removal of Unsuitable Materials not included.
- + Removal of Hazardous Materials not included.
- + All permits and easements shall be obtained by others.
- + This quote is based upon one mobilization and the continuous uninterrupted progress for each utility. Should work be interrupted by the actions or inactions of others, additional costs for delays will be invoiced at RDJE published standard T&M rates.
- + Any work outside the scope of work listed on the attached estimate sheets will be performed at T&M rates for the crew cost plus a time extension for the number of days required for the additional work.
- + All work performed under this agreement and any additions, deletions, or repairs of damages shall be performed by RDJE for the addressee only. No third-party negotiations, payables, or receivables will be accepted by RDJE.
- + This quote is based upon knowledge of conditions existing at the time of the proposal.
- + Periodic pay applications based on work completed and materials stored will be submitted as the work progresses. Payments shall be due within thirty days of submittal date.

- + Final payment and release of any retainage shall be made within 90 days of work completion. Payments not made when due shall accrue interest at rate of 1-1/2% per month.
- + Other item, not listed, are not included. Pricing for additional items are furnished upon request.
- + Any additional work must be mutually agreed upon in writing prior to the work being performed.
- + RDJE has included using up to a 2" Pump to dewater the trench excavation. Well Point pumping is not included in this quote. If ground water is encountered, additional cost will be negotiated.

This document along with the referenced documents can serve as our contract upon your approval and authorization as indicated by your signature in the space provided.

Accepted

For: _____

By: _____

Date: _____

Accepted

For: RDJE, Inc.

By: _____

Date: _____



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Revisions to the City of Villa Rica Development Regulations

AGENDA DATE: October 3, 2023

DATE PREPARED: September 18, 2023

PREPARED BY: Bobby C. Elliott, P.E.

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PURPOSE: From time to time, the Development Regulations need to be revised to add requirements from the State and to make corrections and additions that arise as development continues in the City.

BACKGROUND: About every five years, efforts are made to clean up any issues that are uncovered with the Development Regulations. Various sections need standard detail revisions and changes to the body of the sections due to State requirements that routinely change and holes in the regulations that need to be filled.

One of the main reasons for this revision is due to the fact that Georgia EPD has agreed to allow the City to review all gravity sewer projects “in-house” if we make the necessary changes to the Regulations. It is a huge time saver on residential development if the City can perform these reviews without having to send the development construction package down to Atlanta for their review. The general summary of the Regulation changes do accompany this agenda item along with the ordinance sheet and the entire Development Regulations in PDF format.

STAFF RECOMMENDATION: Staff recommends approval of the revisions to the City Development regulations.

IMPACT:

MOTION: I move to approve the revisions to the City Development Regulations.

Summary of Revisions to Development Regulations

July 31, 2023

As development continues, and as State and Federal regulations change, it becomes necessary to revise development regulations and specifications not only to comply with these changes but to insure that the highest quality of construction is achieved and remains consistent with the City of Villa Rica standards. Another purpose of these revisions is to gain issuing authority status from the Georgia Environmental Protection Division (GaEPD) to approve gravity sewer extensions in-house without sending them to Atlanta for review and approval. There are twelve sections to the Development Regulations manual. This document summarizes the major changes by section that are currently recommended.

Section One Hundred: Title, Purpose, and Intent

There are no changes recommended for this section.

Section Two Hundred: Plan Review and General Requirements

This section of the Regulations establishes the construction plan requirements for all projects, both subdivisions and stand-alone projects.

Revisions:

- Ownership of all Public Infrastructure has been added at GaEPD request.
- Standard Procedures flow chart has been added to guide designers and developers on questions on submittal procedures.
- Adjusted department inspection requirements based on phase of development.
- All Plan Review checklists have been added. This includes Preliminary Plat checklist, Commercial Site Plan checklist, Construction Plan checklist (subdivision), Stormwater Plan checklist, and Final Plat checklist. Engineers that design projects in the City's jurisdiction can use these checklists to get the design correct the first time through review.

Section Three Hundred: General Design Regulations

This section establishes requirements for streets, drainage, sidewalks, street lighting, traffic signage, private streets, and stormwater detention.

Revisions:

- Added Public Works Director and or City Engineer as responsible for enforcement of section.
- Added Traffic Calming check at time of Zoning and design of the project for subdivisions.
- Added sidewalk fund alternative for remote areas where no sidewalks exist or no immediate plans to install them.
- Added to street light section. Developer responsible for not only monthly street light charges for a year in advance but also responsible for all "up-front" street light equipment costs that will be charged by the power company. All street lights for new subdivision developments will automatically be placed in the City of Villa Rica's name at the beginning.
- Added Soil-Cement application as an approved construction method on streets where compaction cannot be obtained with conventional methods. Must be approved by the Public Works Department.

Section Four Hundred: Sewer Regulations

This section establishes requirements for sewers and lift stations.

EPD Revisions:

1. Develop a flow chart to demonstrate how projects will be reviewed and processed by the responsible professional engineer (PE).
2. Specify that there can be no physical connections between a public or private potable water or reclaimed water supply system and a sewer.
3. Specify that sewer lines cannot be placed within a body of water, particularly a water supply lake or reservoir and, if a sewer line is to be placed adjacent to a water reservoir, it should be placed downgradient of the reservoir embankment.
4. Specify that sewer crossing water mains shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer and if it is impossible to obtain proper horizontal and vertical separation, the sewer is to be designed and constructed equal to a water pipe. Please include these on page 400-29.
5. Specify that sewers should not be installed within 25-foot buffer of States waters or within 100 feet of trout streams. In addition, revise page 900-4 to include the condition where the buffer must be 100 feet of trout streams.
6. Specify that no sewers, services, or any other utilities be constructed on, or serve structures constructed or proposed to be constructed, on solid waste landfills.
7. Revise requirements on page 400-28 for stream crossings and aerial crossings to be consistent with EPD's *Guidelines for Sewage Collection Systems*, 2010 (Guidelines).
8. Excessive oil and grease in sewers is known to cause pump failures and sewage spills. Clarify if the City has an oil grease trap ordinance or program and, if not, EPD would encourage the City to start one.
9. Clarify that the pipe bedding for both rigid and flexible pipe is in accordance with EPD's Guidelines.
10. Specify on page 400-35 that the manhole vacuum test is in accordance with ASTM C-1244.
11. EPD's Guidelines state that straight alignment shall be checked by either using a laser beam or lamping and that each section must show at least 90% of the full pipe circle visible when looking from manhole to manhole. Please revise page 400-32.

12. EPD's Guidelines state that maximum leakage infiltration shall not exceed 25 gallons per inch of pipe diameter per mile per day. Please revise page 400-32.

13. Construction inspections are to be performed under the supervision of a Professional Engineer (PE) registered in the State of Georgia.

Other Revisions:

1. The sections on sanitary sewer lift stations have been completely revised.

Section Five Hundred: Water Regulations

This section establishes requirements for water systems.

No Significant Changes to section 500.

Section Six Hundred: Floodplain Management / Flood Hazard Prevention

This section establishes regulations and procedures relating to Special Flood Hazard Areas of the City. This ordinance is also State mandated.

No Significant Changes to section 600.

Section Seven Hundred: Erosion and Sediment Control

This is a State required ordinance that establishes all guidelines and regulations regarding construction projects with respect to erosion and sediment control.

No Significant Changes to section 700.

Section Eight Hundred: Post Development Stormwater Runoff for New Development and Redevelopment

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. State mandated ordinance.

No Significant Changes to section 800.

Section Nine Hundred: Stream Buffer Protection

It is the purpose of this Ordinance to protect the public health, safety, environment, and general welfare; to minimize public and private losses due to erosion, siltation, and water pollution; and to maintain stream water quality by provisions designed to:

1. Create buffer zones along the streams of City of Villa Rica for the protection of water resources; and,
2. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

No changes to section 900. State mandated ordinance.

Section One Thousand: Illicit Discharge and Illegal Connection Ordinance

The purpose of this ordinance is to protect the public health, safety, environment, and general welfare through the regulation of non-stormwater discharges to the City of Villa Rica separate storm sewer system to the maximum extent practicable as required by Federal law.

No changes to section 1000. State mandated ordinance.

Section Eleven Hundred: Conservation Subdivision / Open Space Development

This is also a mandated State ordinance that provides for the preservation of greenspace as a nonstructural stormwater runoff and watershed protective measure and to provide a residential zoning district that permits flexibility in design in order to promote environmentally sensitive and efficient uses of land.

No changes to section 1100.

Section Twelve Hundred: Litter Control Ordinance

The purpose of this ordinance is to protect the public health, safety, environment, and general welfare through the regulation and prevention of litter. The objectives of this ordinance are:

1. Provide for uniform prohibition throughout the City of Villa Rica of any and all littering on public or private property; and,
2. Prevent the desecration of the beauty and quality of life of the City of Villa Rica and prevent harm to the public health, safety, environment, and general welfare, including the degradation of water and aquatic resources caused by litter.

No changes to section 1200. (Also State mandated)

GIL McDOUGAL, MAYOR
CITY COUNCIL:
MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MONTAHAN
DANNY CARTER
ANNA McCOY

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: THERESA
CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

ORDINANCE NO. _____

WHEREAS, the City of Villa Rica through its Community Development Department, the Public Works Department, and the Utility Department, have reviewed and revised the Development Regulations for the City of Villa Rica; and

WHEREAS, the Mayor and Council do desire to adopt the Development Regulations for the City of Villa Rica as attached hereto and incorporated by reference herein.

NOW, THEREFORE, be it hereby ordained that the Mayor and Council of the City of Villa Rica do adopt the Development Regulations for the City of Villa Rica as attached hereto and incorporated by reference herein in its entirety.

IT IS FURTHER ORDAINED that any and all ordinances, codes, and regulations in conflict with the Development Regulations attached hereto are hereby repealed.

This ordinance shall become effective immediately upon passage by the Mayor and Council and signature by the Mayor.

This the _____ day of _____, 2023.

Gil McDougal, Mayor

Attest:

Theresa Campbell, City Clerk

DEVELOPMENT REGULATIONS

for the

CITY OF VILLA RICA

Revised October 2023

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100. **TITLE, PURPOSE & INTENT**

101. **Title.** These regulations shall be known as “The City of Villa Rica Development Regulations,” and may be referred to generally as “The Development Regulations,” or as used herein, “these Regulations”.

102. **Purpose.** These Regulations are intended to serve the following purposes:

- A. To protect and promote public health, safety, and general welfare.
- B. To provide a system for the subdividing of land and the accurate recording of land titles.
- C. To encourage economically sound and orderly land development in accordance with the policies and objectives of the comprehensive plan of the City of Villa Rica.
- D. To assure the provision of required streets, utilities, and other facilities and services to new land developments in the City of Villa Rica.
- E. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments in the City of Villa Rica.
- F. To assure the provision of needed public open spaces and building sites in new land developments in the City of Villa Rica through the dedication or reservation of land for recreational, educational, and other public purposes.
- G. To assure protection of streams, waterways, and wetlands within the City of Villa Rica.
- H. To assure equitable review and approval of all subdivision and site plans by providing uniform procedures and standards for the developer.

103. **Intent.** The intent and purpose of these Regulations is to provide for the harmonious development of the City of Villa Rica and to insure a coordinated layout with adequate provisions for traffic, recreation, drainage, water, sewers, and other technical elements of land development. This control is necessary to assure the maximum return on the local and government investments and at the same time to assure the homeowner protection and the developer full consideration of his interests and responsibilities.

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SECTION 200 PLAN REVIEW AND GENERAL REQUIREMENTS

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200. **PLAN REVIEW AND GENERAL REQUIREMENTS**

200.1 Standard Operating Procedures for the project development process are included at the end of this section. (Section 212)

201. **Use of Words and Interpretation.**

201.1 For the purpose of these Regulations, the following shall apply to the use of all words:

- A. When appropriate to the context, words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense, and vice versa.
- B. Words in the masculine gender shall include the feminine.
- C. The word “shall” is mandatory and not discretionary.
- D. The word “may” is permissive.
- E. Use of the word “and” is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency.
- F. Use of the word “or” is not exclusive and requires that at least one of the component phrases so connected must be present or fulfilled for sufficiency. The word “or” may allow more than one component phrase to be present or fulfilled, as is implied by the common term “and/or.”

201.2 The following shall control the interpretation of words and phrases as used in these Regulations:

- A. Words and phrases defined in these Regulations shall be interpreted as defined herein.
- B. Words or phrases not defined herein shall be interpreted as defined in other ordinances and codes of the City of Villa Rica. Words or phrases not defined in the above-mentioned documents shall have their customary dictionary definitions where not inconsistent with the context.

202. **Plan Review Procedure.** Plan review procedures are dependent on the type of the proposed development. There are three types of developments as follows:

- A. Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into two (2) lots or building sites:
- B. Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into three (3) or more lots or building sites; and
- C. Non-subdivision commercial/industrial developments.

202.1 **Stages of Residential Subdivision Development Plans Review:**

Scope:

Plan design, submittal, and review is divided into 4 stages which correspond to the following 4 types of plans:

1. **Preliminary Plat** - conceptual street and lot layout of subdivision with topography of not more than two (2) foot intervals. A plat review fee shall be required at the time of submittal. No less than twenty (20) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the Community Development office along with six (6) copies of the plat for distribution. Upon approval of the plat by individual departments, six (6) copies of the approved plat stamped by each department shall be submitted to the Community Development office to be distributed to the City of Villa Rica Planning Commission for approval. Approval of a preliminary plat shall expire and be null and void after a period of 24 months from the date of approval unless an extension of time is approved by the Planning Commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

Information to be Provided.

Preliminary subdivision plats shall contain the following information:

- 1. Subdivision Name.
- 2. Name, address and 24-hour phone number of developer.
- 3. Date including most recent revision date.
- 4. Graphic scale (not to exceed 1"=100')
- 5. Location Index map (approximate scale 1"=6000')
- 6. North arrow.
- 7. Land lot, District and Section.

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8. Maximum sheet size 24"x 36" unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.
10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.
15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
17. Existing streets, utilities, and easements on and adjacent to the tract.
18. Provisions for water supply, sewerage, and drainage.
19. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or Engineer's Stamp.
22. Signature Statement for planning commission. Statement shall read as follows:

Preliminary Plat Approval Certificate

All requirements of the City of Villa Rica Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

Planning Commission
Chairman

Date

City Clerk

Date

23. Any and all other information as may be required by the City.
24. Names of owners of record of adjoining properties.

2. **Construction Plans** - detailed design plans of proposed subdivision infrastructure improvements. Six (6) sets of the construction plans shall be submitted to the Community Development office for distribution. A plan review fee shall be required at the time of submittal. Upon approval

of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the City departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact Public Works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.

Information to be Provided.

Construction Plans shall contain the following information:

Road Design

1. Acceleration /deceleration lanes at entrance
2. Typical road section for all roads
3. Dimensions of turn radii.
4. Plan and profile of existing city or county road at proposed entrance with the City of Villa Rica's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
5. If additional right-of-way is required to bring the City Road up to minimum standards, as shown on the current City Street Classification Map, the future right-of-way shall be shown on the plan. Set backs shall be measured from the future right-of-way.
6. Proposed street profiles for all new streets.
7. Proposed street grades.
8. Proposed length of vertical curves.
9. Vertical stopping sight distance at all proposed internal subdivision intersections.
10. Street horizontal curve radii.
11. All radii, curb set back and taper details.
12. Typical construction details (curb and gutter, paving, etc.)
13. Street signs.

Storm Drainage

1. Topographic layout of development at two (2) foot contour intervals based on mean sea level datum with storm drain layout.
2. Location, size, and length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.

7. Ditch cross-sections every (50) feet with velocity of runoff (no more than 5.0 fps without lining the ditch.)
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The 100-year floodplain / Future Conditions floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system – minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.
17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

Water Layout

1. Site plan with water layout only.
2. Pipe locations and sizes
3. Location and size of gate valves & air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.
6. Existing water main locations, sizes, and types of materials surrounding the project.
7. Detail of tap to water main.
8. Proposed meter sizes and locations.
9. Nearest existing line valves on main, in order to isolate tap.
10. Pressure flow-test results.
11. If proposed water line crosses private property, a twenty foot (20) permanent easement is required.

Sewer Layout

1. EPD Sanitary Sewer Submittal Form filled out by registered engineer.
2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines.
7. Manhole numbers and locations.

8. Outside drop-manhole designated.
9. Percent grade, length, size of lines.
10. Lateral locations.
11. Materials to be used.
12. Location in profile of streams and storm drains.
13. Easements to be twenty (20) foot permanent and sixty (60) foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

Additional Requirements:

1. Preliminary plat submitted with construction plans.
2. Sidewalks.
3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
4. Names of all utility companies.
5. Erosion control plan.
6. Tree protection plan.
7. Show location of any landfills or debris or garbage disposal sites on the property.
8. Additional Notes Below:

- Notes:
1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.
 2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements."
 3. It is the developer's responsibility to abide by all the rules and regulations pertaining to the U.S. Fish and Wildlife Service if applicable.

3. Erosion and Sediment Control Plans - A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a Land Disturbance Permit as addressed in Section 700 of the City of Villa Rica Development Regulations. An approved copy of this plan must be provided to all departments as part of the construction plan review process.

4. Final Plat - plan of subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at the

Clerk of Superior Court. A plat review fee shall be required at the time of submittal. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and utility construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Six (6) copies of the final plat and as-built drawings shall be submitted to the Community Development office for distribution. Once the signatures of approval from the designated City Departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Carroll County and/or Douglas County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the Community Development office. An electronic version of the final plat shall be provided in AutoCAD format to the Community Development office.

The Final Plat shall contain the following information:

1. Sheet size no larger than 18" x 24"
2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
3. Field survey error of closure not to exceed one to ten thousand.
4. Equipment used in field survey.
5. Calculated error of closure of plat.
6. Present zoning and zoning of abutting land.
7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.
9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning. All zoning stipulations, if any, must also be on the plat.
10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
11. Each lot's area in square feet or acres.
12. Deed book and page number of protective covenants if any.
13. Accurate location, material, and description of all monuments and markers.
14. Location of sidewalks.
15. Show all Storm lines on plat.
16. Location of all easements.
17. Required buffers and recreational areas (if any).
18. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.

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19. All surveys and plats must be prepared by a state certified engineer and /or surveyor.
20. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
21. The following certificate statements shall be shown on the plat:

Owner's Certificate:

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

Owner

Date

Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future" and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

Owner

Date

City of Villa Rica Certificate:

In accordance to the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City officials and personnel and on behalf of the City of Villa Rica:

Community Development Director

Date

Mayor

Date

Covenants, if separately recorded:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded in plat book _____ Page _____.

21. Any and all other information as required by the city.

202.2 Stages of Commercial/Industrial Subdivision Plan Reviews:

Scope:

Plan design, submittal, and review is divided into 4 stages which corresponds to the following 4 types of plans:

1. **Preliminary Plat** - conceptual street and lot layout of subdivision with topography of not more than two (2) foot intervals. A plat review fee shall be required at the time of submittal. No less than twenty (20) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the Community Development office along with six (6) copies of the plat for distribution. Upon approval of the plat by individual departments, six (6) copies of the approved plat stamped by each department shall be submitted to the Community Development office to be distributed to the City of Villa Rica Planning Department for approval. Approval of a preliminary plat shall expire and be null and void after a period of 24 months from the date of approval unless an extension of time is approved by the Planning Commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

Information to be Provided.

Preliminary subdivision plats shall contain the following information:

1. Subdivision Name.
2. Name, address and 24-hour phone number of developer.
3. Date including most recent revision date.
4. Graphic scale (not to exceed 1"=100')
5. Location Index map (approximate scale 1"=6000')
6. North arrow.
7. Land lot, District and Section.
8. Maximum sheet size 24"x 36" unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.

10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.
15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
20. Existing streets, utilities, and easements on and adjacent to the tract.
21. Provisions for water supply, sewerage, and drainage.
22. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or Engineer's Stamp.
22. Signature Statement for Planning Commission. Statement shall read as follows:

Preliminary Plat Approval Certificate

All requirements of the City of Villa Rica Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

_____ Community Development Date	_____ City Clerk Date
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23. Any and all other information as may be required by the City.
 24. Names of owners of record of adjoining properties.
-
2. **Construction Plans** - detailed design plans of proposed subdivision infrastructure improvements. Six (6) sets of the construction plans shall be submitted to the Community Development office for distribution. A plan review fee shall be required at the time of submittal. Upon approval of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the City

SECTION 200 PLAN REVIEW AND GENERAL REQUIREMENTS

departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact Public Works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.

Information to be Provided.

Construction Plans shall contain the following information:

Road Design

1. Acceleration /deceleration lanes at entrance
2. Typical road section for all roads
3. Dimensions of turn radii.
4. Plan and profile of existing city or county road at proposed entrance with the City of Villa Rica's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
5. If additional right-of-way is required to bring the City Road up to minimum standards, as shown on the current City Street Classification Map, the future right-of-way shall be shown on the plan. Setbacks shall be measured from the future right-of-way.
6. Proposed street profiles for all new streets.
7. Proposed street grades.
8. Proposed length of vertical curves.
9. Vertical stopping sight distance at all proposed internal subdivision intersections.
10. Street Horizontal curve radii.
11. All radii, curb set back and taper details.
12. Typical construction details (curb and gutter, paving, etc.)
13. Street signs.

Storm Drainage

1. Topographic layout of development at two (2) foot contour intervals based on mean sea level datum with storm drain layout.
2. Location, size, and length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.

7. Ditch cross-sections every (50) feet with velocity of runoff (no more than 5.0 fps without lining the ditch.)
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The 100-year floodplain and Future Condition floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system – minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.
17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

Water Layout

1. Site plan with water layout only.
2. Pipe locations and sizes
3. Location and size of gate valves, air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.
6. Existing water main locations, sizes, and types of materials surrounding the project.
7. Detail of tap to water main.
8. Proposed meter sizes and locations.
9. Nearest existing line valves on main, in order to isolate tap.
10. Pressure flow-test results.
11. If proposed water line crosses private property, a twenty foot (20) permanent easement is required.

Sewer Layout

1. EPD Sanitary Sewer Submittal Form filled out by registered engineer.
2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines with:
7. Manhole numbers and locations.

8. Outside drop-manhole designated.
9. Percent grade, length, size of lines.
10. Lateral locations.
11. Materials to be used.
12. Location in profile of streams and storm drains.
13. Easements to be twenty (20) foot permanent and sixty (60) foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

Additional Requirements:

1. Preliminary plat submitted with construction plans.
2. Sidewalks.
3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
4. Names of all utility companies.
5. Erosion control plan.
6. Tree protection plan.
7. Show location of any landfills or debris or garbage disposal sites on the property.
8. Additional Notes Below:

- Notes:
1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.
 2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements."
 3. It is the developer's responsibility to abide by all the rules and regulations pertaining to the U.S. Fish and Wildlife Service if applicable.

3. **Erosion and Sediment Control Plans** - A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a Land Disturbance Permit as addressed in Section 700 of the City of Villa Rica Development Regulations. An approved copy of this plan must be provided to all departments as part of the construction plan review process.
4. **Final Plat** - plan of subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at

the Clerk of Superior Court. A plat review fee shall be required at the time of submittal. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and utility construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Six (6) copies of the final plat and as-built drawings shall be submitted to the Community Development office for distribution. Once the signatures of approval from the designated City Departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Carroll County and or Douglas County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the Community Development office. An electronic version of the final plat shall be provided in AutoCAD format to the Community Development office.

Information to be Provided.

The Final Plat shall contain the following information:

1. Sheet size no larger than 18" x 24"
2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
3. Field survey error of closure not to exceed one to ten thousand.
4. Equipment used in field survey.
5. Calculated error of closure of plat.
6. Present zoning and zoning of abutting land.
7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.
9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
11. Each lot's area in square feet or acres.
12. Deed book and page number of protective covenants if any.
13. Accurate location, material, and description of all monuments and markers.
14. Location of sidewalks.
15. Location of all easements.
16. Required buffers and recreational areas (if any).

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17. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
18. All surveys and plats must be prepared by a state certified engineer and /or surveyor.
19. Location of 100-year floodplain and Future Conditions floodplain or statement that no part of the property lies within the 100-year floodplain.
20. The following certificate statements shall be shown on the plat:

Owner's Certificate:

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

Owner

Date

Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future" and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

Owner

Date

City of Villa Rica Certificate:

In accordance to the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City personnel on behalf of the City of Villa Rica:

Community Development

Date

Community Development Director

Date

Mayor

Date

Covenants, if separately recorded:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded in plat book _____ Page.

- 21. Any and all other information as required by the city.
- 22. Lots, lot areas and lot numbers are optional at the discretion of the developer. If lots are included, the exact boundaries shall be shown by bearing and distances as determined by a field survey, and corners shall be marked on the ground with appropriate permanent monumentation.
- 23. Any and all other information as required by the City.

202.3 Commercial/Industrial Site Development Plans

- A. For individual commercial or industrial sites not within a Commercial or Industrial Subdivision, only construction plans are designed and submitted for review for this type of development. Six (6) sets of plans shall be submitted to the Community Development office to be distributed to other City departments. A plan review fee shall be required at the time of submittal. Upon approval of the plans by individual departments, each department retains a copy of the approved stamped plans.
- B. For individual commercial or industrial sites within a Commercial or Industrial Subdivision Development, the same requirements as in A above may be submitted only after approval by the City and recording of the Final Plat for the development.

202.4 Plan Approval:

- A. Approval of construction plans shall expire eighteen (18) months from the date of approval without the issuance of a building permit from the City of Villa Rica.
- B. If a discrepancy occurs between the approved plans and the City's development standards, unless a variance or exception has been obtained, the Development Standards shall be the superseding document.

202.5 Plan Review Checklists: Checklists are included at the end of this section.

203. **Permits**

203.1 **Subdivisions:** The Community Development office issues the following permits for the construction of a subdivision:

- A. Land Disturbance Permit - after the approval of the construction plans, this permit is issued for the implementation of erosion control measures as shown on the approved construction plans for projects as required under Section 700 of the City of Villa Rica Development Regulations.

203.2 **Sites not involving the subdividing of land:** The Department of Community Development issues the following two (2) permits for the construction of sites:

- A. Land Disturbance Permit - after the approval of the construction plans, this permit is issued for the implementation of erosion control measures as shown on the approved construction plans for all projects as required under Section 700 of the City of Villa Rica Development Regulations.
- B. Building Permit - this permit is issued for the construction of proposed buildings. The building permit is issued after the site construction plans are approved, the building architectural plans are approved, and the Land Disturbance Permit is issued (if applicable). Appropriate permit fees shall apply.

203.3 **Driveway Permits** – a review will be required of all new driveway cuts on public right-of-way for the purpose of ensuring the requirements of these Regulations are complied with and to determine if additional right-of-way improvements will be needed to be made by the property owner in order that the public right-of-way will accommodate the proposed vehicular use of said new driveway. When a building permit or land disturbance permit is required, the driveway permit will be incorporated into said permits and no additional fees will be required. When no other permits are required, a permit fee of fifty dollars (**\$50.00**) will be required.

203.4 **Pavement Cut Permit** - a permit will be required prior to any work being done involving the cutting of any existing public right-of-way pavement. Said permit will be issued by the City Public Works Department. (**No permit fee is required**).

204. **Construction**

- 204.1 **Pre-construction Conference:** The developer is required to schedule a meeting with the Community Development office and all public and/or private utilities for the purpose of discussing the construction and inspection of the proposed development. **The pre-construction conference is required before the issuance of any permits unless waived by all affected City Departments.**
- 204.2 **Approved Plans:** An approved set of construction plans stamped by the City must be kept onsite at all times by the Contractor.
- 204.3 **Notification:** The City shall be notified by the developer or his/her contractor before construction begins, and at the various stages in construction required by the City. The City shall be given a **two (2) business days** advance notice before construction begins. The appropriate department as outlined in Section 205 of these Regulations will be directly notified for an inspection request.
205. **Inspection:** **All inspections will be performed under the supervision of a Professional Engineer (PE) registered in Georgia.**

205.1 **Subdivisions:**

- A. Public Works Department - this department is responsible for inspection of roads, storm drainage, grading construction, and erosion control.
- B. Water Department - this department is responsible for inspection of water and sanitary sewer construction.
- C. And any other appropriate City department whose inspections are necessary to insure compliance with the Ordinance of the City.
- D. The City of Villa Rica reserves the right to charge an inspection fee consistent with an approved fee schedule set by Mayor and Council.

205.2 **Commercial/Industrial Sites not involving the subdividing of land:**

- A. Public Works Department - this department is responsible for inspection of entrance, storm drainage, grading construction, erosion control, parking layout and landscaping.
- B. Water Department - this department is responsible for inspection of water, sanitary sewer, and fire line for sprinkler system construction to the double detector check meter and vault. Construction of sanitary

sewers onsite within sewer easements or offsite within the public rights-of-way are inspected by this department. Sanitary sewer services outside easements will be inspected by the Building Department. Water line construction up to and including water meters will be inspected by this department. Water line construction downstream of the meters (except for the fire sprinkler system) will be inspected by the Building Department.

- C. And any other appropriate City department whose inspections are necessary to ensure compliance with the ordinances of the City.
- D. The City of Villa Rica reserves the right to charge an inspection fee consistent with an approved fee schedule set by Mayor and Council

206. **As-Builts**

As-builts shall be required before the final plat is recorded for subdivisions or before a certificate of occupancy is issued for commercial/industrial sites. All as-built drawings must be on standard 24" X 36" sheets with a maximum scale of 1" = 50'. Electronic files must also be submitted in AutoCAD format with water, sewer and storm system all on separate layers in State Plane Coordinates as described as follows:

- A. The water system as-builts shall show locations of fire hydrants, line valves, tees, water main sizes, and types of materials.
- B. The sanitary sewer system as-builts shall show locations of manholes, lines, services, line sizes, types of materials, manhole inverts, and line grades.
- C. Street and storm sewer as-builts shall show street layout, profiles, and grades, storm sewers and sizes, storm drainage structures, and detention ponds.
- D. Commercial site layout as-builts in addition to water, sanitary sewer, and storm sewer as-builts shall include, but not be limited to, the following final locations of building(s), entrance(s), parking, and grading on computer disk format (if feasible).
- E. Sprinkler system as-builts with head count.

207. **Maintenance Bond, Letters of Credit, and Performance Bond:**

- A. The Developer, after completion of construction to the standards of these regulations, must obtain written approval of said construction by the City before recording the Final Plat or final approval by the City.
- B. The maintenance bond or Letter of Credit covers the cost of maintaining the project for a period of eighteen (18) months from the date the City issues approval of the final plat or project.
- C. The City shall determine the amount of the bond or Letter of Credit based upon the type of project and the total cost which shall be a minimum of 25% of the total cost of the project. Maintenance bonds or Letter of Credits are only required for projects whose total project cost exceeds \$20,000.00. The appropriate legal representative shall approve the bond or Letter of Credit as to form. The bond or Letter of Credit shall be payable to the City of Villa Rica.
- D. In cases where work on City right-of-way is required (i.e. Accel/decel lanes at development entrances), the City shall require a performance bond to cover the cost of estimated construction within the right-of-way. The performance bond amount shall be determined by the City Engineer. The bond term will be one year from the issuance of the Land Disturbance Permit. If the construction covered by the bond fails to be completed within this time frame, the City will access the bond and complete the work.

208. **Eighteen (18) Month Maintenance:**

- A. The developer shall maintain the improvements in his/her development for a period of **18 months** from the date the City issues approval of the Final Plat. At the end of the 18-month maintenance period, the City shall perform an inspection of the development and all improvements. The developer shall be notified by the City of the inspection results in writing within **15 days** from the date of the inspection. The maintenance bond shall be released upon the issuance of a letter stating approval of the development by the City. **(The final plat shall note said maintenance period and note the date that street dedication to the City shall occur).**
- B. If repairs are needed at the end of the 18-month maintenance period in order for the improvements to meet City specifications, the developer shall be required to make such repairs within **60 days**, after written notification by the City. If the repairs are not completed within said time, and the developer fails to show a legitimate hardship, as determined by the City, which inhibits the completion of the repairs, the maintenance bond shall be called in to pay for the repairs. Should the amount of the maintenance bond be inadequate to pay

for the repairs, the developer shall pay the remaining amount. The following procedures shall apply in this situation:

1. The City shall notify the developer in writing of such action.
 2. Upon completion of necessary maintenance repairs, the developer shall request in writing to the City for inspection of the maintenance repairs. The City shall make said inspection and in turn notify the developer of the inspection results.
- C. If the work is free from defects, and the improvements are in compliance with City specifications, the City shall provide written approval to the developer of said compliance and the maintenance bond shall be released. **Bonds are to be written where the City of Villa Rica must release the bond in writing. Bond expiration dates for release are not acceptable.**

209. **Certificate of Dedication and Maintenance Agreement**

Upon issuance of the maintenance bond as provided above, the developer shall execute a certificate of Dedication and Maintenance Agreement as provided by the City. All streets and right-of-way shown upon the final plat, together with all other public improvements shall be dedicated to the City of Villa Rica either in fee simple or by perpetual easement, as appropriate. The Certificate of Dedication shall be recorded by the developer in the office of the Clerk of Superior Court of Carroll County and or Douglas County, Georgia. The developer shall also furnish to the City an opinion by an attorney acceptable to the City that title records have been examined and that marketable fee simple title was vested in the developer at time of recording of the Certificate. The City reserves the right to refuse said dedication for reasons related to construction or maintenance.

The Maintenance Agreement shall obligate the developer, his/hers, successors and assigns to maintain the streets and improvements for a period of **18 months** from date of written acceptance by the City and to correct or repair the same as required in Section 208 of this Section. Said acceptance being the date of Final Plat approval. Furthermore, the developer his/her successors and assigns, shall agree to hold the City harmless and indemnify the City from liabilities arising from defects in design, installation and/or maintenance during the 18-month period.

Upon submission of the Certificate of Dedication and Maintenance Agreement, a recordable executed easement shall be provided to the City for all easements to be dedicated to the City.

Insurance Requirements:

- A. Prior to the issuance of any permit which includes the construction or installation of infrastructure to be dedicated to the City of Villa Rica within rights-of-way, easements, or other property either owned by, to be dedicated, conveyed, or used by the City of Villa Rica, Georgia said contractor, property owner, or entity working on said property for himself/herself and for all subcontractors must provide the City of Villa Rica a liability insurance certificate of \$1,000,000.00 in general liability insurance listing the City of Villa Rica as a co-insured or indicating that coverage under said policy is provided for the City of Villa Rica.
- B. Said certificate shall be presented to the City Manager prior to the issuance of any construction related permits, and must be approved by him prior to the issuance of any construction related permits.

210. **Model Home Permits:**

The City at its discretion may approve up to two (2) model home permits per residential subdivision development with the following stipulations:

- 1. The streets of the development should be sufficiently complete having Graded Aggregate Base (GAB) in place to avoid the tracking of mud onto adjacent streets;
- 2. A working fire hydrant must be within 250 linear feet of the model home site; final connection to all utilities must be postponed until final platting is complete and recorded.

211. **Ownership of all Public Infrastructure**

After projects have been completed and all inspections have been successful and final acceptance has been given, the City of Villa Rica will own and maintain all public infrastructure. Detention facilities will be maintained by their respective Community Associations.

212. **Standard Procedures for Project Development**

212.1 **Standard Procedures for Project Development for Non-subdivision Developments**

- 1. Initial Concept Meeting with City Staff

2. Water and sewer capacities must be checked, and capacities secured before moving forward.
3. Determine that no portion of the development is to be built on any solid waste landfill.
4. Meet with GDOT if access is required off GDOT R/W unto the project.
5. Application to re-zone property – include final concept plan.
 - a. Zoning applications must be reviewed by the Villa Rica Planning Commission and approved by a public hearing with the City Council. If Approved;
6. Construction Plan Submittal: The following reviews are required:
 - a. Zoning
 - b. Fire Marshal
 - c. Community Development – Architectural plans reviewed.
 - d. Civil Plan review performed by the City of Villa Rica designee.
 - e. Erosion and sediment Control review by Georgia soil and Water Conservation District in Athens, Georgia. (GSWCC)
 - f. Ga EPD if gravity sewer extension is required to serve the site.
7. Pre-Construction Meeting required once all plans are approved.
 - a. Land Disturbance Permit fees and NPDES fees are required to be paid at the Pre-con meeting.
8. Construction and Building inspections by City Staff as construction unfolds. City inspections are to be supervised by the City's designated Georgia registered engineer.
9. Once the construction and inspection process are complete, a Certificate of Occupancy is issued. Project Complete.

212.2 Standard Procedures for Project Development for Residential / Commercial / Industrial Subdivision Developments

1. Initial Concept Meeting with City Staff
2. Water and sewer capacities must be checked, and capacities secured before moving forward.
3. Determine that no portion of the development is to be built on any solid waste landfill.
4. Meet with GDOT if access is required off GDOT R/W unto the project.

5. Application to re-zone property – include final concept plan.
 - a. Zoning applications must be reviewed by the Villa Rica Planning Commission and approved by a public hearing with the City Council. If Approved;
6. Submit Preliminary Plat for Review (aka Final Concept Plan)
 - b. The plat must be approved by City Staff before moving forward.
7. Construction Plan Submittal: The following reviews are required:
 - a. Zoning
 - b. Community Development – Architectural plans reviewed.
 - c. Civil Plan review performed by the City of Villa Rica designee.
 - d. Erosion and sediment Control review by Georgia soil and Water Conservation District in Athens, Georgia. (GSWCC)
 - e. Ga EPD if gravity sewer extension is required to serve the site.
8. Pre-Construction Meeting required once all plans are approved.
 - a. Land Disturbance Permit fees and NPDES fees are required to be paid at the Pre-con meeting.
9. Construction and Building inspections by City Staff as construction unfolds. City inspections are to be supervised by the City's designated Georgia registered engineer.
10. Once the construction and inspection process are complete, Final Plat is submitted for review.
 - a. Final Plat is reviewed for content by City's designee.
 - b. Maintenance bond is calculated.
 - c. Street light fees are calculated.
 - d. Street sign fees are calculated.
 - e. Stormwater maintenance agreement submitted and recorded.
 - f. Water and Sewer as-built drawings are submitted for review.
11. Once all fees are paid and Maintenance bond submitted, Final Plat is taken to a public hearing with City Council for approval. Once approved by City Council, Final plat is recorded and building permits are issued.

213. **Plan Review Checklists for Development Projects in the City of Villa Rica**

213.1

City of Villa Rica Preliminary Plat Checklist

Project Name: _____.

Designer: _____.

Checked By: _____ Date: _____.

Checklist marks to be interpreted as follows:

√ O.K. **X** Revision Required **N/A** Not Applicable
 ? Additional Information Required

All Plans must include:

- _____ 1. Subdivision Name
- _____ 2. Name and Address of owner of record.
- _____ 3. Name, address and 24-hour phone number of developer/subdivider.
- _____ 4. Name, address, and phone number of design firm.
- _____ 5. Date of plat including most recent revision date.
- _____ 6. Date of survey.
- _____ 7. Graphic Scale.
- _____ 8. (Location map) relation to the surrounding area.
- _____ 9. North Arrow.
- _____ 10. Land lot and district.
- _____ 11. Name of former subdivision if the preliminary plat has been previously subdivided.
- _____ 12. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings. The boundary lines shall include the entire tract to be eventually subdivided and data as required herein shall apply to the entire tract.

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- _____ 13. Ground elevations on the tract based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic information shall be shown. Contours shall be drawn at intervals of two (2) feet and shall be mean sea level.
- _____ 14. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other significant features. On all water courses entering and leaving the tract, the direction of flow and acreage of the drainage area above the point of entry shall be noted.
- _____ 15. Location of 100-year floodplain or statement that no part of property falls within the 100-year floodplain.
- _____ 16. Abutting existing City or County Roads showing existing right-of-way and pavement widths and future rights-of-way.
- _____ 17. Existing easements, city and county lines, utility lines, bridges, street culverts, etc.
- _____ 18. Proposed street and lot layout.
- _____ 19. Lot lines with approximate dimensions.
- _____ 20. Proposed street names.
- _____ 21. Sites reserved through covenants and easements dedicated or otherwise for public use.
- _____ 22. Location of bold lines for phased developments. Developments divided for phasing can only be labeled as units, not blocks or phases.
- _____ 23. Lots numbered consecutively disregarding phasing.
- _____ 24. Total number of lots.
- _____ 25. Present zoning and zoning of abutting land.
- _____ 26. Proposed zoning and minimum size of lots.
- _____ 27. Required setbacks for proposed zoning.
- _____ 28. Show the front yard setback line.
- _____ 29. Total acreage and lots per acre.
- _____ 30. Surveyor's and Engineer's stamp.

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- _____ 31. Show all zoning stipulations on plans.
- _____ 32. Location and mean sea level elevation of benchmark.
- _____ 33. More than one entrance for projects in excess of 200 lots.
- _____ 34. Adequacy of existing roads for proposed development-pavement width, R/W.
- _____ 35. Downstream site conditions, existing or potential flooding problems.
- _____ 36. Lots accessing interior streets.
- _____ 37. Adequate roadway circulation within the development for large projects.
- _____ 38. Proposed road R/W adequacy.
- _____ 39. Other intersections near proposed entrance(s) shown on plans.
- _____ 40. An accurate up-to-date and certified survey of the property on which the project is to be built. The date of the boundary survey must be included on the plat.
- _____ 41. Architectural elevations to show the intended architectural character of the proposed building and the nature of the materials to be used.
- _____ 42. If development is to be built in phases, show phase lines on preliminary plat.
- _____ 43.

Preliminary Engineering Certificate

I hereby certify that this proposed preliminary plat correctly represents data compiled or verified through a survey completed by me on _____, 20____, of property shown and described hereon.

By: _____ Registered P.E. Number: _____

or

By: _____ Registered LS Number: _____

Date: _____

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44.

Certificate of Design	
I hereby certify that the design and layout of the proposed lots, blocks, streets, and other planned features included in this preliminary plat have been prepared by me under my direct supervision.	
By: _____	Registered P.E. Number: _____
or	
Registered LS Number: _____	
or	
Registered L.A. Number: _____	
or	
By: _____	Land Planner
Date: _____	

_____ 45. Supplementary data to be submitted to the Planning Commission along with the preliminary plat:

- a. Draft of proposed protective covenants
- b. Proposed size of houses
- c. Price range of houses

_____ 46.

Certificate of Preliminary Plat Approval			
All requirements of the City of Villa Rica Subdivision Regulations relative to the preparation and submission of a preliminary plat having been fulfilled, approval of this plat is hereby granted, subject to further revisions of said subdivision regulations.			
	Date	Planning and Zoning Specialist	
	Date	Utility Director	
	Date	City Engineer	
	Date		
Community Development Director	Date	City Clerk	Date

213.2

City of Villa Rica Commercial Site Plan Check List

Project Name: _____.

Designer: _____.

Checked By: _____ . Date: _____.

Check list marks to be interpreted as follows:

√ O.K. **X** Revision Required **N/A** Not Applicable
 ? Additional Information Required

All Plans must include:

- _____ 1. Name of proposed business.
- _____ 2. Name, address and 24-hour phone number of Developer.
- _____ 3. Name, address, email contact and phone number of design firm.
- _____ 4. Date including most recent revision date.
- _____ 5. Graphic Scale.
- _____ 6. Index map.
- _____ 7. North arrow.
- _____ 8. Land lot, section, and district.
- _____ 9. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings.
- _____ 10. Ground elevations on the tract based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic information shall be shown. Contours shall be shown at intervals of two (2) feet, and shall be mean sea level contours.
- _____ 11. Proposed grading if different than existing contours.
- _____ 12. Location of 100-year floodplain or statement that no part of property lies within the 100-year floodplain.

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- _____ 13. Abutting existing City or County Roads showing existing right-of-way and pavement widths.
- _____ 14. Existing easements, city and county lines, utility lines, bridges, street culverts, etc.
- _____ 15. Present zoning and zoning of abutting land.
- _____ 16. Proposed zoning if different than existing.
- _____ 17. Show all zoning stipulations on the front cover sheet.
- _____ 18. State the required setbacks for proposed zoning.
- _____ 19. Show the front, rear, and side yard setback lines graphically.
- _____ 20. Total Acreage of the site.
- _____ 21. Surveyor's and Engineer's stamp.
- _____ 22. Acceleration/deceleration lanes at entrance.
- _____ 23. Dimensions of turn radii.
- _____ 24. Plan and profile of existing City or County road at proposed entrance with the City of Villa Rica minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit of the existing road shall be shown.
- _____ 25. Additional right-of-way if required to bring the City Road up to minimum standards.
- _____ 26. Detail for paving on right-of-way.
- _____ 27. Curb and Gutter detail.
- _____ 28. Location, size, and length of existing drainage structures with drainage area.
- _____ 29. Location, size, length, and type of all proposed drainage structures.
- _____ 30. Drainage area to each inlet point of the drainage system.
- _____ 31. Hydrology study by a registered professional engineer for detention ponds, if required.

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- _____ 32. Temporary construction exits at all construction access points to City, County, and GDOT Roads. Include a detail.
- _____ 33. Silt fence, temporary sediment ponds, and other erosion control measures as necessary. Include standard details.
- _____ 34. Proposed water service location and size.
- _____ 35. Existing water main size.
- _____ 36. Location of nearest fire hydrant.
- _____ 37. Water pressure and flow test results on plans.
- _____ 38. Proposed sewer service. Show location and elevation of existing manhole(s) to which service is being tied.
- _____ 39. Proposed off-street parking facilities to be paved. Include dimensions of parking lot, parking spaces, and maneuvering aisles.
- _____ 40. Proposed finished floor elevation of building(s).
- _____ 41. Proposed sign location, height, and size.
- _____ 42. Centerline and width of nearest existing street/driveway if within one (100) feet of proposed entrance centerline.
- _____ 43. If commercial property is on a septic tank, show all wells within (100) feet of external boundary of property.
- _____ 44. Show proposed septic tank location and drain field.
- _____ 45. Location and mean sea level elevation of bench mark.
- _____ 46. Description by registered engineer of how method of runoff control will not adversely affect property downstream.
- _____ 47. Sidewalks. (Required on at least one side of the street on all new developments and are required on existing streets where new development occurs.)
- _____ 48. Dumpster Location.
- _____ 49. Names of all utility companies.

50. Hydrology Study

To include the following items and calculations.

- _____ a. Hydrology study should bear a stamp of a registered engineer or landscape architect registered in the State of Georgia.
- _____ b. Name of the project and its location.
- _____ c. Description of current and proposed uses and conditions.
- _____ d. Description of downstream (upstream as well if necessary) conditions and assessment of downstream capacities. Discuss how method of runoff control will not adversely affect downstream property.
- _____ e. Method used in analysis.
- _____ f. The development shown on a USGS quad topography map.
- _____ g. Soil Types and land cover of areas for each sub-basin affected by the project.
- _____ h. An existing conditions map of the project with proposed topography shown, drainage basins delineated, acreages shown, and Curve Numbers included. Off-site drainage information should be shown.
- _____ i. All perennial and intermittent streams and other surface water features.
- _____ j. Direction of flow and exits from the site.
- _____ k. A proposed conditions map of the project with proposed topography shown, drainage basins delineated, acreages shown, and Curve Numbers included. The detention pond should be shown along with pond by-pass shown and quantified. Offsite drainage information should also be included.
- _____ l. Time of concentration for each basin shown.
- _____ m. Curve Numbers for existing and proposed conditions. Include calculations.
- _____ n. Peak flows for all storm return events for existing and proposed conditions, pond by-pass, and allowable detention pond release rates.
- _____ o. Detention pond volume calculations (the conical method should be used).

- _____ p. Detention pond Stage-Storage-Discharge table.
- _____ q. Detention pond outlet control structure detail with all appropriate elevations and dimensions. Include invert elevation (s) of weirs and orifices, weir width, orifice diameter, outlet pipe diameter, 100-year pool overflow elevation, etc. The detail in the hydrology study should match that shown in the construction plans.
- _____ r. An emergency overflow device (which does not include the throttling device) for the detention pond shall be designed to pass the 100-year peak developed inflow without overtopping the dam. This can either be a pond spillway around the pond dam or an overflow on the outlet structure in which case the outlet pipe must be sized appropriately. Show all calculations.
- _____ s. Pond routing printouts for each storm event.
- _____ t. Summary table comparing routed flows with allowable release rate flows for each storm event.

Detention Pond Requirements

- _____ u. The detention pond should be clearly illustrated on the plans with topographic information, 100-year pool limits shown, and elevation called out. The outlet structure location and any associated piping should be clearly illustrated. No utilities should run through the detention pond area.
- _____ v. It should be clear from the overall grading/drainage plan from contours and piping what areas flow to the pond and what by-passes the pond.
- _____ w. The detention pond shall be encompassed within a drainage easement.
- _____ x. If there are any walls associated with the pond, the engineering design should be included in the plans and certified by an engineer registered in the State of Georgia. All information required to build the wall should be included in the plans with the reinforcing bar schedules, illustrated cross-sections and profile of the wall and footing with all necessary dimensions and elevations, etc. Include calculations for factor of safety against overturning and sliding.
- _____ y. A fully illustrated outlet structure detail should be included in the plans which should match that included in the hydrology study.

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- _____ z. Documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 804.
- _____ aa. A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream.
- _____ bb. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property.
- _____ cc. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project.
- _____ dd. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area.
- _____ ee. The analysis shall be in accordance with the stormwater design manual.
- _____ ff. Identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary.
- _____ gg. Include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues.
- _____ hh. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.
- _____ ii. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Villa Rica, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice.
- _____ jj. If the pond is four feet or deeper, a chain link or privacy fence six feet tall is required.

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It is the developer's responsibility to address any wetlands issues to the satisfaction of the U.S. Army Corps of Engineers.

It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements.

It is the developer's responsibility to address any site access issues to the satisfaction of the Georgia Department of Transportation if applicable to the project.

Additional Comments:

213.3

City of Villa Rica Construction Plans Check List

Project Name: _____.

Designer: _____.

Checked By: _____ Date: _____.

Check list marks to be interpreted as follows:

√ O.K. **X** Revision Required **N/A** Not Applicable

? Additional Information Required

All Plans must include:

- I. Cover Sheet
 - _____ 1. Provide initial and/or revision date.
 - _____ 2. Provide name & location of the subdivision (including land lot, district and parcel ID).
 - _____ 3. Show present and proposed zoning.
 - _____ 4. Provide a vicinity map.
 - _____ 5. Provide the name, address and phone number of developer/owner and applicant.
 - _____ 6. Provide name, address, and phone number for 24-hour emergency contact.
 - _____ 7. Provide name, address, telephone number, GSWCC number, seal and certification of design professional preparing plan.
 - _____ 8. Note total and disturbed acreage of project or phase under construction.
 - _____ 9. Note total proposed wetland disturbance acreage of project or phase under construction, including lot construction. Provide a statement if none.
 - _____ 10. Note state waters located on or within 200 feet of the project site. Provide a statement if none.

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- _____ 11. Provide a table of contents.
- _____ 12. Reference FIRM panel.
- _____ 13. Other jurisdictional approvals (wetlands, buffer variance, GDOT, GAEPD, etc.)
- _____ 14. Plans sealed by Georgia registered engineer, landscape architect, or registered land surveyor.
- _____ 15. Engineers cost estimate.
- _____ 16. Include all zoning conditions that have been approved for the project.

II. Existing Conditions

- _____ 1. Boundary and topographic survey sealed by a registered land surveyor including:
- _____ 2. Exact boundary lines of the entire tract with bearings and distances.
- _____ 3. Ground elevations of the tract based on field surveys or photogrammetric methods from aerial photos.
- _____ 4. Natural features including drainage channels, bodies of water, etc.
- _____ 5. Land lot lines or bearing and distance “tie” to land lot line.
- _____ 6. Location of MSL benchmark.
- _____ 7. Location of 100-yr floodplain or statement that no part of property lies within the 100-yr floodplain.
- _____ 8. Note that any structure that lies within the 100-yr floodplain will be elevated such that the lowest finished floor shall be no less than 4-feet above the 100-yr water surface elevation.
- _____ 9. If any grading is proposed inside the 100-yr floodplain, provide calculations showing a “no-rise” certification.
- _____ 10. Identify state waters and all waters of the US.
- _____ 11. Show all of Villa Rica stream buffers: 25-foot state, 25-foot Villa Rica stream buffer, 25-foot impervious buffer. 50-foot Villa Rica if trout stream.

- _____ 12. Show abutting City or County roads with existing R/W and pavement widths.
- _____ 13. Show existing easements, jurisdictional lines, utilities, etc.
- _____ 14. Include soil series and their delineation.
- _____ 15. Show all the existing structures on the tract.
- _____ 16. Show all wetlands or provide a note if none.
- _____ 17. Provide outline of proposed limits of disturbance.

III. Erosion, Sedimentation, and Pollution Control (All items below are to be placed on these sheets regardless of being found on other plan sheets)

- _____ 1. Phase E&SC plans into an initial perimeter control plan, intermediate plan for mass grading, and a final phase plan showing all permanent measures and final stabilization.
- _____ 2. Provide name and number of 24-hour local erosion and sediment control contact.
- _____ 3. Provide description of existing land use at project site and description of proposed project. Describe critical areas and what extra measures will be utilized for these areas.
- _____ 4. Provide existing (Dashed line) and proposed (bold, solid line) contours at 2-foot intervals.
- _____ 5. Provide detailed construction activity schedule – show anticipated starting and completion dates for project events, **include temporary vegetation and mulching timeline.**
- _____ 6. Delineate all state waters located on or within 200 feet of the project site. Provide a statement if none.
- _____ 7. Delineate all buffers and setbacks outlined in the Development Regulations, Watershed Protection Ordinance. This includes all State buffers.
- _____ 8. Delineate all wetlands. Provide statement on plans if none are present.
- _____ 9. Show double row type “C” silt fence between land disturbing activities

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and state waters, watershed buffers, wetlands, and the 100-yr floodplain.

- _____ 10. Note total and disturbed acreage of the project or phase under construction. Delineate the limits of disturbance.
- _____ 11. Show location of erosion and sediment control practices using uniform coding symbols from the Manual for Erosion and Sediment Control in Georgia, latest edition.
- _____ 12. Identify the project receiving waters and describe adjacent areas – neighboring areas such as streams, lakes, residential areas, etc. which might be affected.
- _____ 13. Show storm - drain pipe and weir velocities and provide appropriate outlet protection to accommodate discharges without erosion. Provide a table showing the flow characteristics of the pipe at full flow including pipe diameter, flow rate (cfs), velocity (fps), and tailwater condition.
- _____ 14. Provide 67 cubic yards per acre sediment storage. Include specific design information and calculations for all structural measures on site, such as temporary sediment basins, retrofitted detention ponds, and channels. **Silt fence is not to be included in sediment storage calculations.**
- _____ 15. Delineate stockpile/borrow, storage, fueling, and concrete washout areas. Add all notes/or construction details necessary to convey proper use and protection of these areas. **Do not locate the areas in known future septic tank or conservation areas.**
- _____ 16. Provide vegetative plan, noting all temporary and permanent vegetative practices. Include species, planting dates, fertilizer, lime and mulching rates. Vegetative plans shall be site specific for the appropriate time of year that seeding will take place and for the geographic region of Villa Rica.
- _____ 17. Provide detailed drawings for all structural practices. Specifications must, at a minimum, meet guidelines set forth in the Manual for Erosion and Sediment Control in Georgia, latest edition.

The following notes shall be placed on the plans in bold font:

- _____ 18. **“THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR**

TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.”

_____ 19. **“EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.”**

_____ 20. **“ALL EROSION CONTROL MEASURES ARE TO CONFORM TO THE STANDARDS SET FORTH IN THE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA, MOST RECENT EDITION.”**

_____ 21. **“ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.”**

_____ 22. **“SILT FENCE IS TO BE PLACED ALONG BACK OF ALL CURB WITHIN 72 HOURS OF CURB INSTALLATION.”**

_____ 23. **“I CERTIFY THAT THE PERMITTEE’S EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN PROVIDES FOR AN APPROPRIATE AND COMPREHENSIVE SYSTEM OF BEST MANAGEMENT PRACTICES REQUIRED BY THE GEORGIA WATER QUALITY CONTROL ACT AND THE DOCUMENT “MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA”, PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY OF THE YEAR IN WHICH LAND DISTURBING ACTIVITY WAS PERMITTED, PROVIDES FOR THE SAMPLING OF THE RECEIVING WATER(S) OR THE SAMPLING OF THE STORM WATER OUTFALLS AND THE DESIGNED SYSTEM OF BEST MANAGEMENT PRACTICES AND SAMPLING METHODS IS EXPECTED TO MEET THE REQUIREMENTS CONTAINED IN THE GENERAL NPDES PERMIT NO. GAR 10000 (1,2,OR 3).”**

SIGNED: _____ DATE: _____
(DESIGN PROFESSIONAL)

_____ 24. **“INSPECTIONS BY QUALIFIED PERSONNEL PROVIDED BY PRIMARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR**

10000_ (1,2, OR 3)

- _____ 25. **“I CERTIFY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN WAS DESIGNED AFTER A SITE VISIT BY MYSELF OR ONE OF MY DESIGNEE’S UNDER MY DIRECT SUPERVISION.**

SIGNED: _____ **DATE:** _____
DESIGN PROFESSIONAL

IV. Grading and Drainage

- _____ 1. Total site area.
- _____ 2. Limits of Disturbance
- _____ 3. Disturbed area.
- _____ 4. Impervious area.
- _____ 5. Existing and proposed topographic contours, clearly distinguishable.
- _____ 6. Drainage areas contributing to studied area shall be shown.
- _____ 7. Location and size of all existing and proposed drainage structures.
- _____ 8. Show centerline profile of all storm sewers with structure number, % grade, size and material.
- _____ 9. Water travel distance in street and/or gutter capacity/spread requirements satisfied.
- _____ 10. Drainage at intersections indicated by flow arrows.
- _____ 11. Check roadway overtopping due to backwater from culverts (100-yr design storm, no overtopping roadway).
- _____ 12. Check for adequate inlet capacity (85% of 25-yr storm must be intercepted without exceeding ½ of travel lane).
- _____ 13. Show distance between catch basins (250’ on grades up to 7%, 400’ on grades from 7% to 10%, 500’ on grades over 10%).
- _____ 14. Pipe outfalls extend at least 30’ behind front building line or to 100-yr floodplain- whichever is less, unless approved by City Engineer.

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- _____ 15. Open ditches are to be designed to 100-yr storm capacity & 25-yr velocity protection. Outlet velocity should be less than or equal to 4.0 ft/sec or provide an energy dissipater. Provide a table showing, or note, of the flow rate (cfs) and velocity (fps).
- _____ 16. Show catch basin and pipe invert and top elevations.
- _____ 17. Show existing and proposed ground surface over centerline of pipes.
- _____ 18. Graphically show 25-yr Hydraulic Grade Line (HGL) on profiles.
- _____ 19. Show impoundment detail.
- _____ 20. Provide control structure details (weirs, retrofits, etc.)
- _____ 21. Show drainage structure details (headwalls, yard drains, lateral sub-drains, etc.)
- _____ 22. Provide construction details (bedding class, pipe gage, backfill methods, etc.).
- _____ 23. Show centerline profile of all stream re-locations.
- _____ 24. Pipe chart listing hydrologic, material, dimensions, and hydraulic parameters, including HGL.
- _____ 25. Hydrology study sealed by Professional Engineer registered in Georgia.
- _____ 26. North Arrow.
- _____ 27. Graphic Scale.
- _____ 28. Show roadway stationing at even 100-ft. intervals on Grading and Drainage sheet.

V. Hydrology Study

- _____ a. Hydrology study should bear a stamp of a registered engineer or landscape architect registered in the State of Georgia.
- _____ b. Name of the project and its location.
- _____ c. Description of current and proposed uses and conditions.

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- _____ d. Description of downstream (upstream as well if necessary) conditions and assessment of downstream capacities. Discuss how method of runoff control will not adversely affect downstream property.
- _____ e. Method used in analysis.
- _____ f. An existing condition map of the project with proposed topography shown, drainage basins delineated, acreages shown, Curve Numbers and Times of Concentration included. Offsite drainage information should be shown.
- _____ g. A proposed condition map of the project with proposed topography shown, drainage basins delineated, acreages shown, Curve Numbers and Times of Concentration included. The detention pond should be shown along with pond by-pass shown and quantified. Offsite drainage information should also be included.
- _____ h. Time of concentration for each basin shown.
- _____ i. Curve Numbers for existing and proposed conditions. Include calculations.
- _____ j. Peak flows for all storm return events for existing and proposed conditions, pond by-pass, and allowable detention pond release rates.
- _____ k. Detention pond volume calculations (the conical method should be used).
- _____ l. Detention pond Stage-Storage-Discharge table.
- _____ m. Detention pond outlet control structure detail with all appropriate elevations and dimensions. Include invert elevation (s) of weirs and orifices, weir width, orifice diameter, outlet pipe diameter, 100-year pool overflow elevation, etc. The details in the hydrology study should match that shown in the construction plans.
- _____ n. An emergency overflow device (which does not include the throttling device) for the detention pond shall be designed to pass the 100-year peak developed inflow without overtopping the dam. This can either be a pond spillway around the pond dam or an overflow on the outlet structure in which case the outlet pipe must be sized appropriately. Show all calculations.
- _____ o. Pond routing printouts for each storm event.
- _____ p. Summary table comparing routed flows with allowable release rate flows for each storm event.

Detention Pond Requirements

- _____ q. The detention pond should be clearly illustrated on the plans with topographic information, 100-year pool limits shown and elevation called out. The outlet structure location and any associated piping should be clearly illustrated. No utilities should run through the detention pond area.
- _____ r. It should be clear from the overall grading/drainage plan from contours and piping what areas flow to the pond and what by-passes the pond.
- _____ s. The detention pond shall be encompassed within a drainage easement.
- _____ t. If there are any walls associated with the pond, the engineering design should be included in the plans and certified by an engineer registered in the State of Georgia. All information required to build the wall should be included in the plans with the reinforcing bar schedules, illustrated cross-sections and profile of the wall and footing with all necessary dimensions and elevations, etc. Include calculations for factor of safety against overturning and sliding.
- _____ u. A fully illustrated outlet structure detail should be included in the plans which should match that included in the hydrology study.
- _____ v. If the pond is four feet or deeper, a chain link or privacy fence is required to a height of six feet.
- _____ w. Documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 804.
- _____ x. A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream.
- _____ y. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property.
- _____ z. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project.
- _____ aa. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin

- _____ area.
- _____ bb. The analysis shall be in accordance with the stormwater design manual.
- _____ cc. Identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary.
- _____ dd. Include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues.
- _____ ee. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.
- _____ ff. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Villa Rica, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice.

VI. Street Design

- _____ 1. North Arrow
- _____ 2. Show location and type of traffic signage with note: **All signage to conform to standards given in the Manual of Uniform Traffic Control Devices.**
- _____ 3. Plan and profile of existing City or County roads at proposed entrance with City of Villa Rica minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit of the existing road shall be shown.
- _____ 4. Show that sight distances for all internal streets are satisfied.
- _____ 5. Show plan view above street profile. Include proposed grading.
- _____ 6. Show centerline stationing at even 100-ft. intervals and stationing at PC, PT and the centerline of intersection of streets.
- _____ 7. Give centerline curve data for proposed streets (to include delta, radius, arc, chord and tangent.)
- _____ 8. Cul-de-sacs to conform to std. detail 3.8.02.

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- _____ 9. Typical street cross sections to conform to std. detail 3.8.01.
- _____ 10. Deceleration lanes to conform to std. detail 3.8.19 and 3.8.20.
- _____ 11. Show centerline profile of all streets with % grade, PVC, PVT, PVI and low point elevations.
- _____ 12. Provide typical section of R/W with pavement design (shoulder widths, slopes, utility locations, etc.)
- _____ 13. Provide typical section of curb and gutter (no roll-back curb is allowed)
- _____ 14. Show all pipe crossings under streets. All pipes to be RCP under streets and in applications to create buildable lots. Aluminized steel, and HDPE everywhere else 18-inch or greater is allowed.
- _____ 15. Proposed Street Grades.

VII. Water Layout

- _____ 1. “Water System Addition and Expansion Form” must be filled out and submitted with plans.
- _____ 2. Plans must be stamped by a Professional Engineer registered in Georgia.
- _____ 3. All surveying and design must be based on National Geodetic Vertical Datum (NGVD). All topographic data must be reduced to Mean Sea Level. Temporary benchmark data will not be accepted.
- _____ 4. All water piping must be Ductile Iron Pipe (DIP), and adequately labeled as such.
- _____ 5. Minimum pipe size is 8-inch.
- _____ 6. All service line material shall be type “K” soft copper.
- _____ 7. Give the proposed size, location and material of water mains and service laterals.
- _____ 8. No other information should appear on the water plan layout sheet if such information tends to confuse or complicate the plans.
- _____ 9. Show and label fire hydrant locations (existing and proposed)

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- _____ 10. Fire hydrants must be spaced no greater than 500 feet.
- _____ 11. Waterline Markers shall be installed every 250 L.F., approximately one-half between each fire hydrant.
- _____ 12. Show and label every existing and proposed valve.
- _____ 13. At every intersection-must be a valve in every direction (i.e. 3 valves at a 3-way intersection).
- _____ 14. In line valves must be spaced no greater than 1000 feet.
- _____ 15. Show and label the location, material and sizes of existing pipelines surrounding the project.
- _____ 16. Specify methods and tie-in location with existing mains. (i.e. tapping sleeve and valve labeled with the size)
- _____ 17. Show the location of existing and proposed valves and other appurtenances.
- _____ 18. Contours in feet above MSL shall be shown on Water plan. Contours shall not be greater than 2 feet.
- _____ 19. Maximum scale shall be 1" = 100'.
- _____ 20. Show proposed water meter sizes and locations.
- _____ 21. Long side services are to be installed with 2" PVC sleeves under pavement.
- _____ 22. Water meters shall be installed at the property line, maximum 3-feet past proper past the property line. Refer to std. detail 5.8.08.
- _____ 23. Clearly label all road rights-of-way (existing and proposed) and easements (existing and proposed).
- _____ 24. Water mains under existing or proposed pavement must be called out to be in steel casing; the length of casing must be called out.
- _____ 25. Clearly show and label existing and proposed topography and existing and proposed features pertinent to the design and layout along pipeline route.
- _____ 26. Provide adequate dimensions, stations, and labels to clearly indicate proposed location of pipeline relative to features such as right-of-way,

- centerlines, edge of roads, coordinates, etc.
- _____ 27. Minor stream/creek crossings are adequately designed: cross these under or beyond culvert piping. These installations require restrained joints. Provide a plan view and cross section of the crossing showing the existing ground, vegetative buffer, proposed ground and side slopes, depth of cover, the creek and culvert, elevations, the proposed pipeline and any fittings necessary. Additional easements may be necessary for this area.
 - _____ 28. Aerial crossings are not permitted.
 - _____ 29. Show Note: **“All water and sewer line construction shall be in accordance with the City of Villa Rica Development Regulations, latest edition”.**
 - _____ 30. Show note: **“All water and sewer facilities shall be installed by a licensed utility contractor in the State of Georgia”.**
 - _____ 31. Show note: **“All water and sewer construction shall be inspected and tested as per Villa Rica standards prior to final acceptance by the City”.**
 - _____ 32. Show note: **“As-built record drawings (hard copy and digital format) for this project must be submitted and approved prior to Final Plat recording. As-built drawings shall be prepared on the City of Villa Rica Coordinate System”.**
 - _____ 33. Show note: **“The City of Villa Rica Utility Department shall be notified at a minimum of 48 hours (Monday through Friday) prior to commencing any work, testing, and prior to making any connections to existing water lines”.**
 - _____ 34. Show note: **“Cities are not required to locate water and sewer lines that were installed by a developer or other persons that have not yet been accepted into the City’s ownership (Recording of Final Plat and Maintenance Period Satisfied). The person installing those lines is required to install and maintain visible, permanent markers (i.e. color coded wire flags, valve markers, service stub markers, etc.) in order to identify the water and sewer facilities at the time the lines are installed. Once the City has taken legal ownership of those water and sewer lines, the city is responsible for locating them when a request is received”.**
 - _____ 35. Show table of the following information: a column for all waterline sizes, column for corresponding water line material, a column for corresponding water line length.

- _____ 36. Show roadway stationing on both the Water and Sewer sheets.

VIII. Sanitary Sewer Plan

- _____ 1.0 Plans are stamped and signed by a professional engineer registered in Georgia.
- _____ 2. All surveying and design must be based on National Geodetic Vertical Datum (NGVD). All topographic data must be reduced to Mean Sea Level. Temporary benchmark data will not be accepted.
- _____ 3. Show all phases of the development. In the event the subdivision is developed in phases, the final construction plans for sewers may be submitted in phases or units. However, at the time the first phase is submitted, the engineer will need to submit one (1) copy of the preliminary layout of the entire sewer system. This layout shall show all lines required to serve any lots to be developed and any surrounding property that may be served through the property. The site plan for each phase or unit shall contain a location drawing showing the relationship of the phase or unit to the total project and to the surrounding streets and sewer outfalls.
- _____ 4. Plans shall consist of a single master plan view of entire sewer line plan showing lots, lot numbers, laterals, manholes and manhole numbers, etc.
- _____ 5. No other information should appear on the sewer plan layout sheet if such information tends to confuse or complicate the plans.
- _____ 6. Show and label the location, material and sizes of existing pipe lines surrounding the proposed project.
- _____ 7. The maximum plan view scale shall be 1" = 100'.
- _____ 8. Sewer lines crossing perpendicular under existing or proposed pavement (County or State Roads) must be called out to be in steel casing; the size and length of casing must be noted.
- _____ 9. The maximum allowable distance between manholes is 400'.
- _____ 10. Gravity lines must be in the middle of the road for new subdivision streets.
- _____ 11. Minimum size sewer = 8-inch, minimum slope = 0.40%.

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- _____ 12. Clearly label all road rights-of-way (existing and proposed) and easements (existing or proposed).
- _____ 13. Clearly show and label existing and proposed topography and existing and proposed features pertinent to design and layout along the pipeline route.
- _____ 14. Provide adequate dimensions, stations, and labels to clearly indicate proposed location of pipeline to features such right-of-way, centerlines, edge of roads, coordinates, etc.
- _____ 15. Any sewer outside of right-of-way must be in at least a 20-foot easement. Could be more depends on the depth of sewer.
- _____ 16. Aerial crossings not permitted unless there is no other alternative. Aerial line shall be above the 50-yr flood line and shown as such on the plans.
- _____ 17. Show size and location of all service laterals. Commercial and industrial services must discharge individually into a manhole.
- _____ 18. Show size, location of grease traps; min. size = 1500 gallons
- _____ 19. No sewer lines shall be installed through detention ponds.
- _____ 20. Show size, location, and material of proposed force mains.
- _____ 21. Show 100-yr. floodplain in critical areas.
- _____ 22. "Sanitary Sewer Submittal Form" must be completed and submitted with plans.
- _____ 23. Show note: **"All water and sewer line construction shall be in accordance with the City of Villa Rica Standard Specifications and Details, latest edition"**.
- _____ 24. Show note: **"All water and sewer line construction shall be installed by a licensed utility contractor in the State of Georgia"**.
- _____ 25. Show note: **"Marking Tape showing "Caution Buried Sewer line" shall be installed approximately 18-inches above all sewer lines"**.
- _____ 26. Show note: **"All water and sewer construction is inspected and tested as per the City of Villa Rica Standards prior to final acceptance by the City"**.

- _____ 27. Show note: **“As-built record drawings for this project must be submitted and approved prior to final acceptance by the City of Villa Rica”. As-built drawings shall be prepared on the City of Villa Rica coordinate system.**

- _____ 28. Show note: **“The Villa Rica Utility Department shall be notified at a minimum 48 hours (Monday through Friday) prior to commencing any work, testing, and prior to making any connections to existing sewer lines and manholes”.**

- _____ 29. Show note: **“Cities are not required to locate water and sewer lines that were installed by a developer or other persons that have not yet been accepted into the City’s ownership (Recording of Final Plat and Maintenance Period Satisfied). The person installing those lines is required to install and maintain visible, permanent markers (i.e. color coded wire flags, valve markers, service stub markers, etc.) in order to identify the water and sewer facilities at the time the lines are installed. Once the City has taken legal ownership of those water and sewer lines, the city is responsible for locating them when a request is received”.**

- _____ 30. Plan and profile sheets shall be provided for all sewers (except service laterals). Profiles shall have a horizontal scale of not more than one hundred (100) feet to the inch and a vertical scale of not more than twenty (20) feet to the inch. The plan view shall be shown on the same sheet as the profile. Plan and profile views should have line designations, station numbers, manhole numbers and any other indexing necessary to easily correlate the plan and profile views.

- _____ 31. Show and label the proposed size, location, and material of sewer lines on profiles.

- _____ 32. All off-road manholes must be shown with rim elev. 1.5’ above ground, unless located in landscaping or close to the edge of roadway.

- _____ 33. Location and names of streets, sewers, and drainage easements.

- _____ 34. Line of existing and proposed ground surface, the grade of the sewer between each two adjacent manholes, invert of sewer in and out of each manhole, surface elevation of each manhole, and length between.

- _____ 35. Sewer pipe shall be PVC up to 15’ depth, then Ductile Iron is required.

- _____ 36. Sewers must have a minimum of 5 foot of cover.

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- _____ 37. All manholes shall be numbered on the plan and correspondingly on the profile.
- _____ 38. The location and elevation of adjacent parallel stream beds and adjacent lake/pond surfaces shall be shown on the plan and profile.
- _____ 39. Sizes, locations, and inverts of all special features such as connections to existing sewers, concrete encasement, collar walls, elevated sewers piers, etc.
- _____ 40. All structures, both above and below ground, which might interfere with the proposed construction, particularly water mains, gas mains, storm drains, utility conduits, etc.
- _____ 41. Minimum drop from invert in to invert out shall be 0.10 feet. Any drop from invert in to invert out equal to or greater than 3.0 feet shall be constructed as an outside - drop manhole.

213.4**Floodplain Management Plan Review Checklist****I. Permit Procedures and Requirements**

No owner or developer shall perform any development activities on a site where an Area of Special Flood Hazard is located without first meeting the requirements of this ordinance prior to commencing the proposed activity. Unless specifically excluded by this ordinance, any landowner or developer desiring a permit for a development activity shall submit to the City of Villa Rica a permit application on a form provided by the City of Villa Rica Building Department for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this ordinance.

An application for a development project with any Area of Special Flood Hazard located on the site will be required to include a floodplain management / flood damage prevention plan. This plan shall include the following items:

- ☐ Site plan, drawn to scale, which includes but is not limited to:
 - ☐ Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - ☐ For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - ☐ (c) Proposed locations of water supply, sanitary sewer, and utilities;
 - ☐ (d) Proposed locations of drainage and stormwater management facilities;
 - ☐ (e) Proposed grading plan;
 - ☐ (f) Base flood elevations and future-conditions flood elevations;
 - ☐ (g) Boundaries of the base flood floodplain and future-conditions floodplain;
 - ☐ (h) If applicable, the location of the floodway; and
 - ☐ (i) Certification of the above by a registered professional engineer or surveyor.
- ☐ Building and Foundation design detail, including but not limited to:
 - ☐ Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - ☐ Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;

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- ☐ Certification that any proposed non-residential floodproofed structure meets the criteria in Section 605.2(2);
- ☐ For enclosures below the base flood elevation, location and total net area of foundation openings as required in Section 605.1(5).
- ☐ Design plans certified by a registered professional engineer or architect for all proposed structure(s).

- ☐ Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
- ☐ Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory floodway widths, flood profiles and all other computations and other information similar to that presented in the FIS;
- ☐ Copies of all applicable State and Federal permits necessary for proposed development; and
- ☐ All appropriate certifications required under this ordinance;
- ☐ Certification by the applicant that all development activities will be done according to the plan or previously approved revisions.

Notes:

II. Standards for Development

(a) General Standards

- ☐ No development shall be allowed within the future-conditions floodplain that could result in any of the following:
 - ☐ Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - ☐ Reducing the base flood or future-conditions flood storage capacity;
 - ☐ Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or,

- ☐ Creating hazardous or erosion-producing velocities or resulting in excessive sedimentation.
- ☐ Any development within the future-conditions floodplain allowed under (1) above shall also meet the following conditions:
 - ☐ Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of

the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the top of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
 - ☐ Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
 - ☐ Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
 - ☐ Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of Section 604.4;
 - ☐ Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
 - ☐ Any significant physical changes to the base flood floodplain shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the City of Villa Rica using the Community Consent forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the

responsibility of the applicant. Within six months of the completion of construction, the applicant shall submit as-built surveys for a final Letter of Map Revision (LOMR).

(b) Engineering Study Requirements for Floodplain Encroachments

- ☐ An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and/or floodways for which the provisions of Section 605.4 apply. This study shall be prepared by a currently registered Professional Engineer in the State of Georgia and made a part of the application for a permit. This information shall be submitted to and approved by the City of Villa Rica prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:
 - ☐ Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
 - ☐ Step-backwater analysis, using a FEMA-approved methodology approved by the City of Villa Rica. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
 - ☐ Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
 - ☐ The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

(c) Floodway Encroachments

Located within Areas of Special Flood Hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris, or erosion potential. In addition, floodways must remain free of encroachment to allow for the discharge of the base

flood without increased flood heights. Therefore, the following provisions shall apply:

- ☐ Encroachments are prohibited, including earthen fill, new construction, substantial improvements, or other development within the regulatory floodway, except for activities specifically allowed below;
- ☐ Encroachments for bridges, culverts, roadways, and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof; and,
- ☐ If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City of Villa Rica until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA and no-rise certification is approved by the City of Villa Rica Building Official or his designee.

(d) Maintenance Requirements

- ☐ The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on his property so that the flood-carrying or flood storage capacity is not diminished. The City of Villa Rica Building Official or his designee may direct the property owner (at no cost to the City) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the City of Villa Rica Building Department.

Notes:

213.5

Stormwater Plan Review Checklist

I. General Information

- ☐ Common address and legal description of site.
- ☐ Vicinity map.

Notes:

II. Existing Conditions Hydrologic Analysis

- ☐ Topographic map of existing site conditions with the drainage basin boundaries indicated.
- ☐ Acreage.
- ☐ Soil types and land cover of areas for each sub-basin affected by the project.
- ☐ All perennial and intermittent streams and other surface water features.
- ☐ All existing stormwater conveyances and structural control facilities.
- ☐ Direction of flow and exits from the site.
- ☐ Analysis of runoff provided by off-site areas upstream of the project site.
- ☐ Methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology.

Notes:

III. Post-Development Hydrologic Analysis

- ☐ Topographic map of developed site conditions with the post-development drainage basin boundaries indicated.
- ☐ Total area of post-development impervious surfaces and other land cover areas for each sub-basin affected by the project.
- ☐ Calculations for determining the runoff volumes that need to be addressed for each sub-basin for the development project to meet the post-development stormwater management performance criteria in Section 804.
- ☐ Location and boundaries of proposed natural feature protection and conservation areas.

- ☐ Documentation and calculations for any applicable site design credits that are being utilized.
- ☐ Methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology.

Notes:

IV. Stormwater Management System

- ☐ A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes.
- ☐ A narrative describing how the selected structural stormwater controls will be appropriate and effective.
- ☐ Cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria.
- ☐ A hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs).
- ☐ Documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 804.
- ☐ Drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow.
- ☐ Where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.

Notes:

V. Post-Development Downstream Analysis

- ☐ A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream.
- ☐ The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property.
- ☐ The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project.
- ☐ This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area.
- ☐ The analysis shall be in accordance with the stormwater design manual.

Notes:

VI. Erosion and Sedimentation Plan

- ☐ An erosion and sedimentation control plan in accordance with the City of Villa Rica Erosion and Sedimentation Ordinance or NPDES Permit for Construction Activities.
- ☐ The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.

Notes:

VII. Landscaping and Open Space Plan

- ☐ A detailed landscaping and vegetation plan prepared in accordance with the City of Villa Rica Tree Preservation and/or Landscape Ordinance.

Notes:

VIII. Operations and Maintenance Plan

- ☐ Identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary.
- ☐ Include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues.
- ☐ Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

Notes:

IX. Maintenance Access Easements

- ☐ The applicant must ensure access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property.

Notes:

X. Inspection and Maintenance Agreements

- ☐ Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Villa Rica, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice.

Notes:

SECTION 200 PLAN REVIEW AND GENERAL REQUIREMENTS

XI. Evidence of Other Applicable Permits

- ☐ The applicant shall certify and provide documentation to the City of Villa Rica that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

Notes:

213.6

City of Villa Rica Final Plat Check List

Project Name: _____.

Designer: _____.

Checked By: _____ Date: _____.

Check list marks to be interpreted as follows:

√ O.K. **X** Revision Required **N/A** Not Applicable
 ? Additional Information Required

The plat must include:

- _____ 1. Sheet size no greater than 18" x 24".
- _____ 2. Exact boundary lines of the tract by bearings and distances determined by field survey.
- _____ 3. Field survey error of closure not to exceed one to ten thousand.
- _____ 4. Equipment used in field survey.
- _____ 5. Calculated error of closure of plat.
- _____ 6. Present zoning and zoning of abutting land. Show all zoning stipulations.
- _____ 7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
- _____ 8. North arrow.
- _____ 9. Graphic Scale.
- _____ 10. Name and address of surveyor or surveyor's firm.
- _____ 11. Appropriate data for all streets, lot lines, and centerlines as required by the City and according to the requirements of the State of Georgia for professional surveyors and engineers.
- _____ 12. General notes on the plat stating total project acreage, total number of

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lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.

- ____ 13. Lots shall be numbered consecutively; divisions shall be made by units or phases.
- ____ 14. Each lot's area in square feet or acres.
- ____ 15. Deed book and page number of protective covenants if any.
- ____ 16. Required buffers and recreational areas if applicable.
- ____ 17. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
- ____ 18. All surveys and plats must be prepared by a professional land surveyor registered in Georgia.
- ____ 19. As-built drawings of all water, sewer, and storm systems submitted with no significant unapproved changes from approved construction plans.
- ____ 20. Sanitary sewer easements, twenty (20) feet if the project has gravity sewer.
- ____ 21. Ten (10) foot easements for cross-country water mains.
- ____ 22. For storm drainage easements, 10 feet for piped runoff, 20 feet for ditches, encompassing the detention facility and access, if utilized.
- ____ 23. Easement statement centers easements on constructed storm sewers.
- ____ 24. Provide note that drainage easements off the R/W shall be maintained by the property owner.
- ____ 25. Abutting existing City or County Roads showing existing right-of-way and pavement widths.
- ____ 26. Location of 100-year floodplain and Future Conditions floodplain and statement prohibiting house finished floor elevations lower than 4-feet above the floodplain or statement that no part of the property lies within the 100-year floodplain.
- ____ 28. For lots upstream of culvert road crossings, provide statement that finished floor elevations shall be no less than 2 feet above the low point

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in the road.

- _____ 29. Location of dam breach zone and statement prohibiting a house being located within the dam breach zone if an existing or proposed pond or lake is a part of the development.
- _____ 30. Adequate R/W for existing and new roads.
- _____ 31. Appropriate curve data for streets.
- _____ 32. Accurate location, material, and description of all monuments and markers.
- _____ 33. Show sidewalks on at least one side of street.
- _____ 34. Bond Amounts:
Maintenance Bond: _____
Performance Bond: _____
- _____ 35. AutoCAD file of the final plat.
- _____ 36.

Owner's Certificate

The owner of the plat shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public in perpetuity.

Owner

Date

_____ 37.

Surveyor's Certificate

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked future and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

Surveyor's Signature

Date

38.

City of Villa Rica Certificate

In accordance with the City of Villa Rica Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat is given final approval by the following officials on behalf of the City of Villa Rica:

Community Development Director

Date

Planning Commission

Date

Mayor

Date

Additional Comments:

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300. GENERAL DESIGN REGULATIONS

General Information

300.1 **Enforcement** - The Public Works Director and/or the City Engineer of the City of Villa Rica shall be responsible for enforcement and all other requirements contained in this article.

300.2 **Use of this Document:**

- A. This document is subject to periodic revision to meet changing requirements for materials, state, and federal regulations, etc. At the beginning of a project the user should verify that he/she has the latest edition.
- B. This document is intended to convey the general design and construction requirements for a typical project. It also lists the specific City of Villa Rica requirements relating to plan review, inspection, testing and acceptance of facilities. It is not intended as a substitute for site-specific engineering and construction techniques.

301. **Definitions** - When used in this ordinance, the following words and phrases shall have the meanings given in this section. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context. The term "shall" is mandatory. When not inconsistent with the context, words in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

As-Built Drawing: A survey or other drawing based on a field survey which shows existing features or components and horizontal or vertical information (grades or location of improvements). All as-built information submitted to the City of Villa Rica in the form of electronic files must be in AutoCAD format and be drawn using State Plane Coordinates.

Block: A piece or parcel of land entirely surrounded by public highways or streets other than alleys. In cases where the plotting is incomplete or disconnected, the sub-divider may determine the outline of the block.

Building Line: Refer to the Zoning Ordinance for the City of Villa Rica.

Clearing: The removal of trees or other vegetation, but not including grubbing activities.

Construction Plans: A set of engineering drawings of the proposed streets,

drainage, and utilities as set forth in Article II in the “Subdivision Construction Plan Checklist”.

Contractor: A person, firm, or corporation with whom the owner of a property has employed or contracted to perform construction activity associated with the development. For the purpose of this ordinance the term contractor shall include all subcontractors who are under separate contract or agreement with the contractor for performance of a part of the work at the site.

Cul-de-Sac Street: A street having one end open to traffic and being permanently terminated within the development by a vehicular turnaround. For the purpose of designation, a cul-de-sac street shall be interpreted to begin at the intersection of two or more streets nearest to the vehicular turnaround.

Developer: Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit who directs the undertaking or proposes to undertake development activities whether the development involves the subdivision of the land for sale to individual users, the construction of buildings or other improvements on a single land ownership, or both.

Drainage Way: An area designated for the conveyance of storm water runoff through real property, including both natural and man-made areas.

Easement: Recorded authorization for a specified purpose by a property owner for the use of any designated part of the real property by another entity.

Erosion & Sediment Control Regulations: Refer to Section 700 of the Development Regulations.

Final Plat: A plat of a tract of land which meets the requirements of the City of Villa Rica for permanent recording in the office of the Clerk of Superior Court of Carroll County and/or Douglas County.

Flood Plain Ordinance: Refer to Section 600 of the Development Regulations.

Frontage: Refer to “Lot Frontage” in the Zoning Ordinance for the City of Villa Rica.

Georgia DOT: The Department of Transportation of the State of Georgia.

Grading: The movement, removal, or addition of earth on a site by the use of mechanical equipment.

Grubbing: The removal of stumps or roots from a property.

Health Department: The Carroll County and/or Douglas County Health

Department.

Industrial Development: Any development that will contain a loading dock or will be subject to frequent truck traffic.

Lot: A lot of record, or any combination of lots of record, held in a single ownership by one person, or in common ownership by more than one, which has both lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by the City Zoning Ordinance for the zoning district in which such tract of land is located and for the use proposed for the tract of land.

Lot Width: The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

Comprehensive Plan: City of Villa Rica Comprehensive Plan 2005-2026 as amended.

Mean Sea Level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of these Regulations, the term is synonymous with the National Geodetic Vertical Datum (NGVD). All topographic information submitted to the City of Villa Rica as part of a proposed development must be reduced to Mean Sea Level, temporary benchmark data will not be accepted.

Preliminary Plat: An overall layout of the proposed development usually shown on one sheet which meets the minimum standards of the City of Villa Rica.

Project: A principal building or structure, or group of buildings or structures, planned and designed as an interdependent unit together with all accessory uses or structures, utilities, drainage, access, and circulation facilities, whether built in whole or in phases. Examples include but are not limited to: a principal building on a lot, a residential subdivision, a multi-family development, a shopping center, or an office park.

Responsible Party: In the context of enforcement procedures, a person who is alleged to have committed, causes, continued or created a violation of the terms, requirements, regulations, or provisions of these Regulations whether as a direct act, through lack of action, through neglect, or at the direction of or on behalf of others. A responsible party may be the owner of a premises where a violation has occurred; an occupant whether through ownership, lease or other tenancy; a contractor, builder or developer; an agent of or person otherwise acting on behalf of the aforementioned parties; or other person acting in violation of these regulations.

Street Classification Map: A comprehensive plan of arterial, major collector,

minor collector, and local streets and roads for all or a portion of the City.

Site Work: Development activity to prepare a property for construction of buildings or finished structures, including clearing, grubbing, grading, and installation of soil sedimentation and erosion control facilities.

Street Classification: Will be defined according to the City of Villa Rica Street Classification Map but are described in general as follows:

- A. Arterial: A street having a minimum right-of-way of one hundred (100) feet, and which is used primarily for fast and heavy traffic flow, is of considerable continuity, and is used as a traffic artery for inter-transportation between large areas.
- B. Major Collector: A street having a minimum right-of-way of eighty (80) feet, and which carries traffic from activity centers and minor collector streets to arterial streets.
- C. Minor Collectors: A street having a minimum right-of-way of sixty (60) feet, and which is primarily used as a link between local streets and major collectors or arterial streets.
- D. Local: A street having a minimum right-of-way of fifty (50) feet, and which is used primarily in residential subdivisions for access to abutting properties as opposed to the collection and disbursement of traffic.

Soil Erosion and Sediment Control Regulations: Refer to Section 700 of the Development Regulations.

Sub-divider: Any person, corporation or duly authorized agent, planner, designer, land surveyor, (landscape) architect or engineer, who undertakes the subdivision of land as defined herein.

Subdivision: Any division of a tract or parcel of land into two (2) or more lots, building sites, or other parts for the purpose of immediate or future sale, legacy, or building development. The term includes re-subdivision and any division of land involving a new street, existing street, or a change in existing streets, and, as appropriate to the context, relates to the process of subdividing or to the land/or area subdivided. The term does not include the combination or recombination of portions of previously plated lots, where the total number of lots is not increased and the resultant lots meet the standards of the city, or the division of land into parcels of five (5) acres or more, where no new streets or new utility services are involved.

Variance: A variance is a change in the general design of a development, but

which shall in no way make null the Development Regulations or the City of Villa Rica Zoning Ordinance.

Water and Sewer System: City of Villa Rica Water Department provides water and sewer in portions of the City.

Zoning Ordinance: The Ordinance adopted by the Mayor and Council and known as the City of Villa Rica Zoning Ordinance.

302. **Subdivisions**

302.1 **Minimum Lot Requirements:**

- A. Minimum right-of-way: Each lot shall front upon a dedicated public street having a right-of-way of not less than 50 feet.
- B. Arrangements: Side lots lines should be at right angles (90 degrees) to straight street lines or radial to curved street lines. Side lot lines should be radial to the center points in all cul-de-sacs. Side lot lines may deviate up to 5 degrees if necessary to combine property corners.
- C. Building Lines: Building lines shall conform to the City of Villa Rica Zoning Ordinance.
- D. Double Frontage Lots: Access shall be restricted to the interior street(s) for all residential subdivisions.
- E. Minimum Lot Frontage: The minimum width of frontage of any lot shall be as required by the City of Villa Rica Zoning Ordinance for the specific zoning district in which the lot is located. The lot width at any point from the road right-of-way to the building line shall not be less than the minimum required frontage width.

302.2 **Monuments:** All corners shall be marked with an iron pin, one-half inch in diameter or greater and 18 inches long and driven so as to extend not less than one inch above the finished grade. If unable to penetrate ground 18 inches, then set other permanent monuments (PK nail in asphalt, spike, chiseled x, etc.).

302.3 **Drainage Ways and Easement:**

- A. Drainage ways for man-made drainage ditches shall be cleared and opened at the time of development to control surface water runoff. Runoff slopes, and side slopes to be specified by the Developer's Engineer, according to good engineering practices. Drainage ditches

shall conform to the requirements of this regulation, as specified in Section 305.5.

- B. Drainage ways shall be provided where a subdivision is traversed by a water course, natural stream, channel or any other circumstances where required by the Public Works Department. It shall conform substantially to the limits of such water course plus any additional width as is necessary to accommodate future development.
- C. Drainage ways off the street right-of-way that are to be dedicated to the City shall be clearly defined on the plat of the individual property owner and said property owner shall be required to keep easement free of obstructions and shall maintain same in such a way as to always assure free and maximum flow.
- D. All drainage ways, including existing drainage ditches, shall be clear of debris, excess dirt and other materials. The ground shall be smoothed down and grassed by the Developer within fourteen (14) days of completing construction work. The use of sediment control measures shall be required to protect the area until a vegetative cover is obtained.
- E. Permanent sanitary sewer easements of 20 feet in width shall be provided for sewer lines. If sanitary sewer lines are excessively deep, wider easements shall be required to maintain a 1:1 open cut slope.
- F. Easements for sanitary sewers, drainage, and other utility purposes may be combined, but shall be of a minimum width as specified by the Superintendent of the specific utility departments of the involved utilities.
- G. All drainage ditches and structures must be centered on dedicated easements unless otherwise approved by the Public Works Department.

302.4 Streets:

- A. Prior to submission of preliminary plat, the developer shall meet with the Director of Public Works to have the proposed street classified, in order that it can be accepted into the City's System. In some cases, it may be desirable for a street to have a higher classification based upon ultimate development of the entire area, which is not necessarily just the one development being submitted. This is particularly true in the more outlying areas around the City. Street continuity may require that a cul-de-sac street be provided in a current development at the property line, such that it can be extended in the future. In a case of this nature, the current development would provide the street to the property line. The future development would pick up at the property line and continue the street.
- B. Existing Streets: When development is proposed on an existing street(s), all improvements required under these standards shall apply to the side of the street which the development abuts.
- C. Relation to Adjoining Street System: The proposed street system shall extend existing streets, but to current city standards. If lots front on the existing city street, it shall be improved out to an acceptable city or county road by the developer.
- D. Alleys: Alleys may be provided to the rear of all lots except lots with double frontage.
- E. Restriction of Access: When a subdivision fronts on an arterial or major collector as shown on the City of Villa Rica Street Classification Map, double frontage lots shall be provided with frontage on an interior street with no access to the arterial or major collector.
- F. All dead-end streets shall have a cul-de-sac as defined in Section 3.8 "Standard Details."
- G. Conformity to the Villa Rica Street Classification Map: The location and width of all streets and roads shall conform to the official City of Villa Rica Street Classification Map. Street plans and profiles shall be approved by the City.
- H. Intersections:
 - 1. Street intersections shall be as nearly at right angles as is possible.
 - 2. No intersection shall be at an angle of less than 75 degrees.

3. The property line at street corners shall be mitered adequately to permit construction of a 13-foot clear shoulder behind the curb & gutter.
4. Sight distance at intersections shall meet requirements of this regulation (see Section 3.8.06 "Standard Details.")
5. Islands at intersections shall be subject to individual approval by the City. In no case shall anything extend more than two (2) feet above the back of the curb within the right-of-way of the street to be intersected.
6. Landings shall be required for all intersections. These landings shall be as defined in Section 3.8.05 "Standard Details."
7. Opposing tee street intersections shall be directly aligned or shall be offset at least 200 feet.
8. Intersections shall have a minimum radius as measured to the face of the curb of 40' for residential, commercial and retail subdivisions and 75' for heavy industrial subdivisions.

I. Names:

1. Proposed streets that are obviously in alignment with other already existing and named street(s) shall bear the name(s) of such existing street(s).
2. No proposed street name shall duplicate an existing street name within the City of Villa Rica or Carroll County and/or Douglas County regardless of the use of the suffix "Street", "Avenue", "Boulevard", "Drive", "Place", "Way", "Court", or however otherwise designated.
3. All street names are subject to the approval of the City.

J. Right-of-Way:

1. The minimum width of right-of-way, as measured from lot line, shall be as shown in Section 3.8 "Standard Details" 3.8.01.
2. Adequate right-of-way shall be provided to allow the construction of a 13' (foot) cleared shoulder behind the curb line except industrial streets shall have a 16' (foot) cleared shoulder.

3. When the development (residential or commercial) is located on only one side of an existing street, one-half of the required right-of-way as measured from the centerline of the existing right-of-way, shall be shown on the plan and is required to be dedicated to the City.
4. Lawn sprinkler systems and trees shall be located outside existing or proposed street right-of-ways unless otherwise approved by the City.

K. Traffic Studies:

The Public Works Department may require that a traffic study be performed prior to zoning approval or the issuance of any permits to evaluate the current capacity of streets expected to carry the traffic volumes from the proposed development.

L. Traffic Calming Measures:

During the zoning, design and review of a project, traffic calming measures as defined by ITE (Institute of Transportation Engineers) may be required to help eliminate future traffic issues and concerns.

302.5 Entrances:

- A. Maximum lots served: Subdivision developments with 200 or more lots shall be required to have at least two entrances.
- B. Street Access - Curb Cuts in Other Than Residential Districts: Curb cuts for service drives, entrances, exits, and other similar facilities on public streets in other than Residential districts shall not be located within 50 feet of any intersection.
- C. Driveways: No more than two (2) combined entrances and exits shall be allowed on any parcel or property when the frontage of which is less than two hundred (200) feet. Additional entrances or exits for parcels or property having a frontage in excess of two hundred (200) feet shall be permitted only after showing of actual requirements of convenience and necessity.
 - 1. Angle: The angle of driveways shall not be less than 45 degrees with the edge of the road or street, except on divided highways the entrance angle to roadside commercial establishments may be reduced to 30 degrees. Exit drives from roadside commercial establishments on divided highways shall have an angle of not less than 60 degrees with the roadway.
 - 2. Driveways shall be constructed in accordance with Section 3.8 "Standard Details" 3.8.08.
- D. Subdivision developments shall construct entrance widening to the following requirements:
 - 1. Residential Subdivisions:
 - a. Residential Subdivisions not exceeding 20 lots whose entrance is on a local or minor collector, as shown on the City of Villa Rica Street Classification Map, shall install offset radii and 50-foot tapers as shown in Section 3.8 "Standard Details" Detail 3.8.18.
 - b. All other residential subdivisions shall construct full acceleration/deceleration lanes to conform to Section 3.8 "Standard Details" 3.8.19 unless waived by the City.

- c. Residential subdivisions exceeding 200 lots shall be required to install entrance with a center turn lane and longer acceleration/deceleration lanes if it is located on a minor collector, major collector or an arterial street as shown on the City of Villa Rica Street Classification Map. Entrance shall conform to Section 3.8 “Standard Details” Detail 3.8.20.
- 2. Commercial/Industrial Subdivisions
 - a. Full acceleration and deceleration lanes shall be installed per Section 3.8 “Standard Details” 3.8.21 unless waived by the City. Paving section shall correspond to the street classification of the existing road.
 - b. Commercial/Industrial subdivisions shall be required to install entrance with a center turn lane and longer acceleration/deceleration lanes if it is located on a minor collector, major collector or an arterial street as shown on the City of Villa Rica Street Classification Map. Entrance shall conform to Section 3.8 “Standard Details” Detail 3.8.21.
- 3. Access onto a State road shall meet existing Georgia DOT requirements. Such an application for a DOT Permit shall be submitted to the City prior to submittal to DOT. Once approved by DOT, a copy shall be provided to the City. All such entrances shall be paved.
- 4. Sight Distance: The developer shall be required to upgrade the existing City or County road to meet the sight distance requirements of Section 304.4. See Section 304.6 for more detailed requirements concerning lane requirements.
- 5. The Developer shall install any catch basins and drainage pipe which must be constructed when an existing City or County road is required to be modified as a result of proposed development at his/her expense.
- 6. Existing or proposed water mains and storm sewers shall be relocated at the developer’s expense, to a point outside of the entrance widening.
- E. State Department of Transportation Approval: All entrances or exits of any street or drive, public or private, from or to any State highway shall be approved by the State Department of Transportation prior to the construction of such street or drive, or the issuance of any development permit for any improvement to be served by such street

or drive.

302.6 Utilities:

- A. The design and construction specifications for all public utilities shall conform to the Specifications for the City of Villa Rica.
- B. All utilities shall be buried in a residential subdivision unless otherwise required by the City of Villa Rica. This requirement may only be waived by the Director of the respective department; said waiver must be in writing.

302.7 Final Plats: Final Plats shall be required to meet the State Plat Act and the current City of Villa Rica Zoning Ordinance.

303. Individual Commercial/Industrial/Multifamily Sites

303.1 Development Entrances: In addition to the following, parking lots shall not drain onto a City street except as approved by the Public Works Department.

- A. The City shall approve the number of entrances to a proposed development.
- B. On minor collector streets provide offset radii and tapers per Section 3.8 “Standard Details” Detail 3.8.22.
- C. Industrial developments, commercial businesses and multifamily developments shall install full acceleration/deceleration lanes per Section 3.8 “Standard Details” (Detail 3.8.23) if accessing a major collector or an arterial street.
- D. Industrial Developments on corner lots which have frontage on interior subdivision streets shall have access only from the interior subdivision street(s).
- E. Developments on corner lots which have frontage on a local or minor collector city road shall install an additional lane pursuant to the specifications of the Public Works Department.
- F. The City may require a center turn lane or a longer deceleration lane if the City determines the traffic the project generates and the existing city street warrants it.
- G. Access onto a state road shall meet existing Georgia DOT requirements, except for the entrance must be paved.

- H. Sight Distance: No entrance shall be allowed in a location that does not provide adequate sight distance as specified Section 3.8 “Standard Details” in Details 3.8.06 and 3.8.07. The Developer may choose to upgrade the existing city or county road to meet the sight distance requirements of Section 304.4.
- I. Fire lanes shall be designed with proper space for fire vehicles movement. Fire lanes shall be approved by the Carroll County and/or Douglas County Fire Department.

303.2 Off Street Automobile Parking:

- A. Parking layout shall conform to Section 3.8 “Standard Details” Detail 3.8.10.

304. Street Design Criteria

- 304.1 **AASHTO Standards:** Road design shall conform to AASHTO (American Association of State Highway and Transportation Official(s)) requirements as published in “A Policy on Geometric Design of Highways and Streets” 1994 edition as amended, unless otherwise noted herein.
- 304.2 **Minimum Design Speed and Maximum Grade:** Minimum design speeds and maximum grades for proposed streets in the City of Villa Rica by street classification shall be as follows:

Street Type	Maximum Allowable Grade	Minimum Required Design Speed
Arterial	8%	55 MPH
Major Collector	10%	45 MPH
Minor Collection	15%	35 MPH
Local	18%	25 MPH
Alleys	12%	N/A
Cul-de-sac	4%	N/A

- 304.3 **Minimum Street Grade:** Minimum grade on cul-de-sacs shall be 1.5% to maintain 1% in curb line. Minimum street grade outside of cul-de-sacs shall be 1%.
- 304.4 **Site Distance at Entrances:**
 - A. Sight distance requirements along existing city roads shall be determined using the posted speed limit and the corresponding stopping sight distance as shown in Section 3.8 “Standard Details”

Detail 3.8.06.

- B. The sight distance for crest and sag vertical curves is the distance measured along the roadway from a driver's eye 3.5 feet above the pavement to an object 6 inches high at the intersection as shown in Section 3.8 "Standard Details" Detail 3.8.06.
- C. The sight distance for horizontal curves is determined by the line of sight available 2.0 feet above the road surface. The sight distance is measured along the existing edge of pavement beginning at the centerline of the proposed entrance and ending where the line of sight intersects it. The line of sight is the projected line of visibility beginning at the entrance centerline and tangent to an obstruction 2.0 foot above the road surface. Examples of obstructions are vegetation, ground cover, signs, existing topography, etc. (See Section 3.8 "Standard Details" Detail 3.8.07.)

304.5 Curves:

- A. Vertical Curves: The length of vertical cures, both crest and sag, shall be based upon the standards included in 3.4.04 and the following:

For speed limits up to 40 mph: $LVC = (AxS^2)/1329$

Speed limits greater than 40 mph: $LVC = 2S - (132/A)$

Where LVC = Length of Vertical Curve

S = Sight Distance

A = Algebraic difference of intersecting grades

- B. Horizontal Curves: Streets shall be designed to have a centerline radius of curvature of no less than 100'. Proposed minor collector streets shall have a minimum 300' centerline radius of curvature. All other streets horizontal curvature shall be designed according to AASHTO Standards.

Tangent distance between reverse curves shall be as follows:

Major Collectors	300 feet
Minor Collectors	200 feet

304.6 Street Cross-Section:

- A. Street cross-sections shall be as shown in Section 3.8 “Standard Details” Detail 3.8.01.
- B. Curb and Gutter shall be as shown in Section 3.8 “Standard Details” Detail 3.8.09.
- C. Cul-de-sac radius shall be as shown in Section 3.8 “Standard Details” Detail 3.8.02 for residential applications and 3.8.03 for commercial applications.

304.7 Street Paving: Pavement thickness for streets shall be as specified in Section 3.8 “Standard Details” 3.8.01

- A. “GAB” refers to Graded Aggregate Base as specified in the Georgia DOT in Standard Specifications Section 815.
- B. “Type B” refers to Type B Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.
- C. “Type E” refers to Type E Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.
- D. “Type F” refers to Type F Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.
- E. All local commercial/industrial and minor collector commercial/industrial streets shall have the same paving section as the major collector street type.

304.8 Dam Supporting Road: No City street shall be designed to cross an existing or proposed dam that is regulated by the Safe Dams Act.

304.9 Curb and Gutter: Curb and gutter shall be required on all paved streets. (See “Standard Details” Detail 3.8.09.)

304.10 Sidewalks:

- A. Sidewalks shall be required on at least one side of all new streets. In addition, they shall be required on all existing streets where new building construction occurs if required by the Community Development Department. In addition, they shall be required on all existing streets where new building construction occurs if required by the Community Development Department.

- B. Sidewalks shall be constructed in accordance with Section 3.8 “Standard Details” Detail 3.8.15 and located as shown in Detail 3.8.14.
- C. Sidewalks shall be backfilled and landscaped.
- D. Sidewalks shall include handicap ramps at all street intersections to meet the Americans with Disabilities Act (ADA) requirements. See Section 3.8 “Standard Details” Detail 3.8.16.
- E. In remote areas of the City where no sidewalks exist, the City has established a “payment-in-lieu-of-sidewalks fund. With the approval of the Public Works Department, developers may opt out of installing sidewalks and pay this cost to the City sidewalk fund. This fund is used to construct sidewalks in areas of the City that are far less remote.

304.11 **Traffic Signs:** The design professional shall show the location of all required traffic signs. The developer shall furnish and install all street signage in the project. Unless otherwise noted, design of traffic signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD), Latest Edition, published by the United States Government Printing Office.

304.12 **Street Lighting:** Street lighting shall be required on all streets as specified by the power company servicing the subdivision. The developer or sub-divider shall bear the costs for all monthly street light charges for a full year payable in advance at the time of Final Plat approval. The developer or sub-divider shall also pay for any and all “up-front” costs related to street light equipment before the Final Plat is approved. Fees for street lights for all new developments requiring public lights will automatically be set up in the City of Villa Rica’s name at the time of installation.

304.13 **Utility Locations:** All utility locations shall correspond to the typical layout shown in Section 3.8 “Standard Details” Details 3.8.12 and 3.8.13.

305. **Storm Drainage Design Criteria**

305.1 **Storm Sewers:**

- A. All storm sewer design calculations shall be certified by a Professional Engineer, Land Surveyor or Landscape Architect currently licensed in the State of Georgia.

- B. Storm drainage pipes shall be sloped so as to maintain a minimum velocity of 3 feet per second (fps) during the 2-year design storm event in order that sediment will not collect.
- C. Drainage formulas used in determining size of storm sewer components shall meet all criteria of the 1.) "STORMWATER MANAGEMENT MANUAL", Latest Revision, facilitated by the Atlanta Regional Commission, the Georgia Department of Natural Resources-Environmental Protection Division and the cities and counties across Georgia; 2.) Drainage Manual for Highways, latest edition; or other methodology as approved by the City.
- D. The 25-year storm event shall be used in designing the storm drains. In cases where the property is traversed by a spring, creek, or other watercourse, the 100-year storm event will be used for design.
- E. Storm sewers shall not be less than 15 inches in diameter. No storm drain pipe running parallel to the existing primary road shall be located beneath the proposed entrance widening. Relocation of existing storm drainage structures shall be done by the Developer.
- F. Storm drainage structures or drainage ways shall not be located within twenty (20) feet of any existing or proposed building.
- G. Storm sewers shall extend at least from edge of right-of-way to edge of right-of-way. Residential subdivision storm sewers shall extend at least to the rear of the building on all piping.
- H. Catch Basins, junction boxes, drop inlets and outlet structures shall have a minimum elevation drop from the inlet invert elevation to the outlet invert elevation of at least 0.20 ft.
- I. Maximum continuous length of pipe without a junction box, drop inlet, or catch basin, shall be 300 feet for pipes less than 42 inches in diameter, and 500 feet maximum for pipe greater than 42 inches in diameter.
- J. Storm sewers shall be reinforced concrete pipe (RCP) within the pavement of an existing or proposed street unless otherwise approved by the Public Works Department.
- K. Aluminum storm drain piping shall be encased in a polyethylene wrap when it is located within 20 feet of a steel gas line.

305.2 Drainage Structures (Excluding Pipe or Culverts):

- A. The design engineer shall check the hydraulic capacity of each drainage structure designed as an inlet point in the drainage system. The actual storm water flows shall be compared with the structures flow capacity to insure their capacity is not exceeded.
- B. Catch basins shall be constructed in accordance with the Georgia Department of Transportation Standard Details 1033D and/or 1034D.
- C. Catch basins shall be located outside of intersection radii.
- D. Catch basin spacing from each other shall be limited to a maximum distance as follows.

250' on grades up to 7%
400' on grades from 7% to 10%
500' on grades over 10%

No curb cuts in lieu of drainage structures will be allowed.

- E. The outlet end of all storm drain pipes shall have either flared-end sections or concrete headwalls which meet Georgia DOT Standards 1120 or 1125. This same standard applies to the inlet end of storm sewers where an open pipe is designed to collect the runoff. Flared ends shall be of the same material as the storm drain pipe.
- F. Drop inlets shall be designed to Georgia DOT Standard Detail 1019A. Weir drop inlets shall be provided in landscaped areas. Grated drop inlets shall be provided in paved areas.
- G. Junction boxes or manholes having access to the pipe shall be constructed to meet the requirements of Georgia DOT Standard Detail 9031U or 1011A. Manholes shall be provided with eccentric cone sections.
- H. All drainage structures shall have a minimum elevation drop from the inlet invert elevation to the outlet invert elevation of at least 0.20 feet.

305.3

Hydrology Study:

- A. All development plans requiring a Land Disturbance Permit will require a Hydrology Study provided by the Developer to the City of Villa Rica. The Hydrology Study and all stormwater detention facility design calculations shall be certified by a Professional Engineer, Land Surveyor or Landscape Architect currently licensed in the State of Georgia. The City has the right to require proof of qualifications and registration, and to require that a copy of all calculations performed by the design professional be submitted to the City.
1. Hydrology Study must address the following issues:
 - a. Existing land uses downstream.
 - b. Anticipated future land uses downstream.
 - c. Magnitude of increased peak flows due to development.
 - d. Presence of existing drainage problems.
 - e. Capacity of existing and anticipated drainage systems.
 - f. Creation of concentrated flows where none had occurred previously.
 - g. Availability of feasible locations for detention facilities.
 - h. Existing flows generated offsite which pass through the proposed development site.
 - i. Anticipated future flows generated offsite which pass through the proposed development site.
 - j. The nature of the receiving drainage way.
 - k. For any development that impacts a stream, creek, lake, pond, or wet area, developer must provide confirmation from US Army Corps of Engineers that the development complies with Section 404 of the Clean Water Act. (*Contact US Army Corps of Engineers @ (678) 422-2721.*)
 2. The Hydrology Study shall identify the locations and quantities of stormwater runoff entering and exiting the site for both pre- and post-developed conditions. Analysis of the off-site properties shall address future development in addition to addressing existing conditions. It shall contain drainage area delineation maps and other exhibits at a satisfactory scale and sufficient in quantity and scope to define the boundaries of the site relative to watercourses, drainage divides, drainage structures and other pertinent features.

3. The analysis of downstream conditions in the Hydrology Study shall address each point or area along the project's boundaries at which runoff will exit the property. The analysis shall focus on the area immediately downstream of the project property. This area shall generally extend a flow distance of about one-half mile from the project property line. However, the most critical downstream area investigation shall be conducted relative to existing and anticipated land uses on tracts which adjoin the project property. As part of the hydrological study, consideration should be given to the flow capacity of downstream drainage structures. If the downstream system is inadequate, the developer is required to either improve the downstream drainage structure or provide additional storage in the detention facility.
- B. The Method of Estimating Storm Water Runoff shall be of the hydrologic methods described in THE GEORGIA STORMWATER MANAGEMENT MANUAL. All storm data and input parameters for calculations shall be taken from this reference manual. The Method used shall be determined as follows:

Development Size	Method to be used
50 acres or less	SCS Method
50 acres to 1,600 acres	SCS Method
Larger than 1,600 acres	Coordinated with and approved by the City.

- C. All developments, except single family residential, that are not required to obtain a Land Disturbance Permit shall submit a letter certified by a Professional Engineer, Land Surveyor or Landscape Architect currently licensed in the State of Georgia stating that all drainage and detention facilities have been designed in accordance with these regulations. The City has the right to require proof of qualifications and registration, and to require that a copy of all calculations, work product, reports & studies regarding the proposed development and performed by the design professional be submitted to the City.

305.4 Storm Water Detention Facilities:

- A. Stormwater detention facilities shall be required for any portion of any site for which development activities will result in increased peak stormwater runoff.

- B. Permanent detention facilities will not be required if the design professional can provide calculations and proof there are no roads, culverts, buildings, or other property that will be adversely impacted by the increased runoff leaving the site, and that the discharge does not directly flow into a major flood plain or creek system with known or suspected flooding problems. Future phases of development of the drainage basin must be considered in determining adverse effects.
- C. When stormwater detention facilities are deemed not required, the 100- year elevation of the receiving stream shall be determined. Excavation of earth below said elevation in the shoulder of the stream or floodplain shall be required in a volume equal to or greater than that of the detention pond that would have been required.
- D. Stage-Storage-Discharge relationship calculations for Detention Facilities and their Outlet Structures shall constrain the Detention Facility's Outflow to the pre-developed Flow or less for the 2, 5, 10, 25, 50 and 100-year storm events.
- E. The Detention Facility shall incorporate overflow features and basin bank elevations which will accommodate the routing of the 100-year storm event through the Detention Facility with no damage to the Facility.
- F. Detention Basin discharge locations shall be in defined drainage ditches or storm sewers. If there is an existing storm drainage system within 150 feet of the discharge point of the outlet pipe for the basin, then the developer shall extend the outlet pipe and tie-in to the existing system. Obtaining any required easements for said tie-in are the responsibility of the Developer. Some method of re-establishing sheet flow may be approved at the discretion of the City.
- G. Earthen Detention Basin fill slopes and cut slopes shall be no greater than 3:1.
- H. All ponds which are normally dry having a depth, including freeboard, greater than 4 feet and a side slope steeper than 2:1 shall be fenced and have a 10-foot-wide lockable gate for entrance. The fence shall be a minimum of 6 (feet) in height and shall be of the chain link or privacy type.
- I. For improvements or expansion of existing developments, pre-development conditions shall reflect original land use before any structural development, such as buildings, roads, etc.

305.5 Stormwater Quality / Quantity Control Facilities:

The City of Villa Rica requires each new project to create adequate stormwater controls using Best Management Practices (BMP's). Use of BMP's to enhance water quality and to comply with the Clean Water Act (CWA) is federally mandated. The City of Villa Rica will utilize the Atlanta Regional Commission's Georgia Stormwater Management Manual, Volumes I and II, as standards for compliance with the required BMP's.

305.6 Storm Water Ditches:

- A. All ditches between storm drain pipes and downstream of storm drain pipe shall be designed by a Professional Engineer or Landscape Architect currently licensed in the State of Georgia.
- B. The ditch profile and cross-sections shall be shown on the plans. The plans shall show the velocity and flow for the ditch design. Drainage ditches shall be designed to limit the runoff velocity to less than 5 fps or the ditch shall have the bottom and sides lined with sod. Ditches shall be designed to limit the runoff velocity to less than 8 fps or the ditch shall have a paved invert as shown in Section 3.8 "Standard Details" Details 3.8.17a and 3.8.17b.
- C. In residential subdivisions, all ditches are to be installed and apparent prior to approval of the final plat.

305.7 Subdrainage: When subgrade compaction requirements of these specifications cannot be met sub-drainage will be installed to control the surplus ground water by intercepting side hill seepage or by lowering or regulating the ground water level.

305.8 Bridges: Bridges shall not be allowed unless otherwise approved by the Public Works Department.

305.9 Existing Dams:

- A. It shall be the responsibility of the developer to provide any required information or studies, to include the dam breach analysis, for any dam located on the property proposed to be developed or located on adjacent property upstream of the proposed development, to the City of Villa Rica. The design engineer shall search the entire watershed upstream of the property for other dams regulated by the state. The City of Villa Rica shall maintain a record of dams reported to the City and their attendant breach zones. The design engineer shall include a statement in the dam breach analysis report whether or not any dams were found upstream and whether or not they affect the property to be developed.
- B. The City of Villa Rica shall submit the required information to the Environmental Protection Division of the Georgia Department of Natural Resources for review.
- C. The City of Villa Rica shall notify the dam owner in accordance with the procedures set forth in the Georgia Safe Dams Act.
- D. If development is proposed in the breach zone below the dam, then the dam owner shall be required to upgrade the dam to Category I standards, as defined in the Georgia Safe Dams Act, or breach the dam in a safe manner as authorized by the Environmental Protection Division of the Georgia Department of Natural Resources. If the dam owner elects to breach the dam, measures must be taken to ensure that stormwater flows are not increased on downstream property owners.

305.10 Proposed Dams:

- A. The Developer of any proposed new dams which are regulated by the Georgia Safe Dams Act shall obtain necessary permits and approvals from the State of Georgia prior to obtaining a development permit from the City of Villa Rica. A development permit shall be required before the construction of the said dam.

306. Materials

- 306.1 **Compliance:** All materials shall comply with Georgia DOT Standard Specifications for Construction of Roads and Bridges, 1993 edition, as amended, with supplemental specifications and standard details, unless otherwise noted.

306.2 Streets:

- A. Graded Aggregated Base (GAB) course shall consist of mineral aggregate and may be a combination of natural deposit or a blend of the materials specified in the Georgia DOT in Standard Specifications Section 815.
- B. Black base shall consist of asphalt concrete conforming to Type B specifications of the Georgia DOT in Standard Specifications Section 828.
- C. Prime - After the base has been placed, mixed, compacted, shaped, inspected and accepted, it shall be primed with suitable asphalt materials as specified in Georgia DOT in Standard Specifications Section 412.
- D. Tack - Tack coat shall be applied on a prepared road surface according to the requirements of Georgia DOT in Standard Specifications Section 413.
- E. Surface Course - Type E Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.

306.3 Curb and Gutter: Concrete shall be Class "A" as defined by Georgia DOT in Standard Specifications Section 500 and have a minimum compressive strength of 3000 psi at 28 days.

306.4 Storm Sewers

- A. Georgia DOT Standard Detail 1030D shall be used in determining class concrete or gauge of pipe under fill.
- B. A certification by the supplier of the pipe specifications for each pipe shall be required before installation.
- C. Concrete pipe shall be steel reinforced in accordance with AASHTO: M170.
- D. All corrugated metal pipe shall be type II aluminized steel.

307. Construction

- 307.1 **Compliance** - All construction shall comply with Georgia DOT Standard Specifications Construction of Road and Bridges, with Supplemental Specifications and Standard Details, 1993 edition, as amended, unless noted otherwise.
- 307.2 **Clearing and Grubbing** - Grading sections shall be cleared and grubbed of all trees, bushes, stumps and debris. Such debris shall be disposed of in a lawful manner. **There shall be no burial of such debris on site.**
- 307.3 **Grading:**
- A. Grading shall be accurately done to the lines and grades shown on the plans. Embankments shall be placed in uniform layers not to exceed six inches and compacted to a density of 95 percent of the maximum laboratory dry weight per cubic foot as determined by AASHTO Method T-99. The contractor shall add moisture to the material as required as it is placed to obtain required compaction.
 - B. Compaction test shall be provided by the developer and shall be performed by a geotechnical engineer licensed in the State of Georgia. Required test shall be every two (2) feet vertically and five hundred (500) feet horizontal.
 - C. Maximum Construction Cut and Fill Slopes are as follows:

<u>Depth of Cut or Fill</u>	<u>Cut Slopes</u>	<u>Fill Slopes</u>
2 feet or less	4 to 1	4 to 1
2 feet to 5 feet	3 to 1	3 to 1
5 feet to 10 feet	2 to 1	2 to 1
Over 10 feet	2 to 1	2 to 1

The depth of cut referred to shall be constructed to the maximum cut or fill occurring in any one section of cut or fill. The slope on cut or fill slopes shall be uniform throughout for each section or cut or fill. When a cut is made in rock that requires blasting, the slope may be changed to vertical slope upon the written approval of the Public Works Director.

307.4 Subgrade:

- A. After the earth work has been completed, all storm drainage and other underground utilities have been installed **under** the roadbed, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades and cross-section shown on the plans. A proof-roll inspection by City personnel is required on the final subgrade and the GAB base course prior to paving.
- B. If any sections of the subgrade are composed of unsuitable or unstable material, such material shall be removed to the depth directed by the authorized representative of the City and replaced with suitable, thoroughly compacted material. If compaction cannot be obtained on the sub-grade, the Soil- Cement process can be used if approved by the Public Works Department.
- C. When the street is to be used for construction traffic before the paving work is completed, a layer of GAB can be laid as a traffic surface.
 - 1. This material shall not be used as part of the base material.
 - 2. It may be worked into the subgrade, or it shall be removed before the base course is set up for paving.
 - 3. Provision shall be made to drain low points in road construction when the final paving surface is delayed.

307.5 Curb and Gutter:

- A. Line and grade shall be set by developer's engineer, landscape architect, or land surveyor.
- B. One-half inch expansion joints or pre-molded bitumastic expansion joint material shall be provided at all radius points and at intervals not to exceed 50 feet in the remainder of the curb and gutter.
- C. Cross-Section shall be in accordance with Section 3.8 "Standard Details" Detail 3.8.09.
- D. All curbing within a public street right-of-way must be installed on a minimum of 6 inches of compacted GAB (Graded Aggregate Base).

307.6 Street Cuts:

- A. The City's policy is no existing streets can be open cut unless unusual circumstances warrant it. No street shall be cut or bored without a written permit issued by the Public Works Department. Application for such permit shall be made at least two business days prior to the desired time for starting work.
- B. All trenches shall be backfilled and compacted the same day the trench is opened. Compaction requirements are as follows:
 - 1. Trenches under paving shall be backfilled with GAB and returned to 100% compaction.
 - 2. Trenches elsewhere shall be returned to 95% compaction.
- C. If the City allows open cutting, all trenches under existing paving shall be backfilled and compacted in 6-inch lifts and excavated to allow for concrete and asphalt to be placed as shown in Section 3.8 "Standard Details" Detail 3.8.11. The edges of the paving cut shall be saw cut smooth.
- D. Compaction test on cuts shall be made at two (2) per cross cut.

307.7 Underground Utilities:

- A. All utilities within the curbs shall be installed and the ditches backfilled and thoroughly compacted before any pavement or base is installed.
- B. All utility manholes and valve boxes shall be brought to the finished grade within the roadway section.

307.8 Easements shall be clear of limbs and debris, graded smooth, and established in grass.

307.9 Foreign Materials on Streets:

- A. The developer, builders, and/or homeowners shall be responsible for keeping dirt, mud, building materials, concrete, etc., off the pavement and curbing of existing City or County roads during construction of buildings in all developments covered by these regulations.
- B. Before the streets are accepted by the City of Villa Rica, all litter and trash shall be removed from the dedicated rights-of-way and

surrounding areas.

307.10 Storm Sewers: Pipe installation shall conform to Georgia DOT Standard Specifications for Construction of Roads and Bridges.

- A. Before any traffic over a storm drain is allowed, the developer shall provide an adequate depth and width of compacted backfill to protect the structure from damage or displacement. Any debris or silt that constricts the flow through a pipe shall be removed by the developer as often as necessary to maintain drainage. All pipe structures shall be cleaned before the work is accepted. Any damage or displacement that may occur due to traffic or erosion shall be repaired or corrected at the developer's expense.
- B. Minimum Clearances Are:
 - 1. One foot between the bottom of the base or sub-base, if used, and the exterior crown of the culvert.
 - 2. A minimum of 0.5 foot between underground utilities and exterior crown of culverts.
- C. Trench construction for storm drainage pipe shall be in accordance with State Highway Standard 1030D.
- D. Storm drainage pipe shall be bedded in Size No. 57 (1" to No. 4) per ASTM D-448 Table 1, standard sizes of processed aggregates when structural fill material is not available.

308. Private Streets

308.1 Definitions.

City Engineer – Shall be the individual designated by the City Manager to perform said functions.

City of Villa Rica Development Standards – the City of Villa Rica Zoning Ordinance, City of Villa Rica Development Regulations and all codes and/ordinances adopted by the City of Villa Rica.

City Manager – refers to the City of Villa Rica City Manager.

Subdivision – for the purpose of this section, subdivisions include only the following uses:

- (1) Single family residential units; and
- (2) Fee simple town home units, fee simple condominiums or other fee simple ownership of the individual residential units.

308.2 **Private Streets Permitted.** Private streets may, upon application, be permitted by the Planning Commission within subdivisions, subject to the requirements of this section. Applications for approval of Private Street shall be considered by the Planning Commission at the time of preliminary plat approval by the Planning Commission. Following a recommendation by the Public Works Director or City Engineer to authorize private streets in a major subdivision, the Planning Commission shall consider the application and may impose conditions on the approval of private street to ensure various public purposes and to mitigate potential problems with private streets. No final plat involving a private street shall be approved unless said final plat conforms to the requirements of this section.

308.3 **Engineering Plans Required.** It shall be unlawful for any person, firm, or corporation to construct a new private street or alter an existing private street or to cause the same to be done without first obtaining approval of engineering and construction plans from the Public Works Director and the City Engineer in accordance with the requirements of this Ordinance and the City of Villa Rica Development Standards.

308.4 **Standards.** All private streets shall be constructed to all standards for public street including all related appurtenances as required by the City of Villa Rica Development Standards, applicable construction specifications of the City Engineer, and as approved by the City Engineer.

- A. If a gate or other controlled access is installed at the entrance to the development, a place which provides emergency access to the development by emergency agencies must first be approved by the emergency agencies of the City of Villa Rica. Access must also be provided to anyone providing utilities to said development; there shall be an automatic gate opening on any power disconnect.
- B. All provisions of the zoning ordinances of the City shall apply to the development of said development.
- C. There shall be only one entrance/exit from the development to a public street unless otherwise recommended by the City Engineer, Fire and Police Department or other emergency services and approved by the Planning Commission. In no event shall a private street be constructed so as to permit said street, in any configuration, to serve as a

connecting street between two public streets. Other than the

entrance/exit to the private development, no private street shall adjoin any property outside the limits of the private development;

- D. There shall be an independent certified inspector approved by the City provided by the developer to determine compliance with the specific rules and requirements for streets and utilities during the entire project.

308.5 Street Names and Signs. Private streets shall be named, subject to the approval of the City Manager or his/her designee. The sub-divider of land involving a private street shall install street signs with content containing the street name and the designation “private”, as approved by the City Manager. The sign signifying the private street may be required by the City Manager to be a different color than that of street signs provided for public streets, in order to distinguish maintenance responsibilities in the field.

308.6 Easements. Easements for private streets shall be designated on final plats as general-purpose public access and utility easements, along with the name of said Private Street. Said easement shall at minimum be of the same width as that required for the right-of-way of a public street by the major thoroughfare plans and the City Engineer for the type of public street (local, collector, etc.) most closely resembling the proposed private street. Easements for private streets shall not be included in any calculation of minimum lot size or density limitations established by local land use regulations. In the cases of private streets, the general-purpose public access and utility easement for the private street shall either:

- A. Be shown in a manner on the final plat such that each lot fronting the private street shall extend to the edge of the curb, right-of-way, or easement for said Private Street. No lot shall be permitted to be divided by the general-purpose public access and utility easement required and established for a private street; or
- B. Shall be drawn as its own discrete parcel to be dedicated to a private homeowner’s association (i.e. not shown to be a part of any lot).
- C. All utility easements as required by the City of Villa Rica Development Standards must be installed and dedicated to the City.

308.7 Maintenance. The City shall not maintain, repair, resurface, rebuild, or otherwise improve streets, signs, drainage improvements or any other appurtenances within general purpose public access and utility easements established for private streets. A private maintenance covenant recorded with the Carroll County and/or Douglas County Clerk of the Superior Court shall be required for any private street and other improvements within general purpose public access and utility easements established for

private streets. The covenant shall set out the distribution of expenses, remedies for non-compliance with the terms of the agreement, rights to the use of easements, and other pertinent considerations. The Covenant shall specifically include the following terms.

- A. The Covenant shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval for additional needed assessments. The Covenant shall also specify that the funds from such assessments will be held by a homeowners or property owners association in all cases.
- B. The Covenant shall include a periodic maintenance schedule.
- C. The Covenant for maintenance shall be enforceable by any property owner served by the private street.
- D. The Covenant shall establish a formula for assessing maintenance and repair costs equitably to property owners served by the private street.
- E. The Covenant shall run with the land.
- F. The City Manager may, at his/her discretion, as a condition of approving private street, require a performance bond and/or maintenance bond and/or letter of credit be submitted by the sub-divider and held by a homeowners or property owners association, or the City Manager may require that the sub-divider pay an amount of money as recommended by the City Engineer into an escrow account or other suitable account for the maintenance and repair of private streets and stormwater management improvements, to be drawn from by the homeowners or property owners association as maintenance and repair needs may arise.
- G. All agreements, restrictive covenants and other documentation related to the development shall be furnished and approved by the City Engineer prior to commencement of development.

308.8 Specification for Final Plats Involving Private Streets. The City Manager or his/her designee shall not approve for recording any final plat involving a private street unless and until it shall contain the following on the face of the plat:

- A. Deed book and page reference to the recorded covenant required by this section;
- B. “WARNING: The City of Villa Rica, Georgia has no responsibility to build, improve, maintain, or otherwise service the private street,

drainage improvements and other appurtenances contained with the general public purpose access and utility easement or easements for private streets shown on this plat unless otherwise indicated hereon.

- C. “Grant of Easement”. The general purpose public access and utility easement(s) shown on this plat for private street(s) is hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to the City of Villa Rica, Georgia and to public or private utility companies serving the subdivision, for the installation and maintenance of utilities, including, but not limited to, electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, together with the right to trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance and replacement of such lines.

“Signature of Property Owner”; and,

- D. (The Following certificate of dedication shall be required by the City unless the Mayor and City Council waives the dedication requirement).

The City Manager may add to said dedication as may be required for the particular project.

“Certificate of Dedication”. All water and sewer lines and other utilities installed within the general-purpose access and utility easement(s) shown on this plat for private street(s) are hereby dedicated to City of Villa Rica, Georgia.

“Signature of Property Owner.”

308.9 Requirement of Purchaser’s Acknowledgement of Private Responsibilities.

Prior to the sale or as a condition of the closing of a real estate transaction involving any lot served by a private street in the City of Villa Rica, Georgia, the sub-divider, or seller of said lot shall execute a notarized purchaser’s acknowledgement of private street construction and drainage maintenance responsibilities as set forth below. A copy of the purchaser’s acknowledgement shall be retained by the purchaser and shall be required to be submitted as a condition of a building permit for a principal building on said lot:

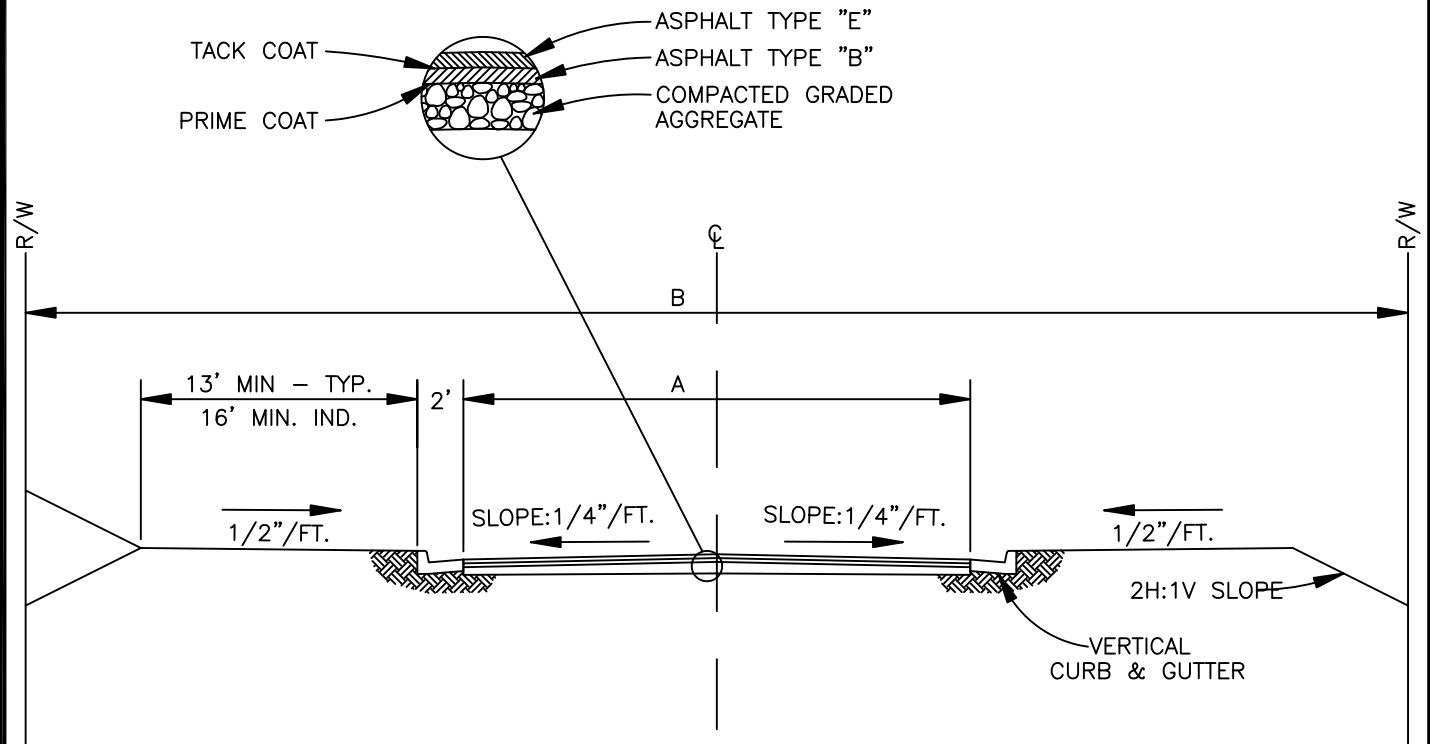
“Purchaser’s Acknowledgement of Private Street and
Drainage Maintenance Responsibility”

(I)/ (We) have read the Declaration of Covenant which pertains to the lot that is the subject to this real estate transaction _____
(insert address or attach legal description). (I)/(We) understand that the Declaration of Covenant applies to the lot that (I am)/(we are) purchasing and requires (me)/(us) to provide a specified percentage or amount of the financing for the construction and maintenance of any private street and drainage facilities serving the lot which (I am)/(we are) purchasing, and that owners of other lots in this plat may sue for and recover those costs which this covenant requires (me)/(us) to pay, plus their damages resulting from (my)/(our) refusal to contribute, plus reasonable attorneys fees. (I)/(We) further understand that the City of Villa Rica, Georgia has no obligation to assist with the maintenance and improvement of the private street, drainage facilities, and other appurtenances within the general-purpose public access and utility easement for the private road serving the lot in question. (I) (We) understand that a copy of this purchaser’s acknowledgement shall be required as a condition of the issuance of a building permit for a principal building on the lot (I am)/(we are) purchasing.

Purchaser

Purchaser

- 308.10 **All agreements, restrictive covenants and other documentation related to the development shall be furnished and approved by the City Engineer prior to commencement of development.**
309. **Standard Details (See Details at the end of Section 300.)**



NOTE:
13' OF CLEARED R/W SHALL BE DEDICATED BEHIND
ACCEL/DECEL LANES ALSO EXCEPT INDUSTRIAL SHALL BE 16'

NOTE:
R/W SHALL BE CLEAR OF ALL LIMBS, GRADED SMOOTH
AND ESTABLISHED IN GRASS.

STREET CLASSIFICATION	MIN. PAVING WIDTH "A"	MIN. R/W WIDTH "B"	GAB	TYPE B	TYPE E-F
ARTERIAL	AS REQ'D	100'	10"	4"	2"
INDUSTRIAL	24'	60'	8"	3"	1-1/2"
MAJOR COLLECTOR	22'	80'	8"	3"	1-1/2"
MINOR COLLECTOR	22'	60'	6"	2"	1-1/2"
LOCAL	20'	50'	6"	2"	1-1/2"
ALLEY	12'	20'	6"	-	2"

TYPICAL STREET CROSS SECTION

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

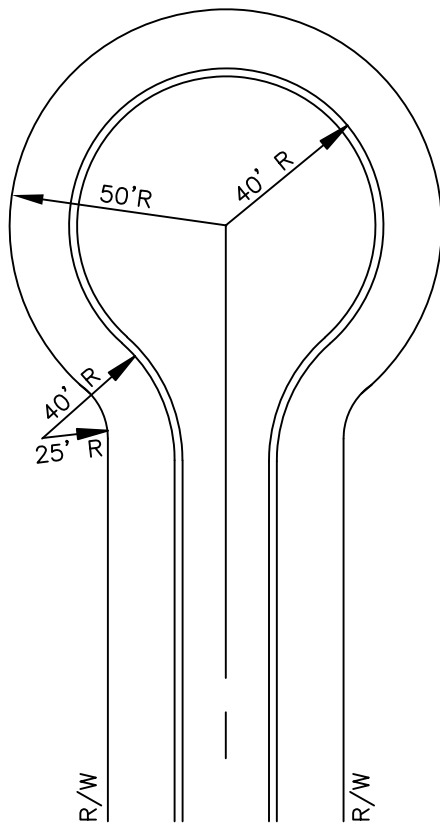
**TYPICAL
STREET CROSS
SECTION**
CONSTRUCTION STANDARD

DATE: JAN. 2018

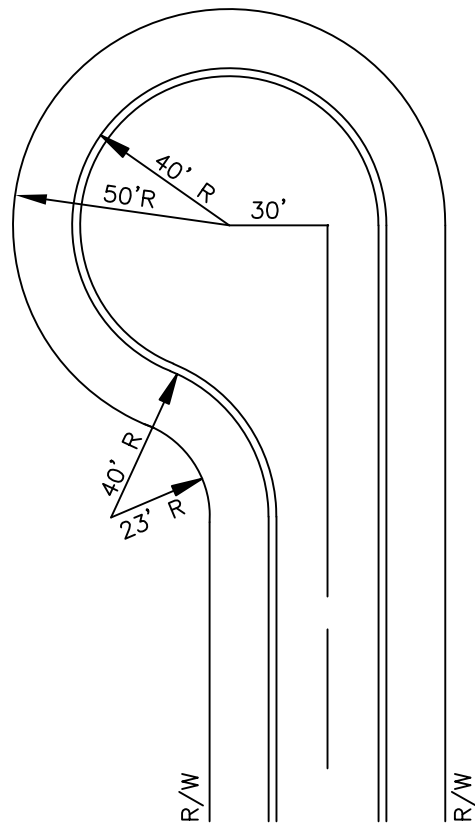
APPROVED:

STANDARD
NO.

3.8.01



TYPICAL



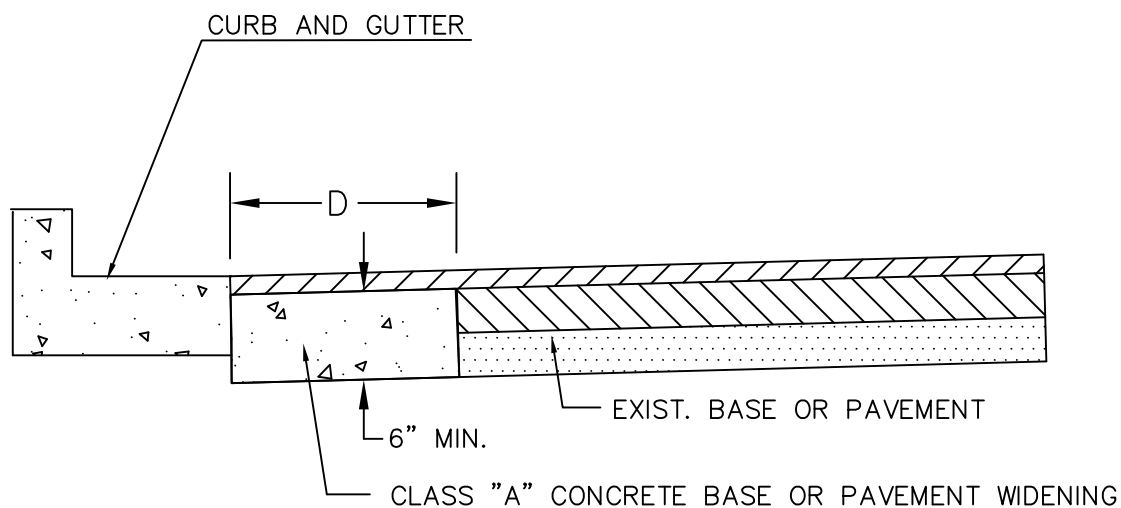
OFFSET LEFT OR RIGHT

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**CUL-DE-SAC
(RESIDENTIAL)**
CONSTRUCTION STANDARD

DATE:	JAN. 2018
APPROVED:	

STANDARD
NO.
3.8.02



NOTE: IN EXCAVATED AREAS WHERE $D = 2'-0"$ OR LESS IN WIDTH BETWEEN THE EXISTING PAVING AND NEW CURB AND GUTTER, CLASS "A" CONCRETE WILL BE PLACED IN LIEU OF THE BASE AND PAVING SPECIFIED BY THE TYPICAL SECTION.

IN EXCAVATED AREAS FROM WHERE D IS FROM $2'-0"$ TO $5'-0"$ IN WIDTH THE DEVELOPER MAY PLACE CLASS "A" CONCRETE IN LIEU OF THE BASE AND PAVING

IN EXCAVATED AREAS WHERE D IS GREATER THAN $5'-0"$ IN WIDTH THE DEVELOPER SHALL PLACE BASE AND PAVING AS SPECIFIED ON THE TYPICAL SECTION.

CLASS "A" CONCRETE IS AS DEFINED BY THE GEORGIA DOT.

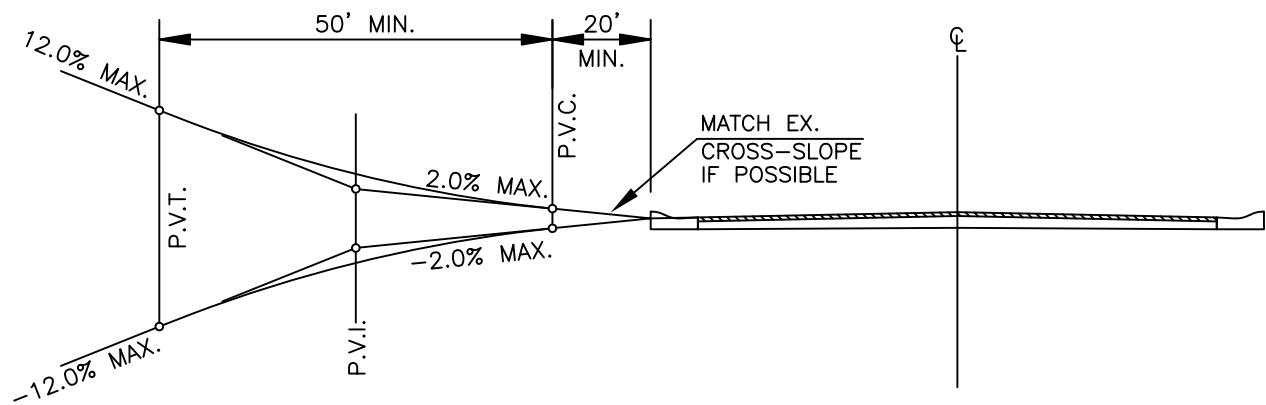
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**PAVEMENT
WIDENING**
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.04



LANDING REQUIREMENTS

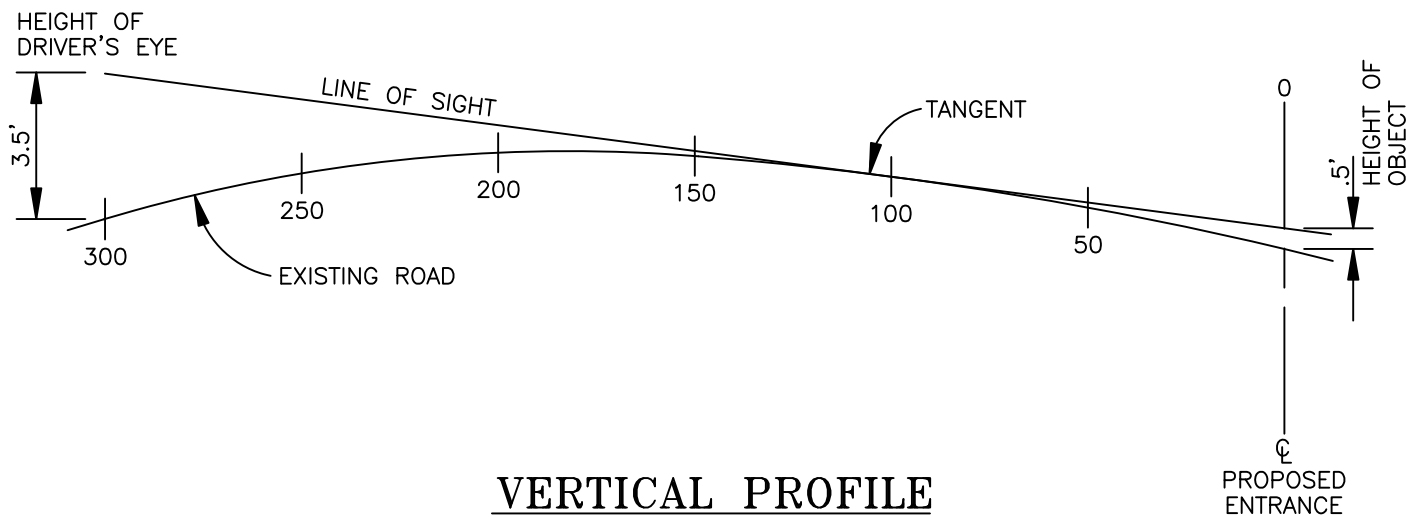
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**LANDING
REQUIREMENT**
(FOR STREET INTERSECTIONS)
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.05



VERTICAL ALIGNMENT:

THE SIGHT DISTANCE AT DEVELOPMENT ENTRANCES NEAR CREST VERTICAL CURVES IS DETERMINED BY THE LINE OF SIGHT AVAILABLE FROM THE DRIVER'S EYE 3.5 FEET ABOVE THE PAVEMENT TO AN OBJECT 6 INCHES HIGH AT THE CENTERLINE OF THE ENTRANCE. THE SIGHT DISTANCE IS MEASURED ALONG THE ROADWAY.

SPEED LIMIT (M.P.H.)	MINIMUM STOPPING SIGHT DISTANCE (FT.)
25	200
30	200
35	250
40	300
45	400
50	475
55	550

< 40 M.P.H.

$$LVC = \frac{AS^2}{1329}$$

LVC = LENGTH OF VERTICAL CURVE
S = SIGHT DISTANCE
A = ALGEBRAIC DIFFERENCE OF
INTERSECTING GRADES

> 40 M.P.H.

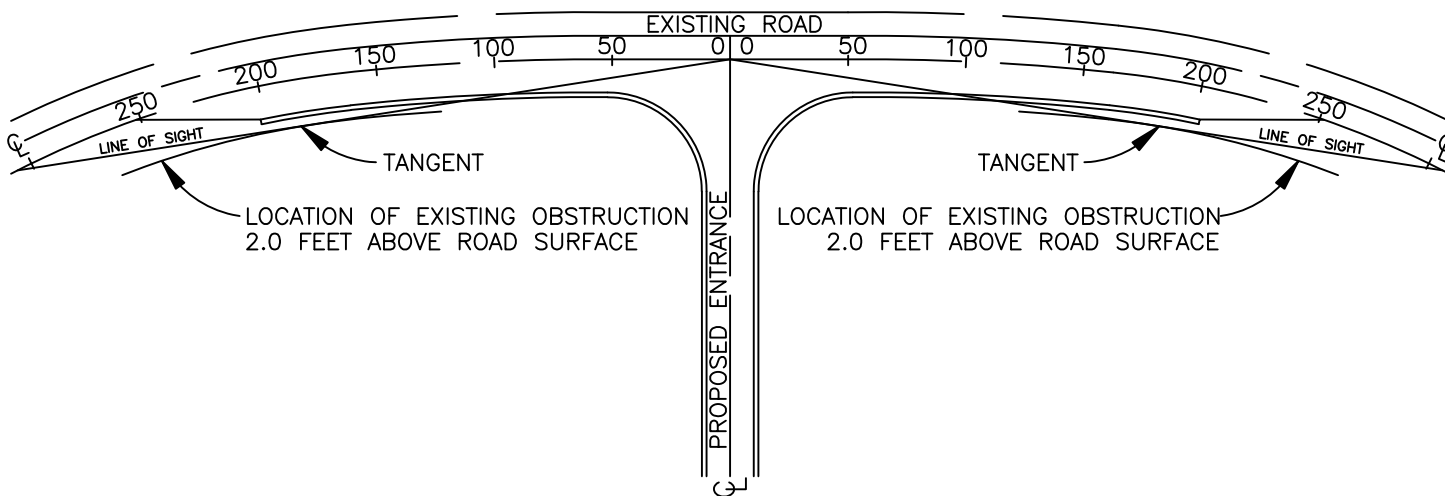
$$LVC = \frac{2S - 1329}{A}$$

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**SIGHT
DISTANCE**
CONSTRUCTION STANDARD

DATE: JAN. 2018
APPROVED:

STANDARD
NO.
3.8.06



HORIZONTAL PLAN

HORIZONTAL SIGHT DISTANCE:

THE SIGHT DISTANCE AT DEVELOPMENT ENTRANCES IS DETERMINED BY THE LINE OF SIGHT AVAILABLE 2.0 FEET ABOVE THE ROAD SURFACE. THE SIGHT DISTANCE IS MEASURED ALONG THE EXISTING EDGE OF PAVEMENT BEGINNING AT THE CENTERLINE OF THE PROPOSED ENTRANCE AND ENDING WHERE THE PROJECTED LINE OF SIGHT INTERSECTS THE PAVEMENT. THE LINE OF SIGHT IS THE PROJECTED LINE OF VISIBILITY BEGINNING AT THE ENTRANCE CENTERLINE AND TANGENT TO AN OBSTRUCTION 2.0 FEET ABOVE THE ROAD SURFACE. EXAMPLES OF OBSTRUCTIONS ARE VEGETATION, GROUND COVER, SIGNS, EXISTING TOPOGRAPHY, ETC.

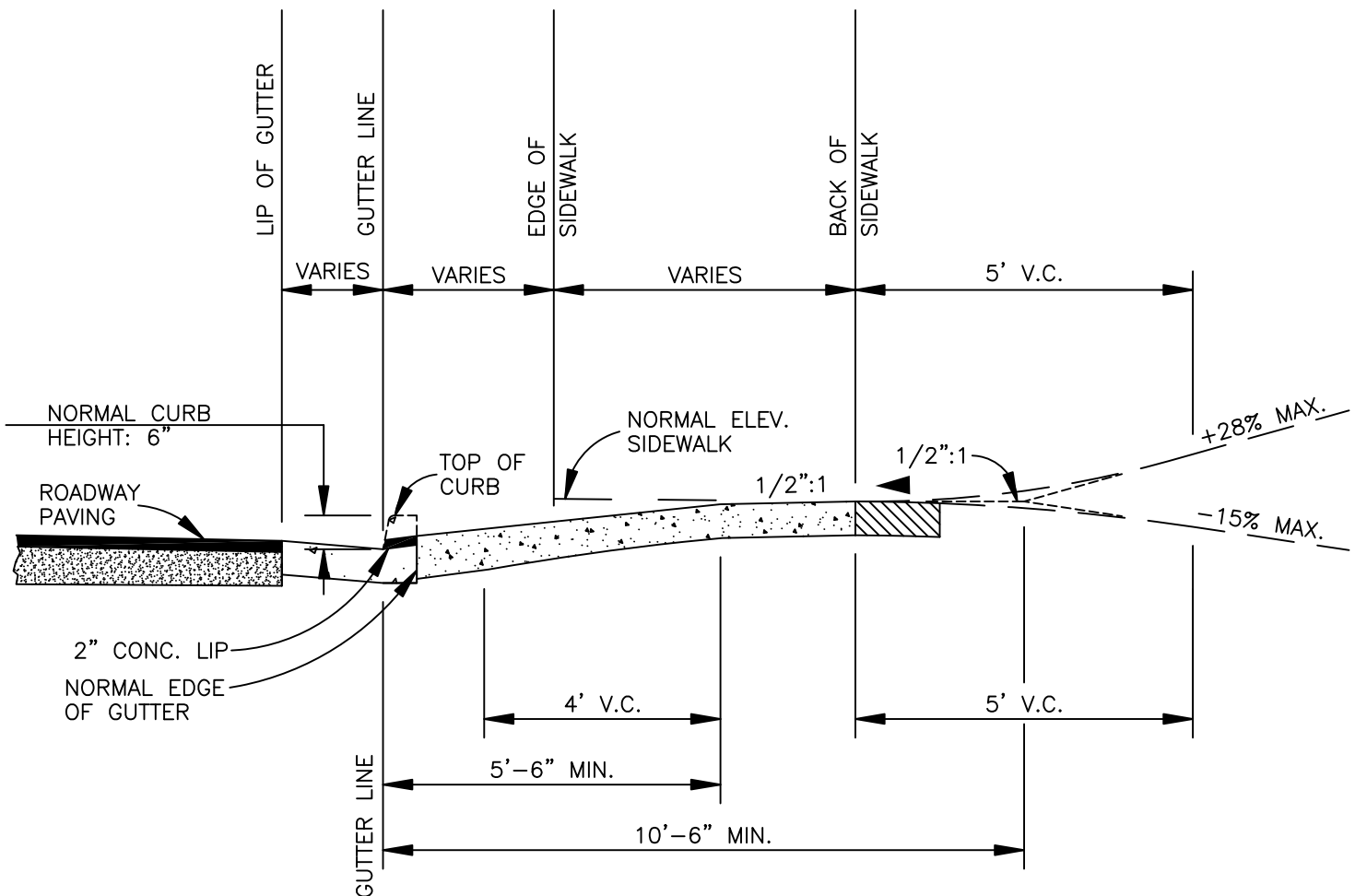
<u>SPEED LIMIT (M.P.H.)</u>	<u>MINIMUM STOPPING SIGHT DISTANCE (FT.)</u>
25	160
30	200
35	250
40	325
45	400
50	475
55	550

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

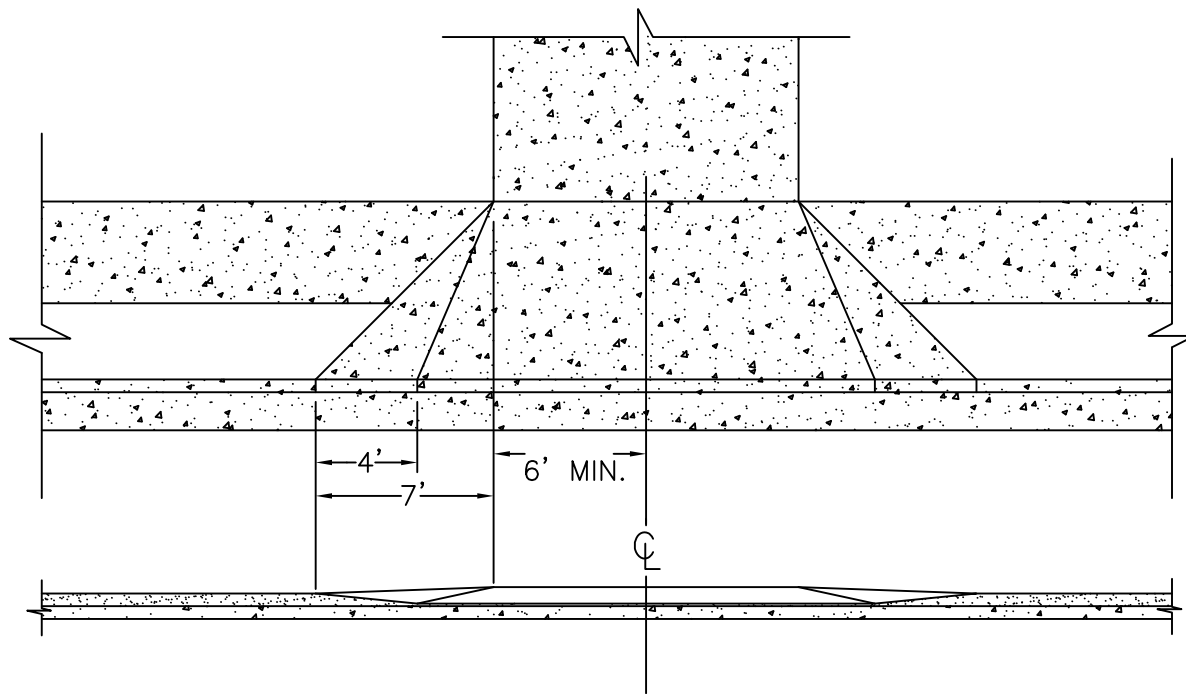
**DEVELOPMENT
ENTRANCE-SIGHT
DISTANCE**
CONSTRUCTION STANDARD

DATE: JAN. 2018
APPROVED:

STANDARD
NO.
3.8.07



SECTION

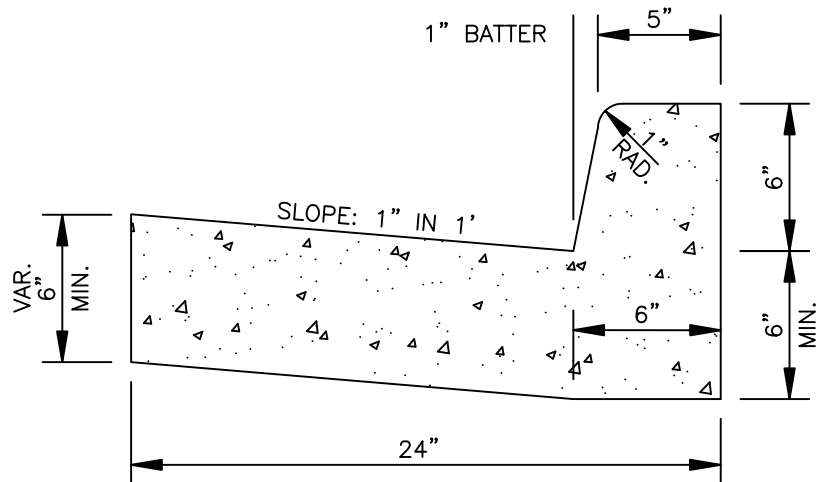


**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**RESIDENTIAL
DRIVEWAY**
CONSTRUCTION STANDARD

DATE: JAN. 2018
APPROVED:

STANDARD
NO.
3.8.08



VERTICAL CURB

NOTE:

1. VERTICAL CURB SHALL COMPLY WITH GEORGIA STANDARD 9032B, 6" x 24", TYPE 2.
2. 1/2" PREFORMED EXPANSION JOINTS WILL BE REQUIRED AT TANGENT POINTS OF RADIUS RETURNS, AT DRIVEWAYS, AND STREET INTERSECTIONS AND AT 40' INTERVALS ALONG THE CURB.

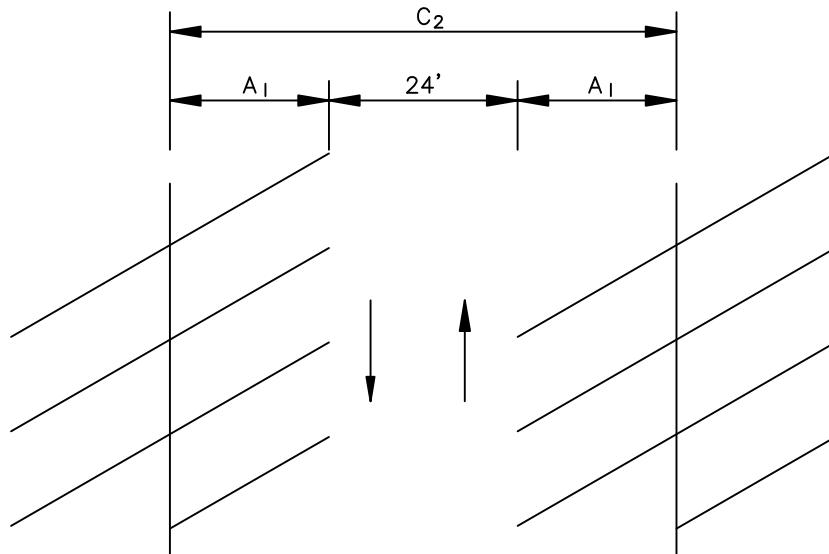
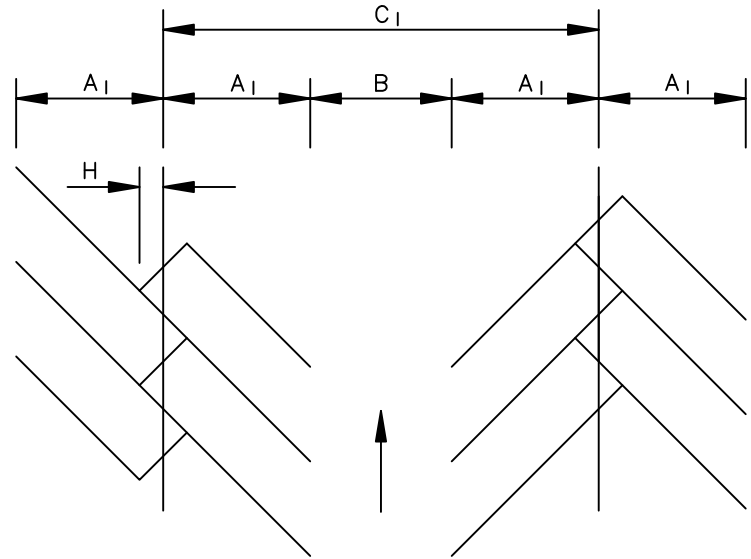
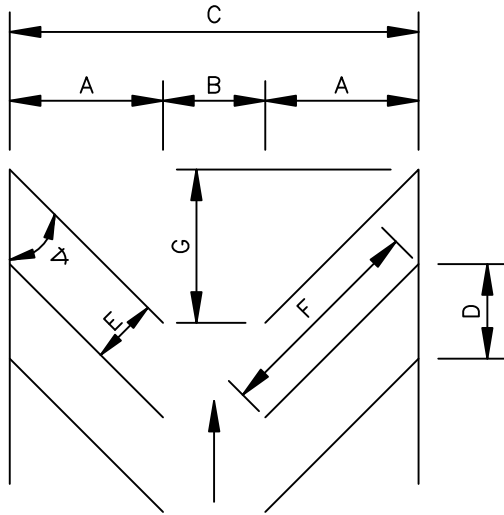
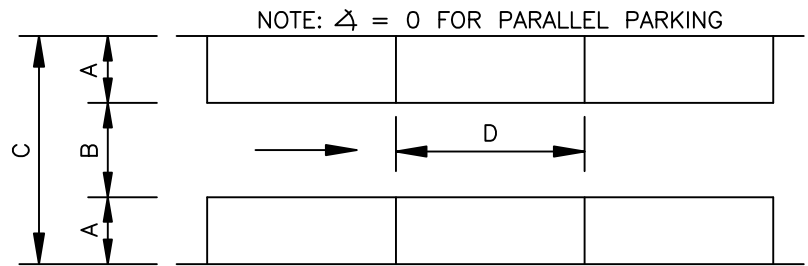
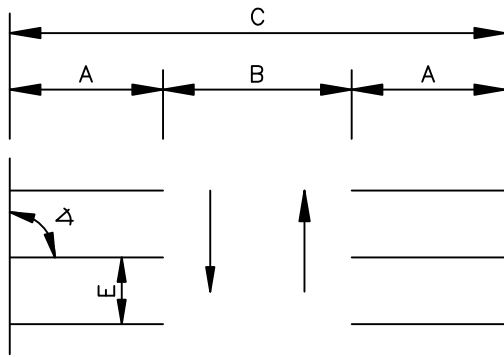
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

CURB DETAIL
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.09



HANDICAP SPACES:

1. MINIMUM 13' WIDE.
2. WITHIN 200' OF ENTRANCE.
3. WALKS UNINTERRUPTED, NO STEPS, AT LEAST TWO SPACES.
4. UP TO 400 SPACES SHALL HAVE 2% HANDICAP BUT NO LESS THAT 2.
5. MORE THAN 400 SPACES SHALL HAVE EIGHT SPACES PLUS 1% FOR HANDICAP.

Δ	A	B	A+B	C	D	E	F	G	H	A ₁	C ₁	C ₂
ANGLE OF PARKING	DEPTH OF STALL	AISLE WIDTH	---	WIDTH OF BAY	CURB LENGTH	WIDTH OF STALL	LENGTH OF STRIPE	WASTE SPACE	DEPTH OF OVERHANG	DEPTH OF STALL	WIDTH OF AREA	WIDTH OF AREA
0°	9.0	12.0	21.0	30.0	22.0	---	---	---	---	---	---	42.0
45°	19.1	13.0	32.1	51.2	12.7	9.0	27.0	19.1	3.2	15.9	44.8	55.8
60°	20.1	18.0	38.1	58.2	10.4	9.0	23.2	11.6	2.3	17.8	53.6	59.6
90°	18.0	24.0	42.0	60.0	9.0	9.0	---	---	---	---	---	60.0

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**OFFSTREET
PARKING**
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

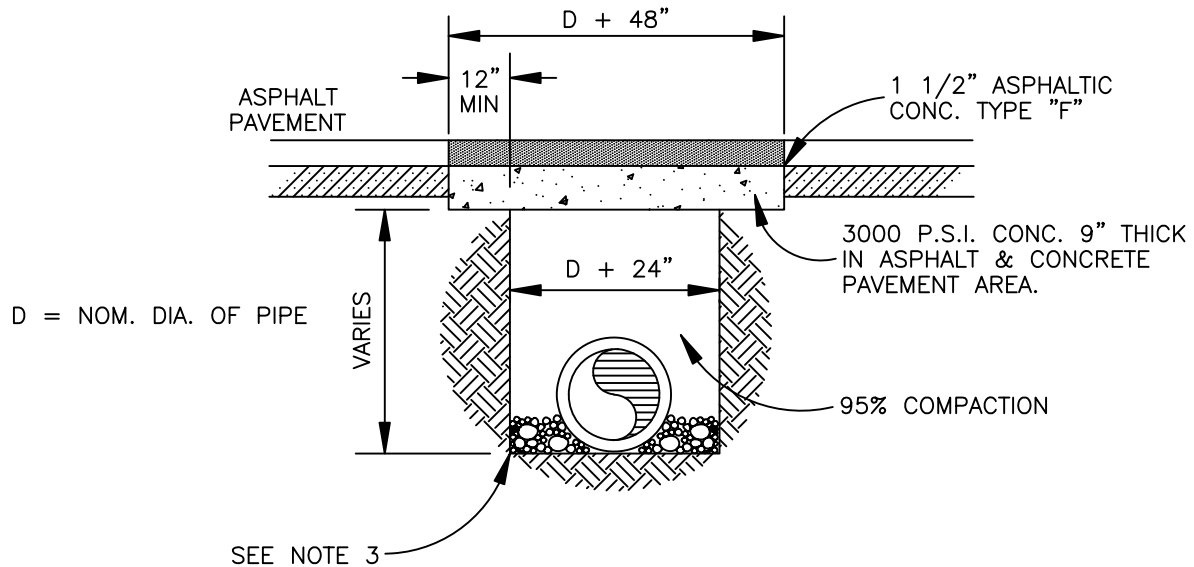
STANDARD
NO.
3.8.10a





NOTE:

IF CONCRETE PAVEMENT,
REPLACE WITH ORIGINAL
THICKNESS (MINIMUM 8"),
FLUSH WITH EXISTING
PAVEMENT.



NOTE: PERMIT REQUIRED FOR ALL STREET CUTS

TYPICAL PAVEMENT REPAIR

NOTES:

1. PERMISSION MUST BE OBTAINED TO OPEN CUT EXISTING ROADS.
2. ROADWAYS WILL GENERALLY BE BORED OR TUNNELED FROM DITCH LINE TO DITCH LINE.
3. BED AS PER APPLICABLE UTILITY SPECIFICATION.

**CITY OF
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DEPARTMENT OF
PUBLIC WORKS

TYPICAL STREET CUT REPAIR

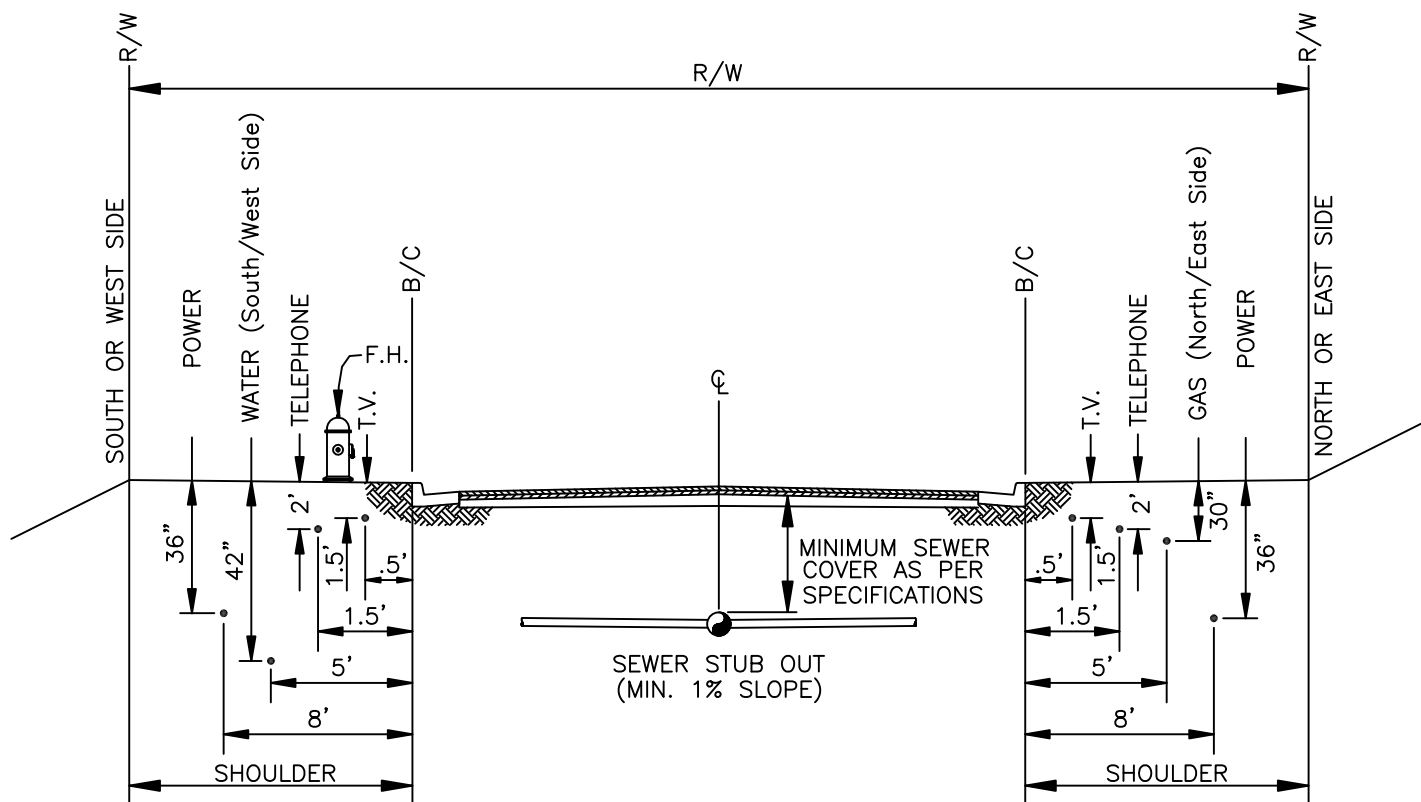
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

3.8.11



CROSS SECTION

NOTES:

1. THE REQUIRED DISTANCES FROM THE CURBS WILL APPLY TO UNDERGROUND UTILITIES.
2. THE REQUIRED LOCATION OF UTILITIES SHALL BE MEASURED FROM THE BACK OF THE CURB. CURB & GUTTER MUST BE INSTALLED AFTER SEWER BUT BEFORE ANY OTHER UTILITIES ARE INSTALLED.
3. PEDESTALS FOR TELEPHONE AND CABLE INSTALLATIONS TO BE LOCATED 6.5 FT. FROM BACK OF CURB. IF JOINT TRENCHING WITH POWER, PEDESTALS ARE TO BE LOCATED IN DESIGNATED SPACE FOR POWER.
4. FIRE HYDRANTS ON ROAD THRUWAYS ARE TO BE LOCATED A MINIMUM OF 5 FT. FROM BACK OF CURB. FIRE HYDRANTS ON CUL-DE-SACS ARE TO BE LOCATED A MAXIMUM OF 8 FT. FROM BACK OF CURB.
5. ELECTRICAL TRANSFORMERS ARE TO BE LOCATED IN LINE WITH DESIGNATED SPACE FOR POWER. STREET LIGHTS ARE TO BE LOCATED 7.5' FROM BACK OF CURB.
6. REAR OF WATER METER TO BE AT PROPERTY LINE.
7. SEWER SERVICE STUB TO EXTEND 5 FT. ONTO PROPERTY.

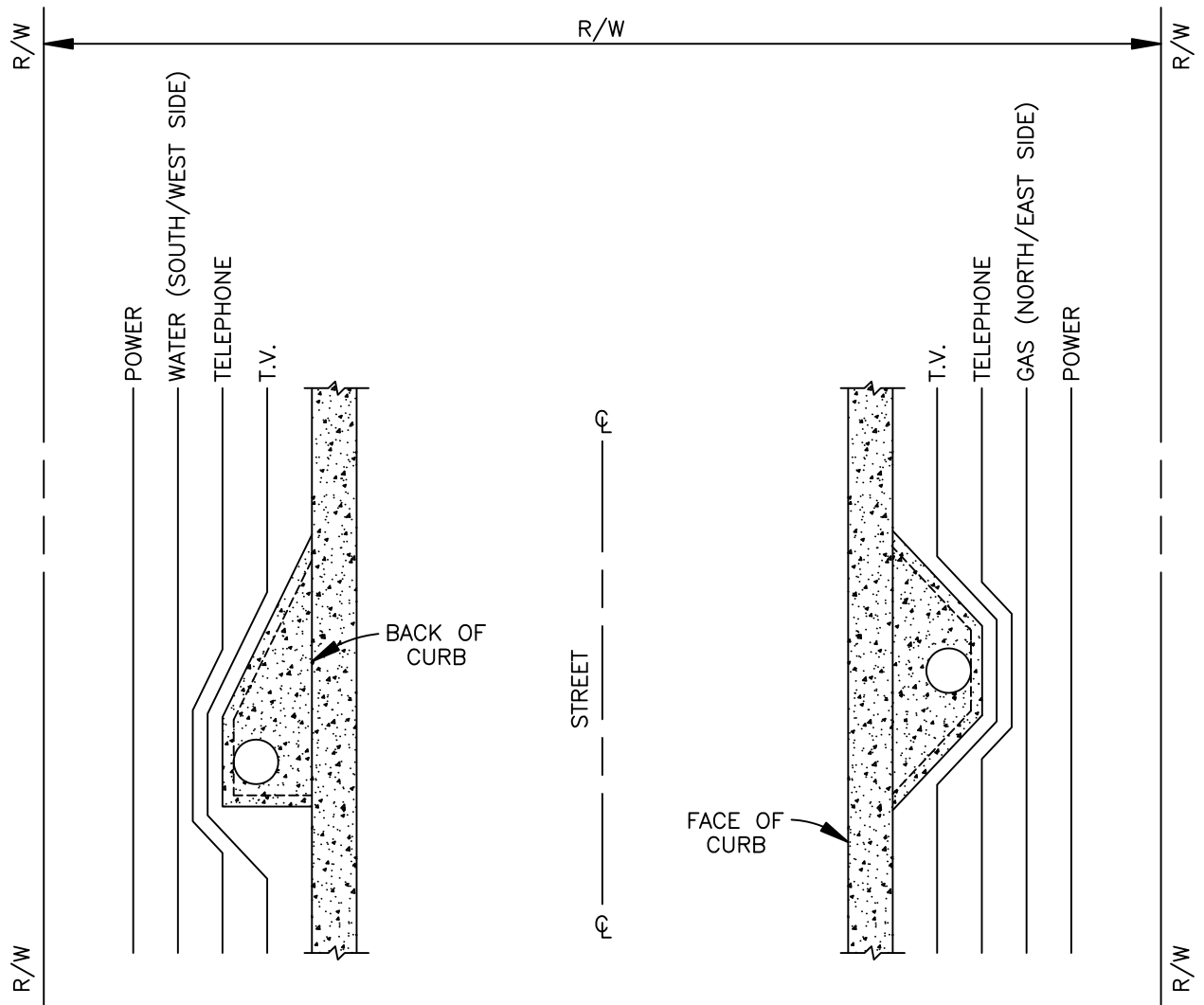
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**NOMINAL UTILITY
LOCATIONS**
50' R/W
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.12



PLAN

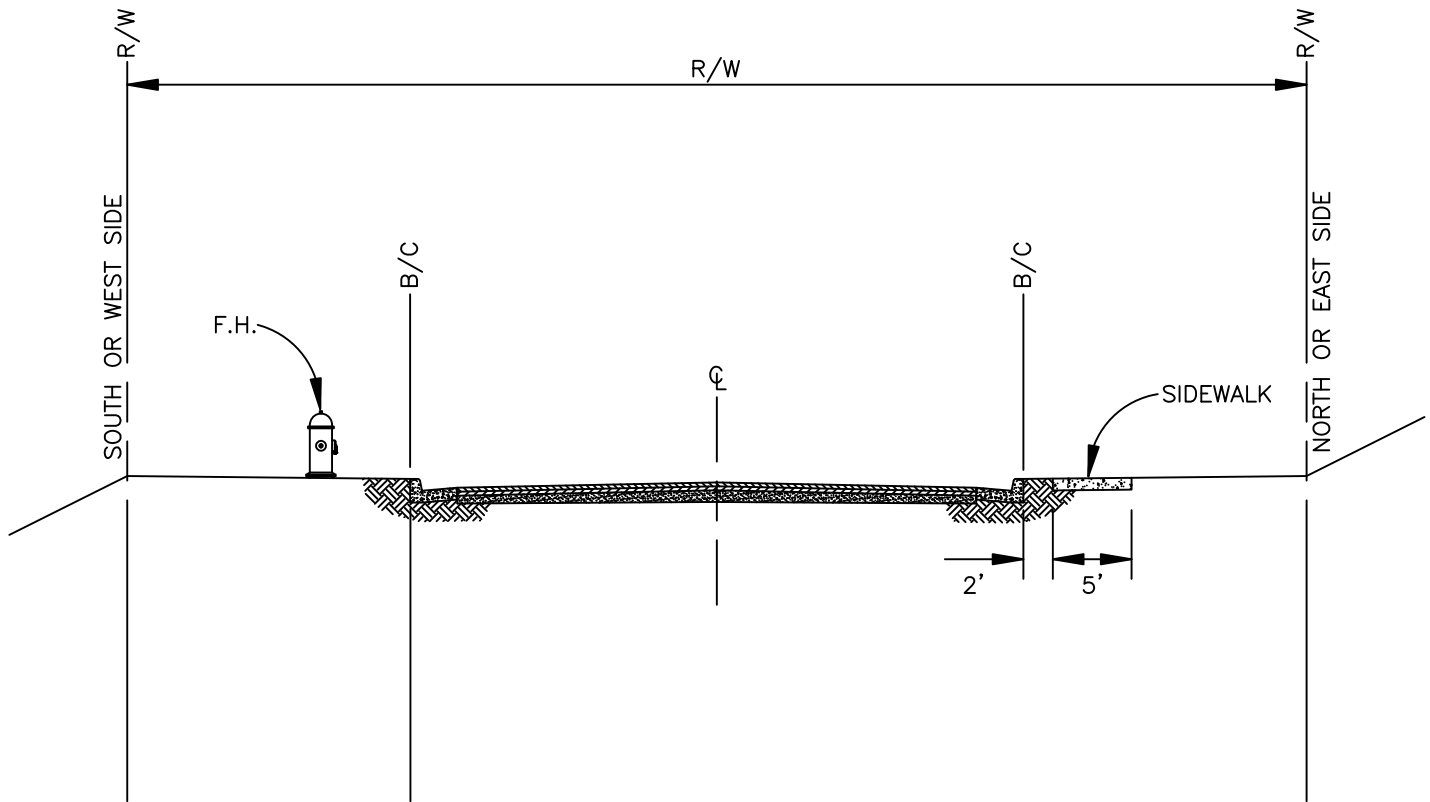
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**UTILITY
LOCATIONS**
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.13



CROSS SECTION

NOTES:

1. SIDEWALKS NORMALLY TO BE LOCATED ON THE NORTH OR EAST SIDE OF STREET.
2. IN CASES WHERE STREET CONFIGURATION REQUIRES SIDEWALK TO BE LOCATED ON THE SOUTH OR WEST SIDE OF STREET, FIRE HYDRANTS MUST BE LOCATED BEHIND SIDEWALK LOCATION.

**CITY OF
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DEPARTMENT OF
PUBLIC WORKS

SIDEWALK LOCATION

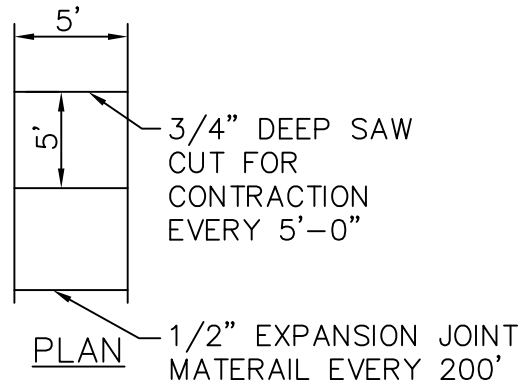
CONSTRUCTION STANDARD

DATE: JAN. 2018

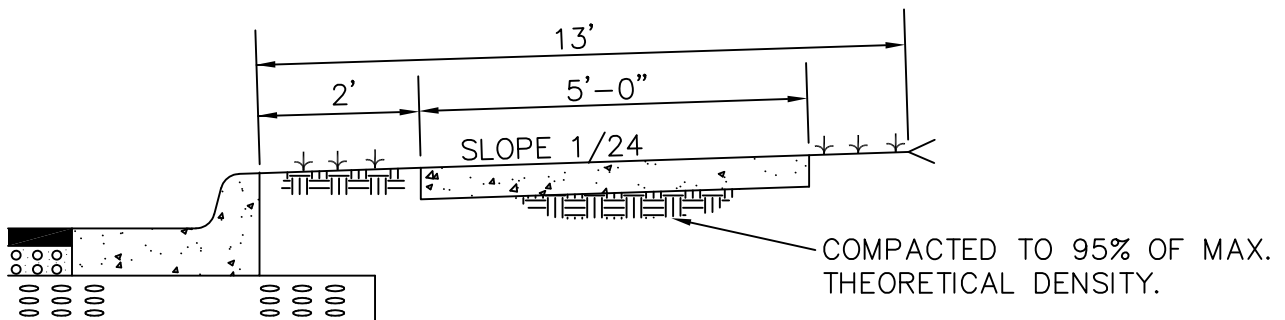
APPROVED:

STANDARD
NO.

3.8.14



NOTE: 1/2" PREMOULDED EXPANSION JOINT AT DRIVEWAYS, CURBS ETC.
5'-0" SIDEWALK CUT IN 5'-0" SQUARES 1 1/2" GROOVES.



TYPICAL SECTION OF 5'-0" SIDEWALK

NOTE: SIDEWALK TO BE CONSTRUCTED OF CLASS "A" CONCRETE AS DEFINED BY THE GEORGIA DOT.

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

SIDEWALK

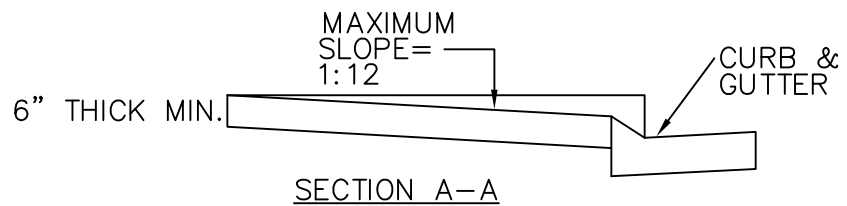
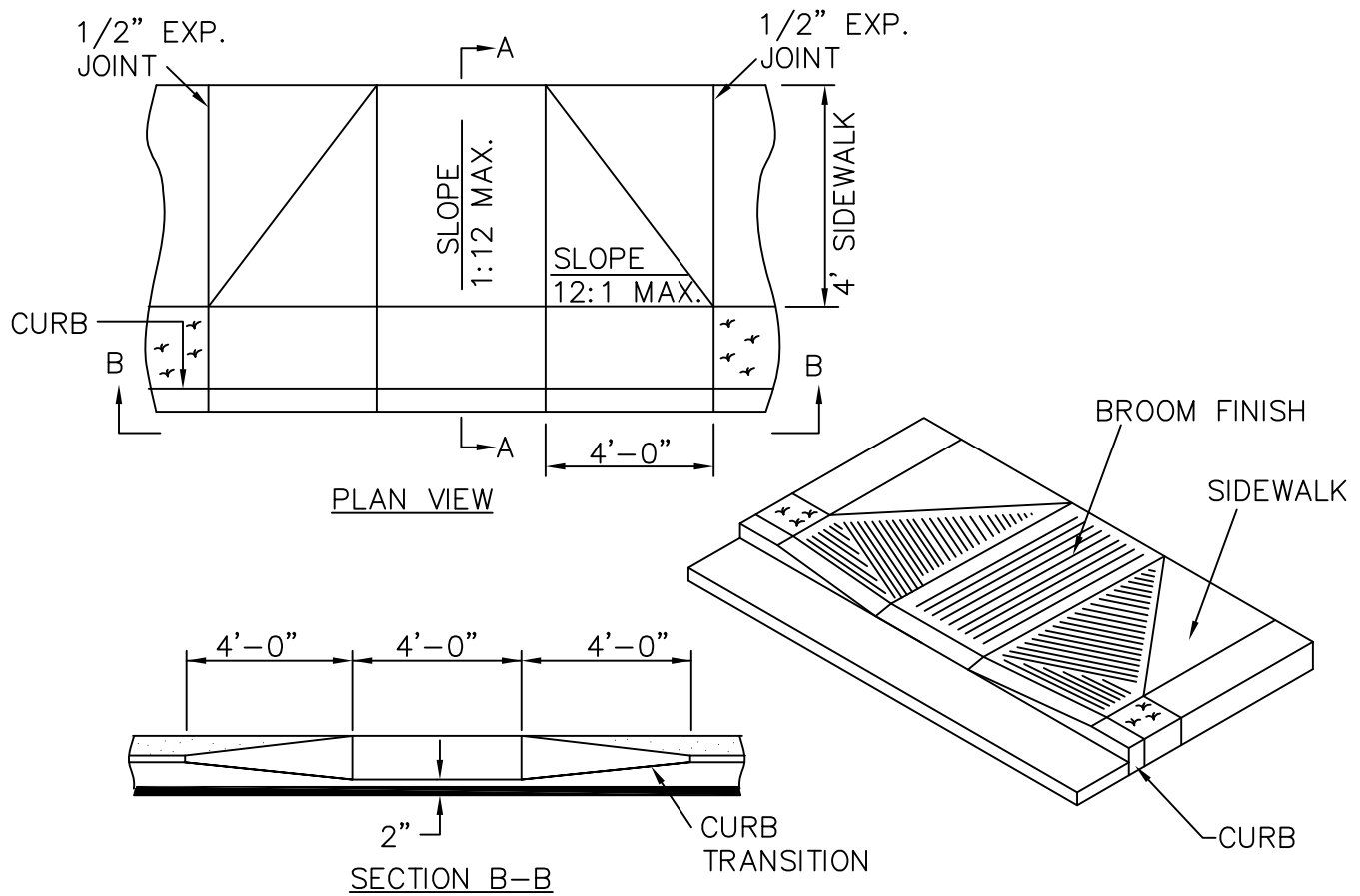
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

3.8.15



NOTES:

1. THE LOCATION OF CROSSWALK LINES & STOP BARS, WHEN REQUIRED, WILL BE COORDINATED WITH THE LOCATION OF THE RAMPS.
2. RAMPS WILL BE CONSTRUCTED OF CLASS "A" CONCRETE AS DEFINED BY THE GEORGIA DOT AND SHALL INCLUDE FIBER REINFORCEMENT.

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**WHEELCHAIR
RAMP**

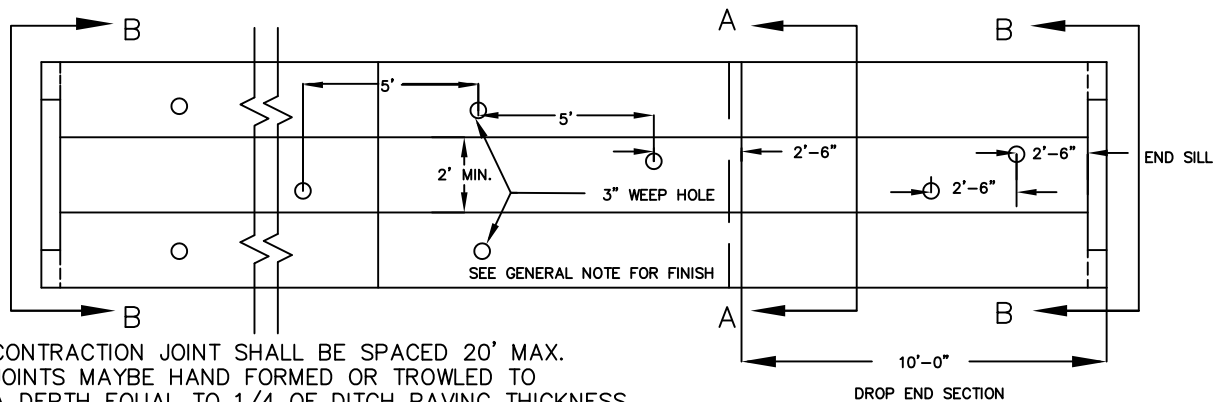
CONSTRUCTION STANDARD

DATE: JAN. 2018

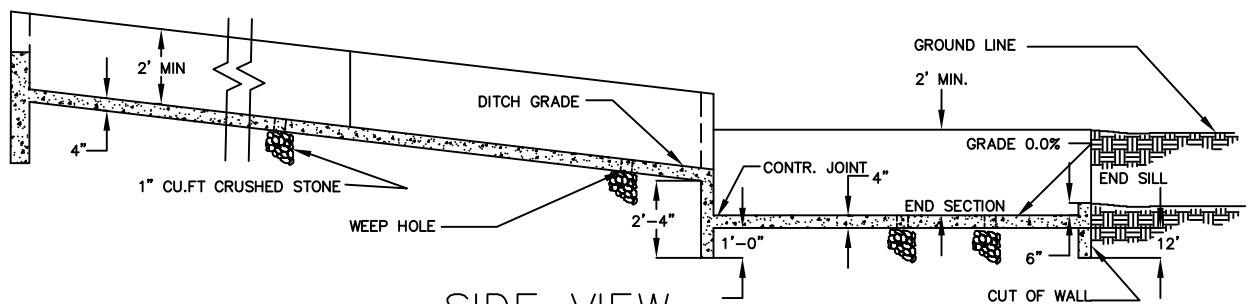
APPROVED:

STANDARD
NO.

3.8.16



PLAN VIEW



SIDE VIEW

NOTE: DROP END SECTION MUST BE
CONSTRUCTED BEFORE ADJACENT UPSTREAM
SECTION IS POURED. SEE CONSTR. JOINT IN
SECTION A-A. DROP END SECTION MAY BE
OMITTED AND END SECTION OF DITCH BURIED
3' BELOW NATURAL CHANNEL WHEN APPROVED
BY THE ENGINEER.

GENERAL NOTES:

1. SIDE SLOPES ON PAVED BERM AND SURFACE DITCHES SHALL BE 2:1 UNLESS MODIFIED ON CONSTRUCTION OF MEET FIELD CONDITIONS. WHEN PAVING IS PLACED IN NORMAL ROADWAY DITCH, THE SIDE SLOPES AND BOTTOM WILL CONFORM TO THOSE SHOWN ON THE ROADWAY TYPICAL SECTION.
2. WEEP HOLES SHALL BE OMITTED IN ALL SURFACE DITCHES OF THE TOP OF CUT SLOPES. WEEP HOLES SHALL BE REQUIRED IN BERM DITCHES AND ROADWAY DITCHES WHEN PAVED.
3. SURFACE FINISHED SHALL BE FLOATED SUFFICIENTLY TO COVER AGGREGATE WITH MORTAR.
4. EXPANSION JOINTS ARE REQUIRED WHERE PAVED DITCH CONNECTS TO OTHER CONCRETE STRUCTURES.

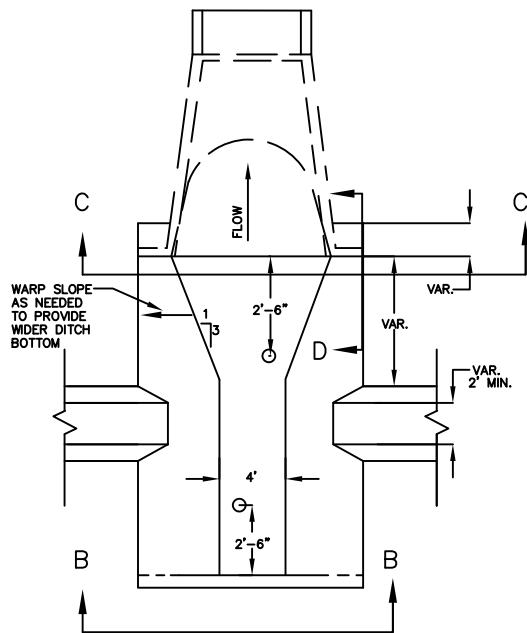
1 OF 2

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

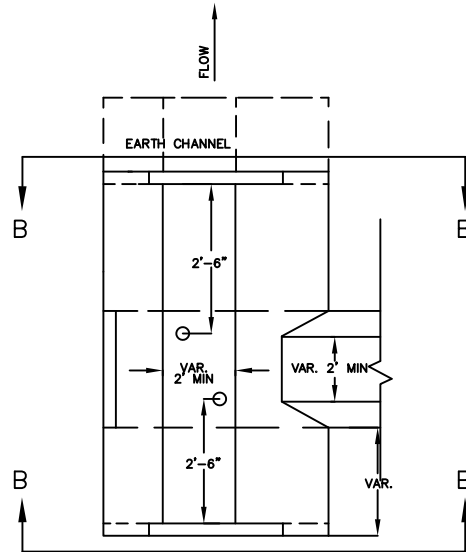
**PAVED
DITCH**
CONSTRUCTION STANDARD

DATE: JAN. 2018
APPROVED:

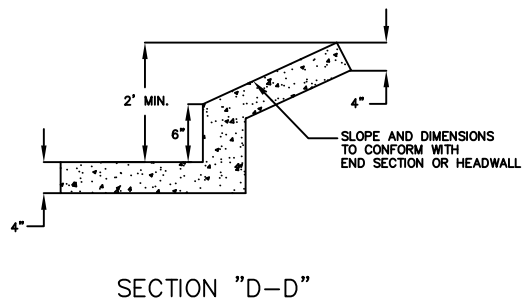
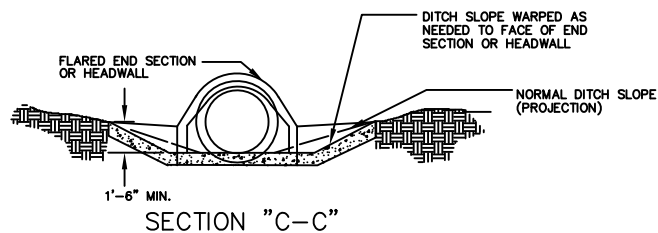
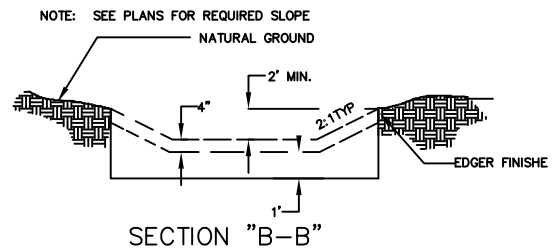
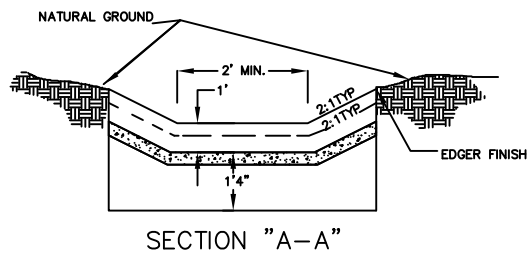
STANDARD
NO.
3.8.17a

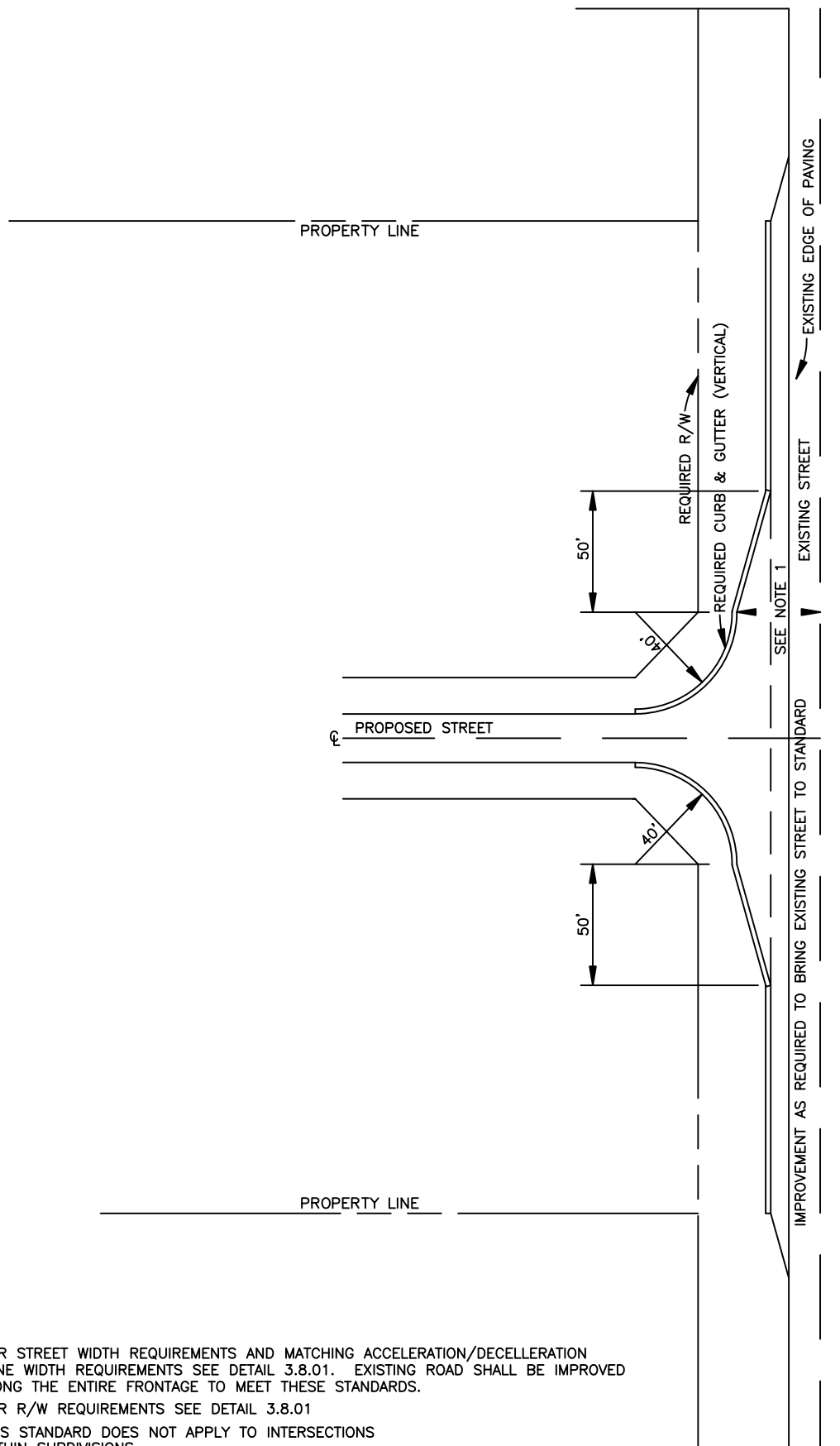


CONNECTING PAVED DITCH TO
FLARED END SECTION OR
HEADWALL (TYPICAL DETAIL)



CONNECTING PAVED DITCH
TO EARTH CHANNELL
(TYPICAL DETAIL)





NOTES:

1. FOR STREET WIDTH REQUIREMENTS AND MATCHING ACCELERATION/DECELERATION LANE WIDTH REQUIREMENTS SEE DETAIL 3.8.01. EXISTING ROAD SHALL BE IMPROVED ALONG THE ENTIRE FRONTAGE TO MEET THESE STANDARDS.
2. FOR R/W REQUIREMENTS SEE DETAIL 3.8.01
3. THIS STANDARD DOES NOT APPLY TO INTERSECTIONS WITHIN SUBDIVISIONS.

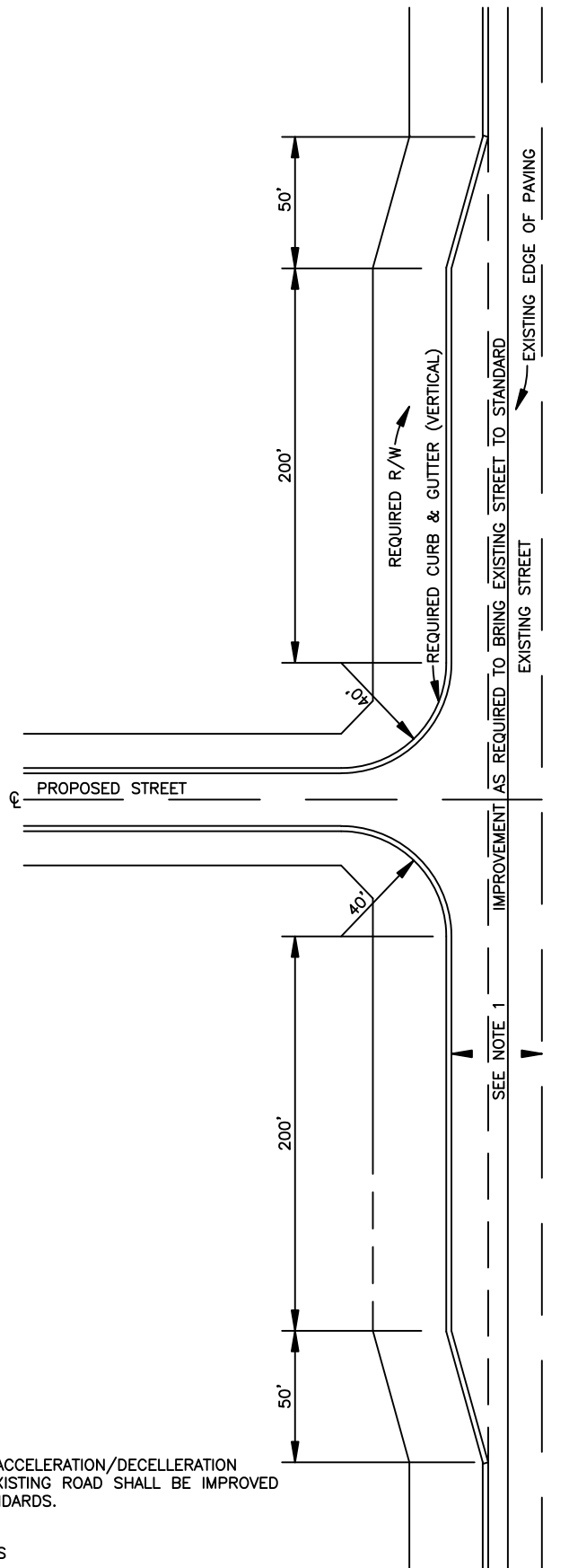
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

ENTRANCE
(RESIDENTIAL SUBDIVISION)
(LESS THAN 20 LOTS)
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.18



NOTES:

1. FOR STREET WIDTH REQUIREMENTS AND MATCHING ACCELERATION/DECELERATION LANE WIDTH REQUIREMENTS SEE DETAIL 3.8.01. EXISTING ROAD SHALL BE IMPROVED ALONG THE ENTIRE FRONTAGE TO MEET THESE STANDARDS.
2. FOR R/W REQUIREMENTS SEE DETAIL 3.8.01
3. THIS STANDARD DOES NOT APPLY TO INTERSECTIONS WITHIN SUBDIVISIONS.

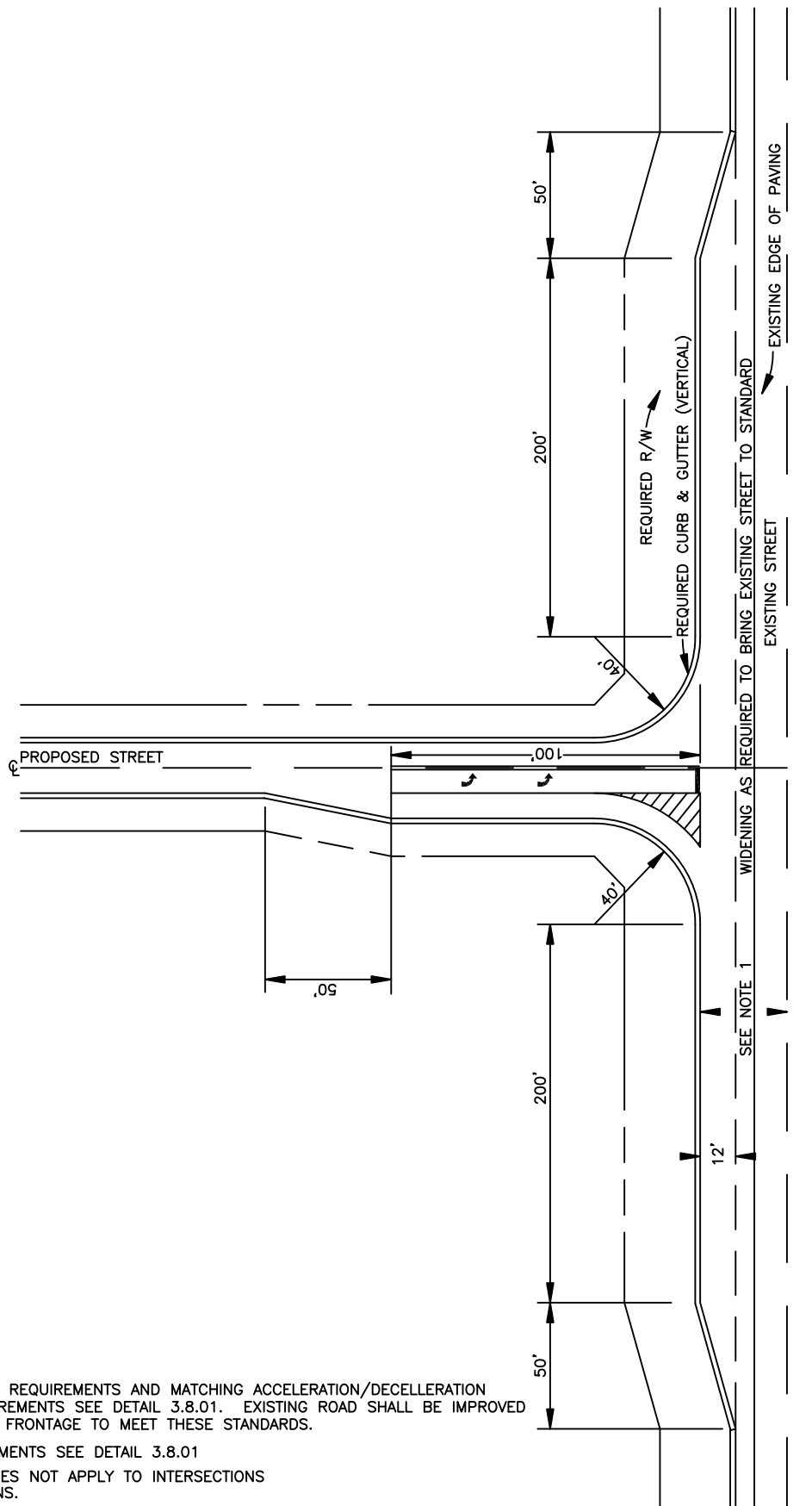
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

ENTRANCE
(RESIDENTIAL SUBDIVISION)
(20 - 200 LOTS)
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.19



NOTES:

1. FOR STREET WIDTH REQUIREMENTS AND MATCHING ACCELERATION/DECELERATION LANE WIDTH REQUIREMENTS SEE DETAIL 3.8.01. EXISTING ROAD SHALL BE IMPROVED ALONG THE ENTIRE FRONTAGE TO MEET THESE STANDARDS.
2. FOR R/W REQUIREMENTS SEE DETAIL 3.8.01
3. THIS STANDARD DOES NOT APPLY TO INTERSECTIONS WITHIN SUBDIVISIONS.

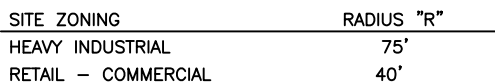
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

ENTRANCE
(RESIDENTIAL SUBDIVISION)
(OVER 200 LOTS)
CONSTRUCTION STANDARD

DATE: JAN. 2018

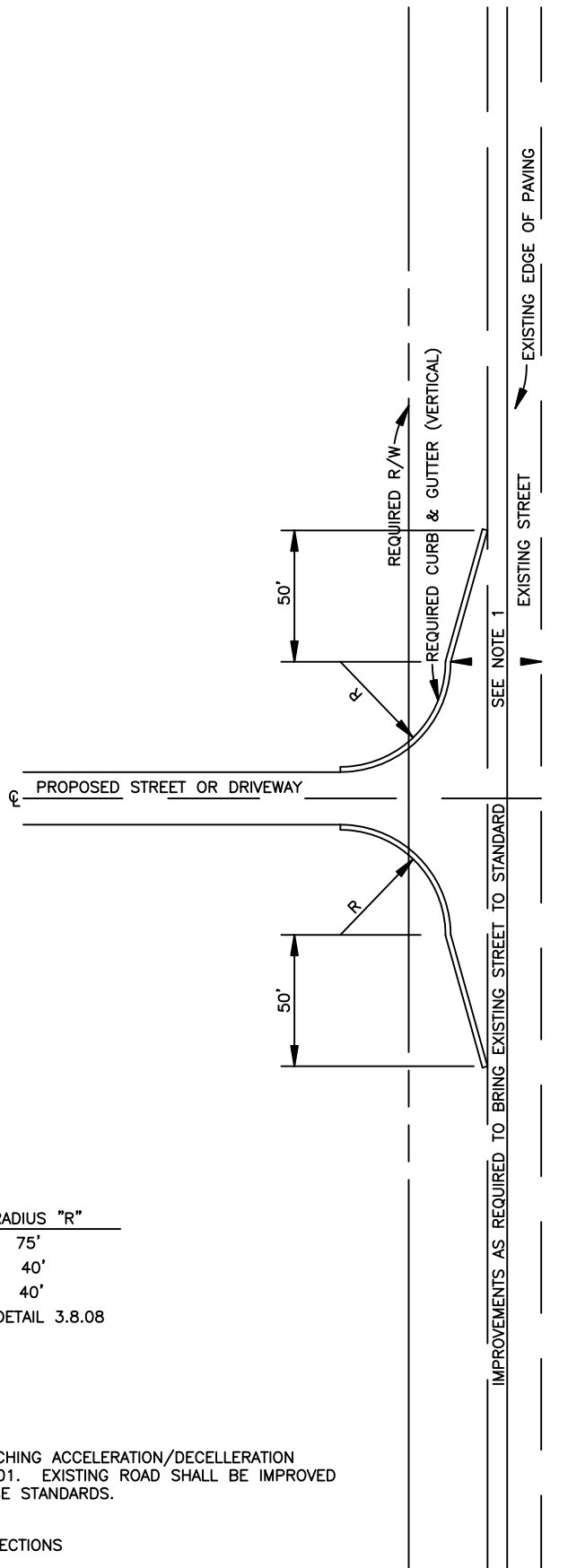
APPROVED:

STANDARD
NO.
3.8.20



1. FOR STREET WIDTH REQUIREMENTS AND MATCHING ACCELERATION/DECELERATION LANE WIDTH REQUIREMENTS SEE DETAIL 3.8.01. EXISTING ROAD SHALL BE IMPROVED ALONG THE ENTIRE FRONTAGE TO MEET THESE STANDARDS.
2. FOR R/W REQUIREMENTS SEE DETAIL 3.8.01
3. THIS STANDARD DOES NOT APPLY TO INTERSECTIONS WITHIN SUBDIVISIONS.

STANDARD
NO.
3.8.21



ZONING OR USE	RADIUS "R"
HEAVY INDUSTRIAL	75'
RETAIL – COMMERCIAL	40'
MULTIFAMILY	40'
DOWNTOWN BUS. DISTRICT	SEE DETAIL 3.8.08

NOTES:

1. FOR STREET WIDTH REQUIREMENTS AND MATCHING ACCELERATION/DECELERATION LANE WIDTH REQUIREMENTS SEE DETAIL 3.8.01. EXISTING ROAD SHALL BE IMPROVED ALONG THE ENTIRE FRONTAGE TO MEET THESE STANDARDS.
2. FOR R/W REQUIREMENTS SEE DETAIL 3.8.01
3. THIS STANDARD DOES NOT APPLY TO INTERSECTIONS WITHIN SUBDIVISIONS.

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

ENTRANCE
(COM./IND./MF DEVELOPMENT)
(MINOR COLLECTOR)
CONSTRUCTION STANDARD

DATE: JAN. 2018

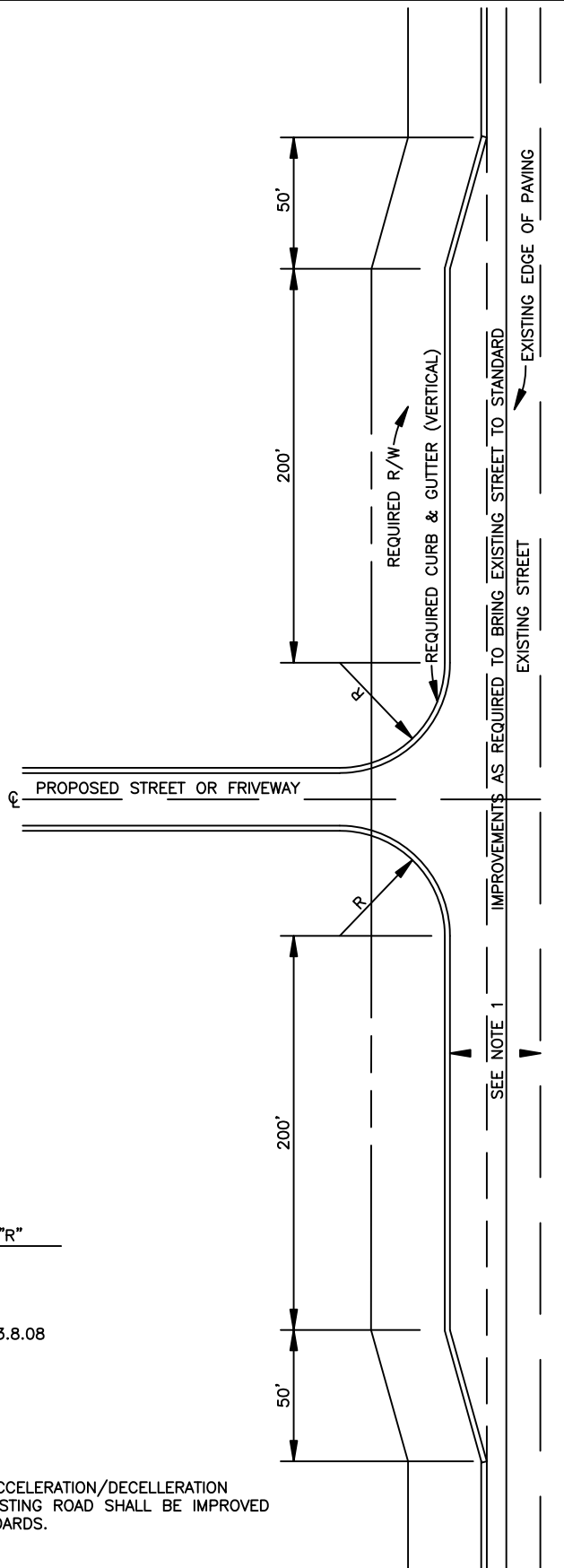
APPROVED:

STANDARD
NO.
3.8.22

ZONING OR USE	RADIUS "R"
HEAVY INDUSTRIAL	75'
RETAIL - COMMERCIAL	40'
MULTIFAMILY	40'
DOWNTOWN BUS. DISTRICT	SEE DETAIL 3.8.08

NOTES:

1. FOR STREET WIDTH REQUIREMENTS AND MATCHING ACCELERATION/DECELERATION LANE WIDTH REQUIREMENTS SEE DETAIL 3.8.01. EXISTING ROAD SHALL BE IMPROVED ALONG THE ENTIRE FRONTAGE TO MEET THESE STANDARDS.
2. FOR R/W REQUIREMENTS SEE DETAIL 3.8.01
3. THIS STANDARD DOES NOT APPLY TO INTERSECTIONS WITHIN SUBDIVISIONS.



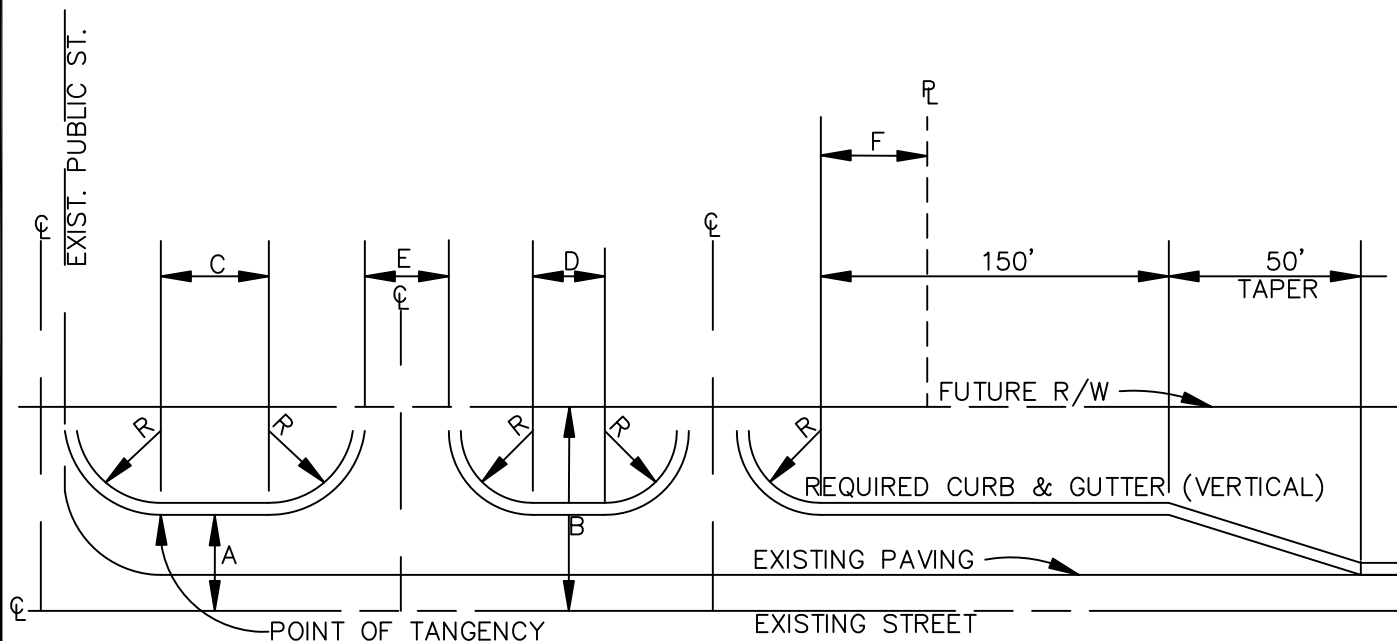
**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

ENTRANCE
(COM./IND./MF DEVELOPMENT)
(MAJOR COLLECTOR OR ARTERIAL)
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
3.8.23



EXISTING STREET CLASSIFICATION	RADII "R"	"A"	"B"	"C"	"D"	1-LANE "E"	2-LANE "E"	"F"
ARTERIAL	25'	24'+	50'+	50'	40'	14'-18'	24'-30'	20'+
MAJOR COLLECTOR	20'	24'	40'+	50'	40'	↓	↓	20'
MINOR COLLECTOR	15'	24'	30'+	50'	40'	↓	↓	20'
LOCAL	10'	20'	25'	40'	20'	↓	↓	15'

NOTE:

1. CURB AND GUTTER REQUIRED ON 50' TAPERS IF EXISTING STREET HAS CURB AND GUTTER

COMMERCIAL/INDUSTRIAL DRIVEWAY DETAIL

**CITY OF
VILLA RICA**
DEPARTMENT OF
PUBLIC WORKS

**COMMERCIAL/
INDUSTRIAL
DRIVEWAY DETAIL**
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

3.8.24

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400. SEWER REGULATIONS**401. General Information****401.1 Use of This Document:**

- A. This document is subject to periodic revision to meet changing requirements for materials, environmental regulations, etc. At the beginning of a project the user should verify that he has the latest edition.
- B. This document is intended to convey the general design and construction requirements for a typical project. It also lists specific City of Villa Rica requirements relating to plan review, inspection, testing and acceptance of facilities. It is not intended as a substitute for site-specific engineering and construction techniques.

401.2 Connection to Existing Sewers:

- A. Except as provided below, all future buildings within the city's corporate limits which are to be utilized for occupancy or any other use such as commercial or industrial purposes which requires sanitary sewerage facilities shall be connected to the public sewer system. The cost of constructing the necessary facilities for connection to public sewers shall be at the expense of the developer.
- B. Waiver of the requirement to connect to public sewers will be considered on a case-by-case basis for non-subdivided, single-lot buildings when the nearest connection point to a public sewer is more than 200 feet from the property line, when such buildings are to be used for single-family dwelling or some other use where the wastewater loading is no more than that of a single-family dwelling.
- C. The City maintains the option of requiring developers of individual lots to construct main line extensions of up to 500 feet to avoid cutting pavement on existing streets for connection to the public sewer.
- D. Determine that the water pollution control plant (WPCP) to which the proposed sewer extension will be tributary is capable of accepting the project wastewater for treatment.
- E. Determine that the sub-main, principal sewer, and interceptor to which the proposed sewers are tributary are capable of transporting the project's wastewater to the WPCP for treatment. Pump and haul, pump and storage, and offline storage tanks will not be permitted.

401.3 Definition of Sewer Line Terminology:

- A. “Building Sewers” or “Service Laterals” are defined as those pipes used to convey wastewater from the building or portions of a building to a main sewer. The minimum diameter for a service lateral is 4 inches. These sewers are privately funded and owned.
- B. “Main Sewers” are in streets or dedicated easements. They are gravity piping systems used to collect sewage from one or more service laterals to other main sewers. Main sewers are a minimum of eight (8) inches in diameter and may extend beyond the property boundaries of a development. Funding of main sewers is by the developer.
- C. “Force Main Sewers” are pressure piping systems which convey sewage from a pump station to a main sewer. These sewers are constructed of ductile iron pipe and have a minimum diameter of four (4) inches. Funding of force mains is by the developer.

401.4 When Public Sewers Are Not Available:

- A. If sewers are not available within 200 feet of the property line the options available are:
 - 1. Do not develop.
 - 2. Install septic tanks or other on-site treatment system.
 - 3. Extend city sewers to the area.

402. Plans, Specifications and Submittals

402.1 General: All projects which involve construction of Main Sewers and/or Force Mains and Pumping Facilities shall have detailed construction plans and specifications prepared by a Registered Professional Engineer or Licensed Surveyor licensed in the State of Georgia. Developments which only involve building sewers may have plans and specifications prepared by the project Architect.

402.2 Preliminary Review: Preliminary plans will be prepared and submitted for review as described elsewhere in the development regulations. Questions relating to availability of sewers and proposed location of connection should be resolved at this stage before proceeding with final planning. A submittal for preliminary review must include all land to be developed although the land is to be developed in several phases or units. Availability determinations will be made only for the phases of the project proposed for current construction. Availability determinations will be valid for a period of one year from the date of project approval. The Developer must submit any data required for accurately projecting sewer flow quantities and rates. The Developer is also responsible for furnishing any other information deemed necessary for evaluating service feasibility.

402.3 **Sewer Construction Plans:** All plans for public sewer facilities shall be prepared in accordance with the requirements outlined herein and as required in regulations promulgated by the Georgia Environmental Protection Division. The developer shall be responsible for submitting plans and other data to the Georgia EPD for required approvals. Projects involving sewers greater than 36 inches in diameter or pump stations with capacity of 700 gallons per minute and greater must be submitted to EPD for required approvals. The following requirements will apply to preparation of sewer construction plans:

- A. The site plan shall show land lots, district and north arrow, lot layout, and existing and proposed building locations. The site plan shall also show all existing and proposed streets and their names, all streams, water courses, existing and proposed storm drains, and the discharge points for all drainage structures. The site plan shall accurately show the topography with contour lines at two-foot intervals. Elevations shall be referenced to Mean Sea Level and plans shall note the location of the specific USGS Vertical Elevation Marker used for deriving site elevations. The site plan shall show the sewer layout with existing and proposed lines, manhole numbers, line designation and direction of flow, and proposed sewer easements and other utility easements. It shall also show the location of proposed services.
- B. The design of cross-country sewer lines and force mains shall be based on field-run surveys. The site plan for cross-country sewer lines and force mains need not show contour intervals on the plan view, but the profile views shall accurately depict ground level elevations and elevations of all relevant structures. Site plans for lift stations shall show existing and proposed contours. In the event the subdivision is developed in phases, the final construction plans for sewers may be submitted in phases or units. However, at the time the first phase is submitted, the engineer will submit one copy of the preliminary layout of the entire sewer system. This layout will show all lines required to serve any lots to be developed and any surrounding property that may be served through the property. The site plans for each phase or unit shall contain a location drawing showing the relationship of the phase or unit to the total project and to the surrounding streets and sewers.
- C. Profiles should have a horizontal scale of not more than 100 feet to the inch for cross-country lines and 50 feet to the inch for congested areas, and a vertical scale of not more than 10 feet to the inch. The plan view should be drawn to a corresponding horizontal scale. The plan view should normally be shown on the same sheet as the profile. In any case both the plan and profile view should have line designations, station numbers, manhole numbers and any other indexing necessary to easily correlate the plan and profile view.

Plans and profiles shall show:

1. Location of streets, sewers, and utility easements.
2. Profile of ground surface, the grade of the sewer between each two adjacent manholes, size and material of pipe, length between manholes, invert of sewer in and out of each manhole, and ground surface elevation at each manhole. All manholes shall be numbered on the plan and correspondingly numbered on the profile and station numbers will be shown for each manhole. The profile of adjacent parallel stream beds and of adjacent lake surfaces, low buildings, and lots shall be shown on the profile.
3. Locations of all special features such as connection to existing sewers, concrete encasements, collar walls, ductile iron pipe sections, elevated sewers, piers, special manhole covers such as vented outfall covers or sealed covers, etc.
4. All known existing structures both above and below ground which might interfere with the proposed construction, particularly water mains, gas mains, storm drains, utility conduits, etc.
5. The vertical datum used shall be the elevation above mean sea level with benchmarks shown on the plans.

402.4 Erosion and Sedimentation Control Plan:

- A. The Georgia Soil and Water Conservation Commission has taken provisions of ACT 599 and published a **MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA**, 1992 Edition (or any more current edition as they are published). Sewer construction plans and specifications shall include appropriate segments of this manual. Developers, Engineers and Contractors performing work in the City of Villa Rica are responsible for acquiring a copy of this manual and using the best practical methods contained therein to control the erosion and sedimentation of the construction site in conformance with the intent of ACT 599.

Copies may be purchased from the Georgia Soil And Water Conservation Commission, P.O. Box 8024, Athens, Georgia 30603. For additional information, call the Commission at 706-542-3065.

- B. Plan: An erosion and sediment control plan, meeting the requirements of applicable state regulations, shall be provided as part of the overall construction drawings.

402.5 Detail Drawings:

A. Sewer Details: Special detail drawings made to a scale to clearly show the nature of the design shall be furnished to show the following particulars:

1. All stream crossings and storm drain outlets with elevations of the stream bed and of normal and extreme high and low water levels.
2. Details of special sewer joints and cross sections.
3. Details of special sewer appurtenances such as manholes, service connections, elevated sewers, piers, pipe bedding, special highway crossings, railroad crossings, etc.

B. Erosion Control Details: Erosion Control Details and Symbols may be taken directly from the **Manual For Erosion and Sediment Control In Georgia**, current edition, referenced above.

402.6 As-Built Drawings: At the completion of construction (and preferably prior to the final field inspection), "As-Built" drawings of the project shall be submitted to the city to serve as a permanent record of the project and shall be furnished in the form of one set of mylar sepias (or other suitable form of reproducible drawings) and two sets of blue line copies. Acceptance by the city will be made only after satisfactory as-built drawings have been submitted. As-built drawings will be in the same format as the original construction plans and normally will be an updated version of the construction plans. As-built drawings shall be prepared by the project design professional. Each sheet of these drawings shall bear words "As-Built" or "Record Drawings".

Guidelines for preparation of As-Built:

1. As-Built drawings will be same format as the original construction plans.
2. Contour lines are required.
3. Road names and lot numbers should be on plan.
4. "As-Built" or "Record Drawing" is to be stamped in large clear print on plans.
5. Sheet should be no larger than 24" X 36".
6. Lateral locations must show distance from the downstream manhole. Ends of lateral lines must show distance from downstream manhole and offset distance from the main line. Approximate depth of end of lateral must be indicated.
7. Show elevations of manhole inverts and tops.
8. Show field-measured distance between manholes.
9. For any lines which are outside paved streets, show the field-measured azimuth or bearing of the line from manhole to manhole.
10. Show actual slope of pipe.

11. When a phase of a subdivision is completed, a location sketch of entire subdivision with said phase outlined shall appear on plans.
12. Maximum error of as-built measurements shall be:
 - a. Manhole inverts: measure to 0.10' with maximum vertical error of 0.15' per 1,000 feet of horizontal traverse.
 - b. Manhole tops: measure to 0.10' with maximum vertical error of 0.50' per 1,000 feet of horizontal traverse.
 - c. Horizontal Locations: Measure to nearest 1.0' with allowable error of 1.0' per 1,000' of traverse.

402.7 Easement Acquisition and Utility Encroachment Permits:

- A. It shall be the responsibility of the developer to obtain any off-site easements required to connect the project to existing public sewers. Easements will be conveyed to the City of Villa Rica for all facilities which are to be conveyed to the city. This process must be started early enough to allow construction of the sewer before any building construction is to begin. No building permits or sewer tap applications can be issued until off-site sewers have been constructed and accepted. This condition shall override any provision for speed up of house starts such as furnishing a bond to guarantee completion of the streets and other appurtenances.
- B. All easements shall allow adequate room to construct the sewer and appurtenances. Permanent easements shall be a minimum of 20 feet wide, 10 feet on each side of the line; except that when the depth of the sewer exceeds 10 feet the required sewer easement width shall increase such that the easement width is at least twice the depth from the ground surface to bottom of the pipe. Designs

involving utilities sharing a common easement will be coordinated with the utilities to insure adequate separation of utilities and overall easement width is achieved.
- C. Easement drawings for work outside the development shall be furnished and recorded prior to approval of the sewer plans. The drawings shall be of a size suitable for legal recording and shall be prepared by a Registered Land Surveyor. The drawing will show property lines, the name of property owners with the length of line encroaching on each property owner, size of line, line designation, manhole numbers and stations, width of permanent and construction easement, scale of drawing, north arrow, land lot and district numbers, and a tie to the nearest land lot corner. Any streets or other existing easements shall also be shown.

The title block shall be shown as follows:

City of Villa Rica
NAME OF OUTFALL OR SUBDIVISION
EASEMENT FOR PROPOSED
SANITARY SEWER
CROSSING PROPERTY OF
John Doe

LL: District: Section: Date: Revised Date:

- D. The engineer shall furnish appropriate drawings for any submittal to agencies such as any state or federal highways, railroads, power lines, water lines, gas lines, petroleum lines, or any other utility lines on which the sewer construction will encroach. The drawing shall normally be 8-1/2" X 11" or 8-1/2" X 14" and shall show a plan view and profile view. The drawing will show the same information required for easement drawings. Also, the drawing will show the right-of-way of the existing street or utility, the owner's designation of the line, the name or number of the nearest intersection or mile-post or tower number and the distance to that appurtenance. The clearance distance between the street surface, or the bottom of the rail, or the utility and the sewer will be shown. The drawing will show the type of material to be used for the sewer and the method of construction to be used. The drawing will also contain any other special information required by the controlling authority of the facility on which the sewer is encroaching. A minimum of five copies of the utility encroachment drawing will be furnished with the plans when they are submitted for approval. The engineer is also responsible for furnishing a completed encroachment permit application ready for signature by Department Superintendent. Construction permits will not be issued until the utility encroachment permit has been obtained and until any special conditions such as insurance requirements have been complied with.

403. **Design Criteria And Materials For Sewers**

- 403.1 **General:** The criteria listed herein is not intended to cover all aspects of design, but rather to mention the basic guidelines and those particulars that are required by the City of Villa Rica Water & Sewer Department. For more detailed criteria, the reader should refer to standard references such as "Ten States Standards", Georgia EPD rules, Water Pollution Environment Federation Manual of Practice NO. FD-5, and other available literature.
- 403.2 **Types of Sewers:** All sewers for the conveyance of wastewater shall be designed as separate sanitary sewers in which groundwater, stormwater or other runoff from roofs, streets, parking lots, foundation drains and any source other than wastewater are excluded. Overflows from sewers shall not be permitted.
- 403.3 **Design Period:** Gravity sewer pipelines should, as a minimum, be designed with capacity sufficient to handle the estimated tributary population. Tributary population

is considered to be all areas upstream of the discharge point of the system being designed as well as any anticipated pumped flow from other basins. Sewers will be designed and installed to the uppermost property line of the development being served. Consideration should be given to the maximum anticipated capacity of institutions, industrial parks, etc.

403.4 Capacity and Size Determinations: In determining the required capacities of sanitary sewers, the following factors should be considered:

1. Maximum hourly sewage flow.
2. Additional maximum sewage or waste flow from industrial plants.
3. Ground water infiltration.
4. Topography of the area.
5. Depth of excavation.

New sewer systems shall be designed on the basis of an average daily flow of sewage of not less than 400 gallons per household per day. Normally, all sewers shall be designed for a peak flow of ***not less than*** 2-1/2 times the average flow; this peak factor will be higher for smaller basins (see design guides). Sewers should be designed to carry the peak flow when flowing at a depth of 2/3 pipe diameter. The city land use plan should be consulted, and special consideration given to commercial and industrial areas. Where developers are installing major trunk lines or interceptor sewers, the city's long-range plan should be consulted as a guide and the sewer should as a minimum be of the size called for in the long-range plan. If proposed land use conditions have changed subsequent to the plan, these changes should be factored into the determination.

403.5 Special City Requirements:

- A. Distance Between Manholes: Maximum distance between manholes shall be 400 feet.
- B. Depth: Any sewers installed in the street shall, topography permitting, be sufficiently deep to provide 5 feet of cover over service laterals at the street right-of-way, and over any part of the main or service within the street right-of-way. The maximum depth for PVC pipe shall be 15 feet, depths in excess of this shall be ductile iron. Sewers installed in streets shall have maximum depth of 12 feet. Any sewers on off street easements shall have a minimum of four feet of cover unless ductile iron pipe is used. Filling over the pipe to obtain minimum cover is not allowed.
- C. Drop Across Manholes: All manholes shall be provided with, a minimum vertical drop across the manhole (between in and out pipes) of 0.10 feet.
- D. Detection tape shall be installed over all sewer pipe. Bury tape 18 to 24 inches below grade. Use detection wire on all service laterals.

- 403.6 **Slope:** All sewers shall be so designed and constructed to give mean velocities, when flowing full, of not less than 2.0 feet per second based on Manning's formula using an "n" value of 0.013. The following are the minimum slopes which should be provided; however, slopes greater than these are desirable:

Minimum Slope in Feet	
<u>Sewer Size</u>	<u>Per 100 Feet</u>
8"	0.40
10"	0.29
12"	0.22
14"	0.17
15"	0.15
16"	0.14
18"	0.12
21"	0.10
24"	0.08

These minimum slopes will be used only when sufficient flows are expected to maintain a velocity of 2.0 feet per second and maintain a cleaning action in the line. Sewers shall be laid with uniform slope between manholes. Sewers on 20 percent slope or greater shall be ductile iron pipe and shall be anchored securely with concrete anchors (See Standard Details) to prevent displacement by erosion or shock. Maximum slope of sewers shall be 30 percent and sewers shall be designed at less than 20 percent whenever possible.

- 403.7 **Increasing Size:** When a small sewer is connected to a large one, the connection shall not be lower than matching the top of both sewers to the same elevation.

- 403.8 **Gravity Sewer Pipe Materials:** The city reserves the right to disallow any Manufacturer that does not have a consistent, long-term record of quality control and successful product performance. Gravity sanitary sewer pipe up through 15-inch diameter will normally be Polyvinyl Chloride (PVC), solid wall type SDR 35 thickness meeting ASTM D3034. Ductile Iron Pipe (DIP) will be used where certain conditions exist (see discussion of D.I.P.). For 18-inch diameter pipe and above, the Contractor may have the option of using either Polyvinyl Chloride (P.V.C.), Reinforced Concrete Pipe (R.C.P.), or Ductile Iron Pipe. The city may approve other types of pipe on a case by case basis and may limit the options of type of pipe depending on site conditions. This should be addressed at the preliminary review stage.

Bedding for sewer pipe shall be as follows (also see city standard details):

For PVC the minimum bedding shall be #57 or #89 crushed stone a minimum of 6 inches below bottom of pipe extending up to 6 inches above top of pipe for the full width of the trench.

For Concrete and Ductile Iron pipe the minimum bedding shall be #57 or #89 crushed

stone a minimum of 6 inches below bottom of pipe extending up to the top of pipe. In wet areas, the minimum bedding requirements will be increased as required to ensure a stable support under the pipe and on the sides of the pipe.

A. Ductile Iron Pipe (DIP):

1. Scope: Ductile iron sewer pipe shall be required at all utility crossings with less than 2 feet of clearance, in locations where cover is less than 4 feet, at stream crossings, where slopes exceed 20 percent, and where cover exceeds 15 feet. Ductile Iron Pipe shall be designed in accordance with ANSI Specification A21.50 - 81. The thickness and class of the pipe shall be governed by ANSI Specification A21.50-81, but shall be no less than class 50 thickness. Pipe shall be manufactured in accordance with ANSI Specification A21.51 - 81 latest revision. Pipe shall be coal tar epoxy lined and seal coated with approved bituminous seal coat in accordance with AWWA C151, latest revision. Coal tar epoxy lining shall adhere to the following specifications.
2. Joints: DIP joints shall be of the bell and spigot type with push-on joints, conforming to ANSI Specification A21.11 or mechanical joints.

B. Polyvinyl Chloride (PVC) Sewer Pipe:

1. Scope: The Contractor shall provide unplasticized polyvinyl chloride (PVC) plastic gravity sewer pipe meeting the requirements of ASTM D3034 (Latest Revision) in the sizes shown unless otherwise indicated on the contract documents.
2. Materials: Pipe and fittings shall meet the requirements as specified under ASTM D3034 (Latest Revision) for pipe through 15" and ASTM F679 for pipe 18" through 27". All pipe and fittings shall be suitable for use as a gravity sewer conduit. Bell joints shall consist of an integral wall section with elastomeric gasket joint which provides a watertight seal. The pipe shall be capable of passing all tests which are detailed in this specification. Minimum wall thickness shall be SDR 35.
3. Fittings: All fittings and accessories shall be manufactured and furnished by the pipe supplier. They shall have bell and/or spigot configurations compatible with that of the pipe and shall have an equivalent wall thickness.
4. Pipe and Fittings Tests: Before shipping any pipe, the Manufacturer shall submit shop drawings to the City and shall furnish written certification that all pipe through 15" meets ASTM Specification D3034 and that pipe

18" through 24" meets ASTM F679. The City reserves the right to require additional laboratory testing at the Developer's expense to verify minimum quality standards are being met.

5. Pipe Stiffness: Minimum "pipe stiffness" (F/Y) at 5 percent deflection shall be 46 psi for all sizes, when tested in accordance with ASTM Standard Method of Test D2412 (Latest Edition), to determine the "External Loading Properties of Plastic Pipe by Parallel-Plate Loading". There shall be no evidence of splitting, cracking, or breaking at a deflection of up to 30 percent of the original diameter.
6. Fusion Quality: There shall be no evidence of flaking, swelling, or disintegration when the pipe material is tested in accordance with ASTM D2152, "Quality of Extruded Poly (Vinyl Chloride) pipe by Acetone Immersion".
7. Joint Tightness: Pipe and fitting joints shall comply with ASTM D3212 (Latest Edition) for "Joints for drain and Sewer Plastic Pipes Using Flexible Elastomeric Seals". Joint assemblies shall not leak when subjected to both an internal and external hydrostatic test at equivalent pressures of 10.8 psi gauge for a period of one hour. Pipes shall be tested in straight alignment, axially deflected position, and by shear load test as otherwise defined in Paragraphs 7.2, 7.3, and 7.4 of ASTM D3212.
8. Installation: PVC pipe will be installed in accordance with ASTM D2321 (Latest Revision). Initial backfill shall be compacted to the densities outlined in D2321. The City may require random compaction tests at the Developer's expense to insure compliance with D2321.
9. Deflection Limit: Vertical deflection of installed pipe shall not exceed 5 percent of the un-deflected diameter as defined in ASTM D3034. Upon completion of the pipe laying the pipe will be tested for conditional acceptance. The test shall be performed by the Contractor pulling a mandrel of specified dimensions through the pipeline.

C. Reinforced Concrete Pipe (R.C.P.):

1. General: The use of reinforced concrete pipe for sewers will be subject to approval on a case-by-case basis depending upon size of the sewer and site conditions. When approved for use, concrete gravity sewer pipe shall meet all materials and testing requirements of ASTM C-76, ASTM C-443, and ASTM C-497 (except where modified herein).
2. Quality Assurance: The Contractor must submit to the Owner and Engineer the concrete pipe manufacturer's evidence of a working Quality Control Program for approval, prior to any pipe being manufactured. The

program and standards of manufacturing must be established and well defined. The program must include the minimum following requirements:

- a. A full time Quality Control Technician.
 - b. A complete and working Quality Control Laboratory capable of testing and recording the requirements set forth in these Specifications for concrete pipe.
 - c. A zero-defect program for daily material testing and finished product testing to assure quality control as the pipe is being manufactured and shipped for this particular project.
3. Guarantee: The Contractor shall provide a guarantee against defective materials and workmanship in accordance with the requirements of the section entitled "Guarantees and Warranties" of these specifications.
4. Material:
- a. All concrete pipe and fittings 12 inches in diameter and larger shall be reinforced concrete sewer pipe conforming to the latest requirements of ASTM C-76 with the following modifications: All concrete pipe with 0-20 feet of fill shall be a minimum of Class III with 4500 psi concrete. All pipe with 20-30 feet of fill shall be Class IV with 4500 psi concrete. All pipe with 30 feet of fill and over shall be Class V with 5500 psi concrete.
 - b. Pipe shall have circumferential reinforcement as required for the particular class of pipe furnished. The bell and spigot of the joint shall contain circumferential and longitudinal reinforcement. Reinforced concrete pipe shall be centrifugally cast or vibrated, horizontally or vertically cast or made on a Packer head machine and shall be furnished in lengths not more than 20 feet and not less than 8 feet, except where short lengths are required for construction conditions. Reinforced concrete pipe shall have bell and spigot joints suitable for the use of a rubber gasket to be provided as a part of this item.
 - c. Concrete pipe for sanitary sewers shall have bell and spigot joints consisting of self-centering steel joint rings securely attached to the pipe reinforcing steel. The steel joint rings shall be suitable for use with a rubber O-ring type gasket to be provided as part of this item.
 - d. Bell and spigot joints consisting of self-centering steel joint rings shall have the joint rings securely attached to the pipe reinforcing steel. The rings which form the joint shall be made so that they will join with a close, sliding fit. The joint surfaces shall be such that the rubber gasket shall be confined on all sides and shall not support the weight of the pipe. The spigot ring shall have an external groove accurately sized to receive the gasket. Special

section steel for spigot rings shall conform to ASTM A-283, Grade A, or ASTM A-306, Grade 50. The bell ring shall be flared to permit gradual deformation of the gasket when the joint is assembled. Minimum thickness of bell rings shall be 3/16 inch. Bell rings ¼ inch or thicker shall conform to ASTM A-283, Grade A, or ASTM A-306, Grade 50. Bells less than ¼ inch thick shall conform to ASTM A-570, Grade A. Each ring shall be precisely sized by expansion beyond the elastic limit of the steel and then gauged on an accurate template. All exposed surfaces of both rings shall be protected by a corrosion-resistant coating of zinc applied by an approved metalizing process after proper cleaning.

5. Lining:

The coal tar epoxy system shall be Koppers 300 M, Porter Tarsol, Wise Chem CTE 200, Amercoat 78, Protecto 101 or equal.

The interior concrete or mortar surfaces of pipe and fittings are to be sandblasted and painted with one coat of a high-build, coal tar epoxy system or two coats of a standard coal tar epoxy system. The dry film thickness of the total system shall be 16 mils minimum on concrete or mortar surfaces and on steel joint ring surfaces.

Sandblasting shall result in a clean dry surface free of oil, grease, or other contaminants. Any air pockets over ¼ inch in diameter and 1/8-inch-deep appearing on the concrete surface after sandblasting will be filled with an epoxy sand patching material such as those sold by Sherwin-Williams, Glidden, or Moran. The epoxy sand patch should be troweled prior to the application of the coal tar epoxy.

Any steel surfaces to be painted should be sandblasted, solvent cleaned, or wire brushed prior to painting.

Application of the coal tar epoxy shall be by brush, roller, or spray system using equipment recommended by the manufacturer of the coal tar epoxy system. The temperature during application and curing of coal tar epoxy shall be as recommended by the manufacturer of the coal tar epoxy. Time between coats (if applicable) shall be as recommended by the manufacturer of the coal tar epoxy.

If the inside joint recess will be mortared and painted with coal tar epoxy in the field, the pipe supplier shall not paint the inside vertical surfaces at the ends of the pipe. When the inside joints are not mortared in the field, the pipe supplier shall paint the inside vertical concrete or mortar surfaces at each end of the pipe.

The paint shall be extended continuously over the front lip of the steel

spigot ring and a minimum of 2 inches onto the sealing surface of unrestrained bell rings so that all interior joint surfaces which can be exposed to the fluid inside the pipe are coated.

403.9 Precast Concrete Manholes:

- A. Manholes: Sewer manholes shall consist of precast reinforced concrete sections with eccentric top section, or flat slab for shallow manholes, and a base section conforming to the typical manhole details as shown on the Standard Detail Drawings. Flat top manholes will be approved only if a need for such can be demonstrated by the design engineer.
- B. Manhole Sections: Precast manhole sections shall be manufactured, tested, and marked in accordance with the latest provisions of ASTM Standard Specifications, Serial Designation C 478.
- C. Manhole Section Joints: Joints of the manhole sections shall be of the tongue-and-groove type with the inside tongue in the up position, sections shall be joined using a double strand seal of butyl mastic sealant (Kent Seal, Ram-Nech or equal). The inside and outside of all joints, lift holes and any bricks or precast adjusting rings shall be covered with non-shrink grout.
- D. Lift Holes: Each section of the precast manhole shall have not more than two holes for the purpose of handling and laying. These holes shall be sealed before backfilling using either rubber plugs specially designed for this purpose or with quick-setting cement mortar.
- E. Manhole Steps: Manhole steps conforming to the applicable provisions of ASTM Specification C 478, latest edition, shall be of #4 steel reinforcing bars covered with Polypropylene Plastic or rubber and shall be supplied with depth rings and other necessary appurtenances. See the Standard Details for a typical manhole step detail.
- F. Pipe Holes: Holes in precast bases to receive sewer pipe shall be precast at the factory at the required locations and heights. Knocking out of holes in the field will not be permitted on new construction; however, holes can be cored in the field with a coring machine. All manholes shall have Kor-N-Seal by Press Seal Gasket Corporation (or equal) rubber boots for all pipe entries/exits.
- G. Inverts: Manhole inverts shall be constructed of either concrete or brick in accordance with details on Standard Detail Drawings and the invert (flow channel) shall have the same cross-section as the sewers which it connects. The manhole bench and invert shall be carefully formed to the required size and grade by gradual and even changes in direction. Changes in direction of flow through the invert shall be made to a true curve with as large a radius as the size of the manhole will permit. Inverts shall have a "smooth trowel" finish. The manhole bench shall be sloped 30° from the manhole wall toward the invert.
- H. Manhole Foundation: The manhole base shall be set upon a 12-inch minimum thickness compacted mat of Size #57 crushed stone graded level. In wet areas

the crushed stone mat shall be thickened as needed to provide a non-yielding foundation.

- I. **Brick:** Brickwork required to complete the precast concrete manhole shall be constructed using 1-part Portland cement to 2 parts clean sand, meeting ASTM Specifications, Serial Designation C 144, thoroughly mixed to a workable plastic mixture. Brickwork shall be constructed in a neat and workmanlike manner. Nonshrink grout shall be used to grout interior and exterior exposed brick joints and faces. No more than 3 courses of brick with 9-inch maximum total depth of bricks may be used to adjust manhole covers.
- J. **Frame and Cover:** The cast iron frame for the manhole cover shall be set at the required elevation and thoroughly anchored to the masonry in a bed of mortar. Frames and covers shall be City of Villa Rica standard casting design by Vulcan Foundry, Standard Model V1327-1-CWD (see standard drawings). Where manholes are constructed in paved areas, the top surface of the frame and cover shall be tilted, if necessary, to conform to the exact slope, crown and grade of the existing adjacent pavement. In areas where manhole tops may be submerged by street runoff or high flood waters, the manhole lid shall be water-tight by Vulcan Foundry, water-tight Model V2327-1-CWD.
- K. **Masonry Work:** Masonry work shall be allowed to set for a period of not less than 24 hours before being placed under traffic or in operation. All loose or waste material shall be removed from the interior of the manhole.
- L. **Location:** Manholes shall be installed at the end of each line; all changes in grade, size, or alignment; at all intersections; and at distances normally not greater than 400 feet. Cleanouts may be used only for special conditions and shall not be substituted for manholes nor installed at the ends of laterals greater than 150 feet in length. Manholes in cross-country areas shall be elevated so that the top is 24 inches above ground.
- M. **Drop Manholes:** A drop pipe shall be provided for a sewer entering a manhole at an elevation of more than 3.0 foot above the manhole invert. The drop pipe shall be of PVC materials with ductile iron mechanical joint fittings. All outside 90° elbows shall have concrete support blocking poured below the elbow to rest on stable undisturbed earth. Outside Drop Manhole will be noted on the construction plans at any time the drop exceeds 3.0 foot. Where the difference in elevation between the incoming sewer and the manhole invert is less than 3.0 foot, the invert shall be sloped from invert to invert to prevent solids deposition. Areas around the pipe will be backfilled with #57 or #89 crushed stone.

- 403.10 **Casings:** Steel casing pipe shall be used where boring and jacking of more than 20 feet in length is required for installation.

Steel casing pipe shall be Standard Class thickness with a minimum yield strength of 35,000 psi and shall conform to the requirements of ASTM A139. It shall be fully coated on the exterior and interior with a coal tar coating. The casing pipe diameter shall be six to eight inches greater than the “bell” diameter of the carrier

pipe. Wherever steel casing is required, the carrier pipe shall be ductile iron pipe with push-on joints or PVC. Approved spacers made of stainless steel straps with nylon skids shall be used to center the carrier pipe; two spacers per section of pipe will be used.

403.11 **Wastewater Lift Stations:** The following *minimum* requirements apply to wastewater lift stations:

A. Lift Station Policy

It is the goal of the City of Villa Rica to provide for the conveyance of wastewater by natural gravity flow wherever and whenever possible. In order to facilitate the City's goal, the City has policies that allow the reimbursement of certain costs of off-site trunk sewer extensions and over sizing lines.

The installation of a lift station increases the cost of providing sewer service and transfers the burden of extending trunk sewers and/or repairing, improving, and replacing the lift station to the City and its sewer customers. Lift stations, if deemed necessary, must be carefully integrated into the City's overall plan for providing wastewater service to its customers.

B. Detailed Plans and Specifications

Design drawings and specifications for the lift station shall be reviewed by the City concurrently with the overall development plans. This submittal shall contain: 1) design and operational information, 2) detailed design drawings, and 3) technical specifications.

C. Lift Station Requirements

Lift stations must be designed by a Professional Engineer licensed in the State of Georgia and shall be designed and constructed in accordance with the City's standards in affect at the time. These standards, in conjunction with the standard details in the Appendix of Section 400 and the current Rules and Regulations, shall include, but not be limited to, the following:

a. Site Location and Layout

1. The lift station shall be located, whether inside or outside of the proposed development, to service ten-times the developed area. The maximum required service area shall be 2,000-acres or no more than 10,000 feet of gravity sewer outside the development, whichever is less. The service area can include area served by any existing public sewer system; however, any area served by an existing lift station that will not be eliminated according to the below requirements must be excluded from the service area for the

proposed lift station. Note that this requirement affects the location of the lift station only, not the sizing.

2. The lift station must be located at or beyond the nearest downstream confluence outside the development. The maximum required amount of gravity sewer outside the development to meet this requirement shall be 100 linear feet per developed acre or 10,000-feet, whichever is less. This requirement may be waived if the lift station located within the proposed development area will serve more than two-times the service area requirement.
3. The lift station cannot be located upstream of an existing lift station. If the proposed lift station is upstream of an existing lift station, the developer shall install a gravity sewer line from the proposed development to convey flows to the existing lift station and upgrade the existing lift station as necessary. The maximum amount of gravity sewer line required outside the development shall be 100 linear feet per developed acre or 10,000-feet, whichever is less.
4. The lift station cannot be located downstream of an existing lift station. If the proposed lift station is downstream of an existing lift station, the developer shall install a gravity sewer line to convey the flow from the existing lift station to the proposed lift station, thus eliminating the existing lift station. The maximum amount of gravity sewer line required outside the development shall be 100 linear feet per developed acre or 10,000-feet, whichever is less. Furthermore, the developer may request, and the City may approve depending on applicability and condition, the reuse of equipment from the existing lift station. If the reuse of equipment is allowed, the developer must coordinate with the City and assume complete responsibility for the handling of all flows during the transition period.
5. A waiver of any or all of the above requirements, Items 1-4, may be considered in the sole discretion of the City in any of the following cases:
 - a. The proposed lift station will eliminate two or more existing lift stations.
 - b. The proposed lift station will be eliminated by a future project or projects known to the City.
 - c. The total amount of gravity sewer required outside of the development (both upstream and downstream together) to satisfy all of the applicable requirements above, Items 1-4, is greater than 100 linear feet per developed acre or 10,000-feet. In this case, the City, on a case-by-case basis and at its discretion, will determine the best combination of

requirements to locate the proposed lift station. In no case will the developer be required to install more than one 100 linear feet per developed acre or 10,000-feet, whichever is less, outside the development.

- d. The City is compensated for the difference in cost to locate the lift station at a site that satisfies the applicable requirements above, Items 1-4, versus locating the lift station on the project site or another site proposed by the developer. The cost difference shall be determined by the City as provided in its Rules and Regulations.
6. If the proposed developed area covers more than one drainage area (e.g. parts of the development naturally drain to more than one location), the area shall be divided by its respective drainage pattern(s) and treated as separate developments where each lift station must meet these requirements separately.
7. No lift station will be permitted for a proposed development of less than forty (40) Equivalent Residential Units (E.R.U.) or a watershed having an estimated ultimate development of less than 80 E.R.U.
8. The lift station and incoming manholes shall be outside the 100-year flood zone wherever possible. If not reasonable and/or the City determines installation within the 100-year flood zone is acceptable, the lift station and incoming manholes shall be designed and constructed according to all applicable FEMA, NFIP, EPA, EPD, State, and local ordinances.
9. The deeded lot size shall be minimum 40-feet by 40-feet. The lift station shall be fenced minimum 30-feet by 30-feet with 6-inches of crushed stone extending 6-inches outside fence.
10. The lift station layout shall be such that a driveway will access the pump loading point. The lift station access drive shall be paved with either concrete or asphalt, as directed by the City. The pump station driveway slope shall not exceed 10%. Drives shall be minimum twelve-feet wide and in accordance with Georgia D.O.T. standards and Douglas County standards for industrial roads. The sub-base shall be compacted to 95% standard proctor per ASTM D698 standards. For driveways over fifty feet in length, a turnaround will be required and shall be twenty feet off the fence, 16-feet deep with a 15-foot radius to the driveway.
11. The pump station layout shall be configured so the station can be expanded to the ultimate size to pump the ultimate upstream flow. Initial and future land requirements including access for the pump station shall be obtained by the developer and donated to the City in fee simple.

12. A debris manhole is required inside the fence.
13. An odor control system, designed by a licensed, professional engineer, shall be provided on all lift stations. The odor control system shall meet the following minimum requirements:
 - a. Air shall be removed via applicable fan and induced through carbon media canister unit or other treatment device / method approved by the City.
 - b. Ductwork shall be plastic material and shall be UV rated or painted with UV rated paint.
 - c. Treatment unit (i.e. carbon canister) and fan shall be sized to treat air volume, at a minimum, as follows:
 1. Fan shall be sized to create negative pressure within wet well to prevent air escaping.
 2. Air volume treated shall be considered the volume displaced by the peak sewerage flows served by the lift station.
 3. Assume area for potential air seepage into and out of the wet well (i.e. around pump hatch openings, vents, cracks, etc.). Assume 1/8" thick.
 4. At a minimum, air velocity shall be assumed at 100 feet / minute.
 5. For Safety Factor, assume one (1) of the largest hatches remains open at all times.
14. Lift stations shall have a 6-foot-high security fence topped with standard 3-strand barbed wire on angled extension arms. Fences shall be installed using 9-gauge fabric with 1-1/2-inch top rails and bottom tension wires; 2-inch line posts and 3-inch corner posts set in concrete 10-feet apart; 16-foot gate with 9 gauge cross-tension wires installed on 4-inch gate posts.

A vegetative screen shall be installed outside of the security fence such that the lift station will not be visible from off the lift station property except for penetrations required for access. The base of the vegetative screen shall be mulched.
15. A potable water supply line and backflow preventer is required on all lift stations. The water supply line must be capable of delivering a minimum of 20 gpm through a yard hydrant located within the lift station fence.

16. The backflow preventer shall be installed above grade, piped with brass or hard copper, inside a freeze protection cover certified to ASSE Standard 1060 Classes I, II, III with drain flap to allow a minimum discharge of 60 gpm. Cover shall be anchored to suitably sized concrete pad as specified by the manufacturer.
17. The yard hydrant shall be Simmons 800 Series freeze-proof with $\frac{3}{4}$ " hose connection or approved equal. The base of the yard hydrant shall be installed in an adequately sized bed of #57 stone with a 2-foot by 2-foot splash pad at grade.

b. Wet Well Requirements

1. Design calculations, signed by a Professional Engineer, must be submitted to the City for review and shall contain the following computations:
 - a. Capacity at peak flow
 - b. System head – tabulated and plotted on pump performance curve
 - c. Cycle time – including starts per hour for peak flow and average flow conditions
 - d. Buoyancy calculations
 - e. Storage volume – volume available in the event of a power outage
2. Drainage basin flow shall be calculated for the natural drainage basin area flowing into the proposed lift station. Flow calculations shall be based upon acreage, usage per established zoning, anticipated densities and development type if there is evidence of potentially greater wastewater flow being generated in excess of established zoning.
3. The lift station shall be sized based upon the anticipated upstream flow that will be realized in a seven-year period of basin development. The amount of development in a basin is judgmental and shall be determined by the City based on land use and zoning maps or other appropriate information.
4. Generally, the following minimum average daily flow rates and peaking factors are used for calculating estimated usage in the basin:
 - a. Residential Areas: 400 gpd per equivalent residential unit, with a peaking factor of 4.

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- b. Commercial and Industrial Areas: 2,000 gpd per acre of developed land, with a peaking factor of 4.0.
 - c. These values may increase depending on the actual development in the basin, as determined by the City on a case-by-case basis.
- 5. The lift station influent line invert shall be set so that all upstream gravity flow into the lift station can be achieved. The influent pipe shall be sized at a minimum slope per "10 State standard" for basin flow with a peaking factor of 2.5 (or greater as specified by the City).
 - 6. The wet well shall be sized for peak flow conditions using a peaking factor of 4.0 (or greater as specified by the City). The allowable number of pump cycles per hour shall be determined by dividing the pump manufacturer recommended pump starts per hour by 1.3. The wet well shall have a plugged stub so that the gravity sewer system may be extended when future expansion allows, or an additional wet well can be installed and interconnected should future flows dictate additional wet well storage. The stub out shall be at least as large as the influent pipe, sized for the ultimate basin flow.
 - 7. All sewer lift stations shall have additional wet well storage for a total capacity of at least three hours at the design flow rate. Storage volume shall be calculated between the high-level alarm and the lowest point of overflow (including basement elevations regardless of backflow valves in service lines). Storage may consist of any combination of line capacity, manhole capacity, and wet well volume. No corrugated metal pipe may be utilized for storage.
 - 8. Wet wells shall be a minimum of 6-feet in diameter, or a minimum of 6-feet on each side, if not cylindrical. Wet wells shall be constructed of reinforced concrete; precast concrete may be used on wet wells for smaller pump stations.
 - 9. The interior of the wet well shall be protected against leakage and corrosion. If precast concrete is used, the joints shall be sealed to prevent infiltration and inflow. All exposed concrete and piping shall be epoxy coated. Epoxy coating shall conform to the specifications below. All guide rails, brackets, connectors, pump pull chains, etc. shall be stainless steel to resist corrosion. Standard Epoxy Coating shall be a 100% solids, solvent-less two-component epoxy resin-coating system with increased bond strength and broad range chemical resistance. Apply a maximum of 40 mils in two applications over a smooth horizontal, vertical or overhead surface. The coverage will vary from 30 to 60 mils depending on the application. In lieu of an epoxy coating, the wet well may be constructed of steel reinforced polymer concrete. Construction, installation, and testing shall be in accordance with the following standards, including but not limited to

ASTMD 6783, ASTM C 478, ASTM C 443, ASTM C 923, ASTM C 33, and ASTM C 497.

10. The top of the wet well shall contain a lockable aluminum hatch cast into the top. The pump manufacturer shall specify the size of the wet well hatch. The top of the wet well shall extend 6" above finished grade.
 11. Wet wells shall be provided with a positive ventilation capacity of 30 air changes per hour based on the wet well volume below grade and above the minimum wastewater level.
 12. Pumps must be submersible pumps as manufactured by FLYGT, unless otherwise specified by the City. FLYGT N-series pumps shall be used when available. FLYGT C-series pumps shall be used when the N-series is not available. Pumps shall be constant speed and self-sealing with stainless steel guide rail systems. All pump motors shall be three phase.
 13. Pumps and motors shall be sized to handle twice the design peak flow of the proposed development (but not less than the total of the proposed development plus any existing development tributary to the lift station) or the total upstream watershed, whichever is less. Pumps shall be sized when possible so that ultimate basin flow conditions can be achieved by increasing impeller size. In any case, a minimum of two pumps shall be located in the wet well, each sized such that if one pump fails, the remaining pump(s) can handle peak flow.
 14. Provide factory test, startup by a supplier authorized by the manufacturer, and on-site testing of the system.
 15. Provide spare parts as recommended by the manufacturer and required by the City.
 16. All lift station site lights shall be LED type lighting fixtures.
- c. Valve Vault and Force Main Requirements
1. The discharge piping from each pump shall be routed through the valve vault with check valves and shutoff valves on horizontal stretches of pipe. Check valves shall be placed upstream of shutoff valves. Connection of the discharge pipes should be accomplished outside and downstream of the valve vault.
 2. Valve vaults, including walls and floor and top slab, shall be constructed of reinforced concrete; precast concrete may be used on valve vaults for smaller

pump stations.

3. Either a round or square vault can be used to contain the check valves and shutoff valves. The vault shall be bedded on a minimum 12" of #57 stone. The top of the vault shall contain a minimum 30" by 30" aluminum lockable lid cast into the top, which shall extend 6" above finished grade.
4. The floor of the valve vault shall be sloped to a sump to collect water. A drain shall be provided in the sump, routed to the wet well with a backwater valve to prevent hazardous gases from entering the vault and flooding of the vault, respectively. The backwater valve shall be accessible for cleaning.
5. All force mains and fittings shall be ductile iron pipe per AWWA standard C151. Force main and fittings shall be installed per AWWA standards. All bends, tees and crosses shall be blocked or restrained. All fittings outside the wet well and valve vault shall be mechanical joints. All fittings inside the wet well and valve vault shall be flange-to-flange joints. Air release valve locations and sizes shall be as required by the City. Air release valves shall be installed in all high points and other areas as required by the City. All ductile iron force main pipes and fittings shall be lined with a ceramic epoxy lining such as Tnemec Series 431 Perma-Shield PL or approved equal. Alternative pipe materials may be allowed at the sole discretion of the City.
6. The force main shall be sized for a minimum of two feet per second flow with the pump station operating at minimum flow. Force main piping shall be at least 4-inches in diameter. Class of pipe shall be as required for working pressure plus surge pressure and as directed by the City. Sewer force mains shall have a minimum of 4 feet of cover.
7. A connection for a quick-connect bypass pump shall be provided in case of complete station failure. The bypass connection shall be located in the single force main, downstream of where the pump discharges tie together. Plug valves shall be provided immediately upstream of the bypass connection to isolate the station during bypass and on the bypass branch to isolate the bypass connection during normal station operation.
8. Surge valves shall be utilized when force main surges are in excess of 150 psi. Surge valves shall be mechanical and shall be field adjustable from 0 to 100% of the rated pressure capacity.
9. Weighted arm, cushion swing check valves shall be used on the pump discharge as directed by the City. Pump check valves shall have adjustable rapid closure in the event of power failure.
10. Shutoff valves shall be either ball valves or plug valves, as determined by the City. Air release valves shall be manufactured by Crispin, A.R.I., H-TEC, or

approved equal. Air release valves shall be stainless steel or plastic or have an epoxy coating both inside and outside.

11. Air release valves shall be installed in minimum 4-foot diameter manhole on 6-inches of #57 stone with an additional 6-inches of #57 stone inside manhole; bolt-down frame and cover cast into flat manhole top, flush with finished grade. Install a 2-inch wheel or ball valve between force main and air release valve.
12. All fittings, such as valves, nipples, unions, and tapping saddles, for air release valves shall be stainless steel.
13. An odor control unit shall be installed with the air release valve on all force mains 8-inches or larger. The unit shall connect directly to the air release valve and contain carbon or other suitable media for scrubbing of hydrogen sulfide gas. The unit shall be constructed of stainless steel or plastic, or have an epoxy coating both inside and outside.
14. Check valves shall be GA Industries or Val-Matic or approved equal.

d. Electrical Requirements

1. Electrical service to lift stations shall be three phase.
2. Dual electric feeds are preferred at wastewater lift stations. If dual feeds are available, they shall be provided from the utility grid. If dual feeds are unavailable, a letter of exception must be obtained from the City of Villa Rica.
3. The electrical service pole with meter shall be located outside the fence with underground feeder to electrical distribution.
4. The lift station shall have a fused disconnect.
5. The security light shall be directional style and wired to a switch or breaker inside the pump control panel. The light shall be a sodium vapor light with 150-watt high-pressure luminaire with 120-volt ballast, photoelectric control, and heat and impact resistant lens.
6. For pump stations with pumps in excess of 88 hp, motor starters, motor control centers, and miscellaneous electric controls shall be housed in a building. Building architecture shall be per the requirements of the City. Pump control panels for stations below 88 hp shall be in accordance with the Control Panel section below.

7. Pump controls shall be Multitrode with Square D components. Power for the pump controls, alarms, and telemetry shall be provided by a minimum of 5 KVA uninterruptible power supply. Electrical equipment and controls shall be furnished with surge arresters for protection against surges caused by lightning or switching. Reference the Control Panel section below for additional information.
 8. Pump power cables shall enter the wet well above the force main and behind the pump guide rails.
 9. Lift stations shall have telemetry installed to monitor power failure, high wet well pump failure and other sensing points as required by the City. Reference the Control Panel section below for additional information.
 10. All wet wells with a water depth of 15 feet or less shall have a 2-meter probe. All wet wells with a water depth greater than 15 feet shall have a 3-meter probe.
 11. The level control systems, telemetry and generator, and all associated equipment shall be of a brand, type, and configuration acceptable to the City and compatible with the City 's existing sewer lift stations.
 12. Provide spare parts as recommended by the manufacturer and required by the City.
 13. An arc flash analysis shall be performed on all electrical equipment greater than 50 volts in accordance with NFPA 70E, latest edition. Said equipment shall be labeled per the results of the analysis. A written report with the analysis results shall be provided to the City.
- e. General Control Panel Requirements
1. These control panel specifications shall be applicable for all lift stations up to and including 88 horsepower. Lift stations greater than 88 horsepower are considered a special circumstance by the City, and the requirements thereof shall be determined by the City on a case-by-case basis and addressed in the Project Concept Meeting.
 2. The pump station shall be operated by an on-site pump control panel / motor control center (MCC) which shall initiate and terminate pump operations based on the liquid levels within the wet well while providing the station with electrical protection and information and status displays. The control system shall operate the required number of pumps as specified on the drawing with power and performance characteristics as described in full, in the associated plans. The MCC shall provide for both manual and automatic control of the

pumps to maintain a pumped down condition in the wet well. The control shall function as described below.

3. The automatic mode shall have a primary controller, redundant high and low floats to run and shutdown the pump(s) in the event of primary controller failure, and a tertiary function provided to shut down all pumps at a low liquid level to protect the pumps from operating in a dry condition.
4. The primary controller shall sense the liquid wet well levels through a conductance actuated probe set at a pre-determined level to initiate the lead pump on, lag pump(s) on, hi-level alarm and all pumps off. The normal operation is caused by the rising and falling levels of the liquid in the wet well meeting the designated pre-determined points. The lead pump will start followed by the subsequent or lag pumps if the wet well level rises sufficiently with all pumps stopping when the wet well level falls to a low point ceasing the demand for pump operation. Upon the pumps being turned off, the controller will reset and alternate the lead pump, the former lead pump to become the new lag pump. This shall equalize the run times for all pumps.
5. If the station inflow continues to rise to the set point of the hi-level, an alarm will be activated and sound continuously. A high-level alarm light will simultaneously flash. The audible and visual alarms will continue until the wet well liquid level falls below the alarm point. Note that the audible alarm may be silenced manually, but the high-level alarm light shall continue to flash until the level falls sufficiently. If the wet well level continues to rise and reaches the Hi-Hi Level float, the redundant system shall assume control of the station and shall initiate a call for the lead pump to come on, followed by an additional call for the lag pump to come on after a specified brief time delay. Both pumps shall continue to operate until deactivated by either the primary controller reassuming control or the low-level float set at a comparable low point.
6. The control system shall be designed, approved, fabricated to either UL 508A or UL 698A standards as applicable with appropriate addenda and be assigned its individual UL certification serial number by a UL Certified panel builder for Industrial Control Panels for Hazardous Locations.
7. The equipment and component descriptions listed below are provided as a guide and does not relieve the supplier from providing a system that will operate as intended by the designer and required by the application. It is the supplier's responsibility to seek timely clarification on all relevant issues associated with this equipment and project.

i. CONTROL PANEL SPECIFICATIONS

- 1) PUMP CONTROL PANEL / MOTOR CONTROL CENTER (MCC) ENCLOSURE: The enclosure shall be a 14-gauge, NEMA 4X rated enclosure manufactured from 304 stainless steel. The enclosure shall be a wall-mounted type with a minimum depth of 12" and sized to adequately house all components with appropriate spacing and 10% spare interior back plate space for future upgrades. The door gasket shall be of rubber composition with a retainer to assure a positive weatherproof seal. The door shall open a minimum of 180 degrees. An engraved phenolic label shall be affixed to the front of the panel describing the panel's function.
- 2) INNER DEAD FRONT DOOR: A brushed aluminum dead front door shall be mounted on a continuous aircraft type hinge within the enclosure to separate operator accessible control and status functions from the live internal components and wiring within the interior compartment. It shall contain cutouts for mounted operational and status components/devices such as control switches, indicator pilot lights, elapsed time meters, a Ground Fault Circuit Interrupting Receptacle (GFCI) as well as any other devices requiring operator access as necessary. Further cutouts for breaker handles shall allow operation of breakers without entering the interior compartment. The dead front door shall open a minimum of 150 degrees to allow access to the interior compartment for maintenance by qualified personnel. A $\frac{3}{4}$ " break shall be formed around the perimeter of the dead front to provide structural rigidity.
- 3) INTERIOR BACK PLATE: The back plate shall be manufactured of 12-gauge steel and shall be finished with a primer coat and two (2) additional coats of baked-on white enamel. All hardware mounted to the back plate shall be attached with 304 stainless steel machine screws and threaded and tapped holes. Sheet metal screws are not acceptable. All devices shall be permanently labeled and identified with engraved phenolic labels adhered to the back plate at locations easily identifying the component.
- 4) CONTROL PANEL IDENTIFICATION: An engraved phenolic label shall be affixed to the front of the Inner

Dead Front Door and shall include the following information:

- I. Project Name
- II. Control Panel Serial Number
- III. Pump Manufacturer, Model, and Impeller Code and/or Trim
- IV. Pump Horsepower and Full Load Amps at Rated Voltage
- V. Incoming Power Voltage, Phase and Frequency
- VI. Pump Control Panel (MCC) Manufacturer

ii. CONTROL PANEL POWER DISTRIBUTION

- 1) The panel's service power distribution shall include all necessary components and be completely wired with stranded, tin-plated, machined-tooled copper conductors rated at 90 degrees C. All conductor terminations shall be easily accessible and as recommended by the device manufacturer. All control conductors shall be identified with wire markers at each end, as close as practical to the end of the conductor.
- 2) CIRCUIT BREAKERS: All circuit breakers shall be Square D Type FAL, KAL, LAL, or MAL, depending on applicable current requirements, heavy-duty thermal magnetic molded case circuit breakers or motor circuit protectors and shall be permanent trip, UL Listed, CSA Certified, IEC Rated and shall meet the requirements of Federal Specification Number W-C-375B/GEN. Each motor breaker shall be adequately sized to meet the pump motor operating characteristics and shall have a minimum of 14,000 amps interrupting capacity at 480 VAC. Heavy-duty circuit breakers shall be used to protect the control circuit.
- 3) TRANSFORMERS: Control transformers (5 KVA minimum) shall be UL Listed and shall be used to produce the 120 VAC and/or 24 VAC for control pilot circuits. The transformers shall be fused on both the primary and secondary circuits. The secondary circuits shall be grounded. Transformers shall be sized to

provide for internal control pilot circuit use and to provide for a convenience utility outlet (20 Amp single-pole), a SCADA (RTU) circuit (15 Amp single-pole), area lighting (15 Amp single-pole) and a spare 20 Amp single-pole circuit breaker. On installations with a permanent stand-by generator there shall be a 20 Amp single-pole circuit breaker for a block heater (within the generator) and a 20 Amp single-pole circuit breaker for a battery charger (within the generator).

- 4) **MOTOR STARTERS (ACROSS-THE-LINE) REQUIRED FOR LESS THAN 30 HP PUMPS:** Motor starters shall be UL Listed open frame, across-the-line, NEMA rated with individual overload protection in each leg. If one leg opens, all legs must open. Motor starter contacts and coil shall be replaceable from the front of the starter without removal from its mounted position. Overload heaters shall be block type, utilizing melting alloy spindles and shall have visual trip indication. Overloads shall be sized for the full load amperage draw of the pumps. Adjustable type overloads, definite purpose contactors, fractional size starters and horsepower rated contactors or relays shall not be acceptable.
- 5) **MOTOR STARTERS (SOLID-STATE REDUCED VOLTAGE) REQUIRED FOR 30 HP PUMPS AND ABOVE:**
 - I. Motor starters shall be UL Listed solid-state reduced voltage (SSRV) starters. The SSRV shall include a digital keypad for adjusting the soft starter parameters, viewing process values and motor and soft starter status.
 - II. The motor shall be automatically protected from solid-state component failure by an isolation contactor that opens when the motor is stopped or when the controller detects a fault condition, including a shorted silicon control rectifier (SCR). The SSRV shall utilize an SCR bridge consisting of at least two
(2) SCR's per phase to control the starting and stopping of the pump motors.
 - III. The soft start shall provide torque control for linear

acceleration independent of motor load or application type without external feedback. The gating of the SCR's shall be controlled in such a manner as to ensure stable and linear acceleration ramp. The soft starter shall be controlled by a microprocessor that continuously monitors the current and controls the phasing of the SCR's. Analog control algorithms shall not be allowed.

- IV. The SSRV shall automatically and continuously adapt for operation at 60 Hertz with a frequency tolerance of +/- 5%. By configuration, it shall be capable of operation at a varying supply line frequency of +/- 20% during steady state operation. Further, the soft start shall be capable of supplying 400% of rated full load current for 23 seconds at maximum ambient temperature and of 10 evenly spaced starts per hour at 400% of full rated current for 12 seconds per start.
- V. The SCR's shall have a minimum Peak Instantaneous Voltage (PIV) rating of 1800 VAC. Lower rated SCR's with Metal Oxide Varistor (MOV) protection are not acceptable. All programming / configuration devices, display units and field control wiring terminals shall be accessible on the front of the control module. Exposure to control circuit boards or electrical power devices during routine adjustments is prohibited.

iii. CONTROL PANEL SYSTEM OPERATIONS

- 1) Each pump shall have a three-position Hand/Off/Automatic (HOA) switch mounted on the dead front door for the selection of the operational mode of each pump. The "Hand" position will be an operator selected means of manually turning the pump on, the "Off" position will be an operator selected means of manually turning the pump off and making the pump unavailable for automatic running and the "Automatic" position shall place the pump in the automatic control of the Multi-Smart pump controller. The switches shall be NEMA 4X rated with 10 Amp contacts and be labeled by a position indicating legend plate.

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- 2) In summary, in the Hand position the operator may run the pumps in the manual mode, by-passing all other automatic features of the controller except final dry pit shutdown for reduced amps draw indicating a lack of fluid at the impeller and/or shutdown on moisture/temperature alarm. The Off position will render the pump non-responsive to any call for operation until switched to either the manual hand or automatic modes. The automatic position will cause the pump(s) to operate or stop at the demands of either the probe, as further described below, or redundant floats. There shall be a low float to shut down all pumps when the wet well level falls below the predetermined elevation of the low float. There shall also be a high float to run all pumps, with a predetermined time delay between the starting of pumps, when the wet well level rises above the predetermined elevation of the high float. This high float shall also initiate the "Wet well Hi-Hi Level" alarm.
 - 3) A UL Listed Multi-Smart pump controller by MultiTrode shall be provided to operate the system based on conductance actuated by the wet well liquid level utilizing a single piece multi-sensored probe interfacing with intrinsically safe barriers for pump operation and level alarms. This controller shall be the primary controller for the pump station.
 - 4) The controller is a self-contained device and shall monitor and control the operation of all pumps and alarms. Status information for the pumps, pump fault status, mode of operation, next pump to start status and level alarms shall be clearly indicated on the front display.
 - 5) The controller shall allow all essential operating parameters to be adjusted via the front keypad or via a communication port as a connection link to other MultiTrode equipment or other "smart" monitoring and control equipment either on or off the station site. These parameters shall include setting levels, time delays, probe sensitivities, pump alternation, hand-off-automatic selection and fault resets. Level information is accepted from a MultiTrode probe or an analog device as either 4-20 mA or 0-10 V and the controller keypad can be disabled to prevent unauthorized keyboard entry.

iv. CONTROL PANEL ANCILLARY EQUIPMENT

- 1) ELAPSED TIME METER: Individual pump UL Listed 120 VAC non-resettable elapsed time meters (6 digit and tenths) shall be mounted on the dead front door to indicate and record the number of each pump's running hours.
- 2) SYSTEM STATUS INDICATORS: Indicator lights shall be mounted on the dead front door and include the following:
 - I. Green – Pump Run, individual lights to indicate pump has been called to run.
 - II. Red – Pump Fault, individual lights to indicate the pump has failed for whatever reason.
 - III. White – Power On indicates power is on to the MCC.
 - IV. Amber – Hi-Level or Hi-hi Level Alarm Light.
- 3) MOTOR THERMAL SENSORS AND SEAL LEAKAGE MONITORING: The Multi-Smart pump controller shall monitor the embedded motor thermal sensors and pump seal leakage sensors when available within the pump. The circuitry shall operate on the current sensing principle whereby any changes reflecting high motor temperature or fluid intrusion into the pump will either stop or prevent the pump from starting. An illuminated light on the controller shall indicate the failure mode and the status will be sent to the SCADA through connections to the external contacts provided for the SCADA. The status of the pumps shall be indicated by LED lights on the face of the controller, as status indicator lights on the dead front door and by signal to the dry contacts for the remote SCADA system.
- 4) VISUAL AND AUDIBLE ALARM SYSTEM: All alarm components shall be UL Listed. High wet well level conditions shall be sensed by either the primary probe sensors or the redundant Hi-hi Level float, which shall cause the alarm light and the alert horn to come on. The alarm light shall be a MCC externally top-mounted weatherproof, shatterproof, flashing red light fixture

with a 130 VAC incandescent 40 Watt bulb, which shall flash until the alarm condition ceases. The alarm horn shall emit a sound of not less than 90 db at 10 feet and shall have a manual silence switch, in order for the operator investigating the alarm condition to silence the alarm horn.

- 5) CONDENSATE HEATER: An internal UL Listed 100-watt 120 VAC condensate heater recognized for industrial control panels shall be provided to minimize condensation within the control panel. The heater shall be thermostatically controlled to maintain the temperature above the dew point.
- 6) VENTILATION FAN: Adequate ventilation fan(s) shall be provided for all MCC's. The fan shall be a UL Listed 120 VAC NEMA 4X stainless steel device, suitably sized to maintain temperatures below the maximum recommended by the transformer, VFD, and/or SSRV manufacturer.
- 7) OPERATOR'S TROUBLE LIGHT: An internal UL Listed fluorescent trouble light 120 VAC sized appropriately for the enclosure size shall be installed to illuminate the interior compartments of the enclosure and shall operate via a micro switch so that when the dead front door is opened, the interior compartment is illuminated automatically.
- 8) SCADA INFORMATION FOR REMOTE MONITORING: Separate dry contacts shall be factory wired to individual terminals to provide operational information and status data to the remote off- site SCADA system. The following contacts shall be provided as a minimum:
 - I. Pump Status (Individual Alarms for Each Pump)
 - (i) Pump Run
 - (ii) Pump Overload
 - (iii) Pump Seal Leakage Alarm
 - (iv) Pump Soft Start Starter Failure (if used)

- II. Power Status
 - (i) Phase Loss
 - (ii) Normal Power Failure
 - III. Generator Status
 - (i) Generator Run
 - (ii) Emergency Power (Transfer Switch Activation)
 - (iii) Generator Common Alarm (to be wired to all additional generator alarms)
 - IV. Alarm Status
 - (i) Wet well Hi-Level
 - (ii) Wet well Hi-Hi Level
 - (iii) Pump Station Disabled
- 9) LIGHTNING ARESTOR: The lightning arrestor shall be UL Listed and meet the requirements of NEC Article 280, ANSI/IEEE C62.41- 1991 as an appropriate 3 phase service device with a maximum 600 Volt phase to ground rating.
- 10) LIGHTNING TRANSIENT PROTECTION: Each complete suppression device shall be rated at 650 VAC phase-to-ground maximum and be UL listed as a secondary surge arrestor, bear CSA certification and meet both the standards of ANSI/IEEE C62-11- 1987 NEC Article 280 for suitability in indoor and outdoor applications and service entrance locations. It shall be selected for proper operation based on the full load capacity of the MCC and operate at a speed and of sufficient capacity to protect the MCC and associated equipment in case of lightning-transient/power surges.
- 11) PHASE MONITOR: A UL Listed, line voltage rated, adjustable, phase monitor shall be installed to sense high and low voltage, loss of power, phase reversal and loss of phase and shall indicate which fault has occurred. The self-indicating phase monitor shall provide troubleshooting analysis of the MCC service power via

red, green or flashing lights, with a legend printed on the front of the device. The control circuit shall de-energize upon sensing any of the faults and shall automatically restore service upon return to normal power. An auxiliary dry contact shall be provided for SCADA indication.

- 12) WET WELL LIQUID LEVEL SENSORS: For the purposes of standardization and appropriate interface with the Multi-Smart primary controllers and redundant devices, all conductivity probes or pressure transducers (MTPT) shall be as manufactured by MultiTrode, Inc. of Boca Raton, FL. All liquid level floats shall be as manufactured by ITT Flyght Corporation of Trumbull, CT. Cable lengths shall be as shown on the plan drawings and as confirmed by the written specifications with a minimum of 10-feet of additional cable for field connection and fit.
- 13) PORTABLE GENERATOR (BY OTHERS) REQUIREMENTS:
 - I. Main and emergency breakers shall be interlocked using a walking beam type interlock. While both breakers may be in the "off" position at the same time, the walking beam shall not allow both breakers to be in the "on" position simultaneously.
 - II. The MCC shall have a UL Listed emergency generator receptacle mounted to the right-side exterior of the MCC enclosure and shall, for standardization purposes, be as manufactured by Crouse Hinds, Model AR1042 (100 Amp, 480 VAC/230 VAC) or AR2042 (200 Amp, 480 VAC/230 VAC).
- 14) PERMANENT GENERATOR REQUIREMENTS: The Automatic Transfer Switch shall be located outside of the MCC enclosure for any pump station with a permanently installed, stand-by generator and shall be provided by the generator supplier. Generator status indicators shall be provided by the MCC manufacturer as previously described.

v. CONTROL PANEL MISCELLANEOUS REQUIREMENTS

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- 1) **DRAWINGS:** A final, "as built" schematic drawing encapsulated in clear self-adhesive laminating plastic shall be affixed to the inside of the front outer door with defining legends as well as other required and appropriate information, warning stickers and UL Certification Serial Number.
 - 2) **PRE-SHIPMENT FACTORY QUALITY ASSURANCE TESTING:** All pump station control panels (MCC's) shall be tested on the designated service power for all specified functions to the maximum extent practicable in the manufacturer's shop prior to shipping to assure proper operation and integrity of the MCC. The owner may elect to be present during such testing and shall coordinate such with the manufacturer if desired.
 - 3) **FIELD START-UP OF PUMP STATION:**
 - I. The contractor shall coordinate and provide assistance as necessary to the pump manufacturer or their designated representative, the generator supplier or their designated representative and the MCC manufacturer for field start-up of the station at an appointed time with appropriate supervision by the owner.
 - II. No pump shall be started without the express approval of the on-site pump representative and no power shall be applied to the MCC for the purposes of operating the pump(s) without the express approval of the on-site MCC manufacturer representative and no generator power shall be applied without the express approval of the generator supplier.
 - III. A start-up report shall be written and forwarded to both the contractor and owner within ten (10) business days of the final start-up activity approving the successful installation and start-up operation of the pump station.
 - IV. The MCC manufacturer shall provide operation and maintenance training to the operators available or as otherwise arranged by the contractor on behalf of the owner and shall turn over a minimum of three (3) sets of O & M manuals to the senior

owner representative present.

- 4) MANUFACTURER'S WARRANTY: The manufacturer of the MCC shall warrant the control for design, materials and workmanship for a period of five (5) years from the date of shipment. Such warranty is limited to repair or replacement as necessary for the proper operation of the pump station and as determined by the manufacturer and does not provide for alterations, modifications or interference by others, negligence, willful destruction or misuse or acts of God.
- 5) PUMP CONTROL PANEL /MOTOR CONTROL CENTER (MCC) MANUFACTURER: The MCC manufacturer shall be currently certified by Underwriter Laboratories, Inc. as a UL 508A and UL 698A control panel shop for the design and fabrication of Industrial Control Panels for Hazardous Locations and shall be approved to certify, assign and affix individual UL serial numbers for each control built to applicable UL standards with appropriate addenda. The control manufacturer shall further be UL 914A approved to field configure, adapt and modify non-UL controls to UL standards suitable for field certification, assignment and affixing of an individual UL serial number.
- 6) STORAGE: All pump control panels shall be stored on pallets and out of all possibility of sustaining weather-related damage from wind, snow, ice, rain, lightening or other unforeseen incidences which may allow damage such as vehicular traffic, construction, vandalism, tampering or curiosity.
- 7) GROUNDING: The MCC shall be grounded in accordance with Article 250 of the National Electric Code with no deviations permitted.
- 8) WIRE CONDUITS: Pump power cables shall be run in conduit separate from conduit containing cable from the sensors (probes, floats or transducers). Conduits shall be appropriately sized, planned and installed to protect the cables entering the wet well and to allow easy replacement of the sensors and cables if necessary. Conduit entry into the MCC enclosure shall use "seal offs" to prevent gas or moisture intrusion from the wet well.

vi. Generator Requirements

- 1) All sewer lift stations shall have a standby electrical generator with an electronic transfer switch that will automatically switch the station to generator power when the electric utility power system fails. The generator shall self-test at least once per week. Telemetry is required on all lift stations regardless of basin and shall monitor the status of the generator.
- 2) The standby generator shall be commissioned in accordance with NFPA 110 Standards. Provide factory test, startup by a supplier authorized by the manufacturer, and on-site testing of the system.
- 3) The generator shall be housed in a weatherproof enclosure. Quiet site soundproofing shall be provided to reduce noise to 70 db at a distance of 7 meters for diesel powered generators.
- 4) The entire standby generator set shall be warranted for a period of five years from the date of commissioning.
- 5) Outdoor weather-protective housing with critical grade exhaust muffler shall be installed. The housing shall have hinged side access doors and a rear control door. All doors shall be lockable. All sheet metal shall be primed for corrosion protection and finish painted with the manufacturer's standard color. Vibration isolators as recommended by the generator set manufacturer shall be provided. The generator must be mounted far enough away from obstructions to allow all doors to be opened 90°. All conduits and gas lines shall be installed underground. Equipment shall be installed on concrete housekeeping pads. Equipment shall be permanently fastened to the pad in accordance with manufacturer's instructions and seismic requirements of the site.
- 6) Generator shall be supplied with all auxiliary systems necessary for operation (i.e. batteries, battery charger, block heater, etc.).
- 7) Engine mounted, thermostatically controlled, coolant heater(s) shall be required for each engine. Heater voltage shall be as required by the manufacturer. The

coolant heater shall be UL499 listed and labeled.

- I. The coolant heater shall be installed on the engine with silicone hose connections. The coolant heater installation shall be specifically designed to provide proper venting of the system. The coolant heaters shall be installed using quarter turn ball valves to isolate the heater for replacement of the heater element. The quarter turn ball valves shall allow the heater element to be replaced without draining the engine cooling system or significant coolant loss.
 - II. An AC power connection box shall be provided for a single AC power connection to the coolant heater system.
 - III. The coolant heater(s) shall be sized as recommended by the engine manufacturer to warm the engine to a minimum of 100°F (40°C) in a 40°F ambient, in compliance with NFPA 110 requirements, or the temperature required for starting and load pickup requirements of the particular lift station.
- 8) The generator set shall operate at 1800 rpm and at a voltage of as specified by the City. The power supply shall be three-phase, four-wire, and 60 hertz. Voltage regulation shall be plus or minus 1.0 percent for any constant load between no load and rated load. Random voltage variation with any steady load from no load to full load shall not exceed plus or minus 0.5 percent. Frequency regulation shall be isochronous from steady state no load to steady state rated load. Random frequency variation with any steady load from no load to full load shall not exceed plus or minus 0.25%. An electronic governor system shall provide automatic isochronous frequency regulation.
 - 9) The generator set shall be provided with a mounted main line circuit breaker, sized to carry the rated output current of the generator set on a continuous basis.
 - 10) The standby power system shall include an automatic transfer switch. Transfer switch shall be rated for 100% of full load. This switch shall be provided with indicators for all phases of operation and be equipped

with a fully programmable timer for exercising the equipment. The switch must be selectable for load or no load. The switch shall be configured with in-phase transition or neutral delay.

- 11) The generator shall be load tested at 100% full load on site for a period of four hours using resistive load banks. Notify the City inspector prior to test, and provide certification letter from the manufacturer.
- 12) Three complete sets of O & M manuals and keys shall be provided for the generator and the automatic transfer switch.
- 13) The generator control system must include a programmable control device to allow automatic start-up and test functions. Test functions can be programmed for daily, weekly or monthly testing. Connections for remote monitoring of function and failure must be provided.
- 14) Pump stations are required to have continuous standby power. All generators shall be diesel powered with 100 gallons minimum fuel storage capacity or 24-hour operating time, whichever is greater. Fuel storage shall be accomplished by the use of corrosion-resistant double wall sub-base fuel tank only; no underground storage will be allowed. A leak detection device shall be provided in the interstitial space for sensing fuel leakage. The device contact shall be connected to the generator control panel terminals for telemetry. Fuel containment and spill prevention, if needed, shall conform to the Georgia Environmental Facilities City and US Environmental Protection Agency requirements. A Spill Prevention, Control, and Countermeasure (SPCC) plan shall be prepared in accordance with Code of Federal Regulation (CFR) 40, Part 112.
- 15) Consideration of an engine driven pump or standby pump station in lieu of a generator will be considered on a case-by-case basis at the sole discretion of the City.
- 16) Generators can be obtained from the following manufacturers/representatives:
 - I. Caterpillar

II. Cummins-Onan

III. MTU Detroit

17) The generator set shall be serviced by a local service organization that is trained and factory certified in generator set service. The supplier shall maintain an inventory of critical replacement parts at the local service organization, and in-service vehicles. The service organization shall be on call 24 hours per day, 365 days per year.

18) The generator manufacturer shall provide a 60-month comprehensive warranty to include parts and labor. The warranty shall be comprehensive. No deductibles shall be allowed for travel time, service hours, repair parts cost, etc.

19) Transfer switches shall be in NEMA-4X enclosure obtained from the following manufacturers/representatives:

I. Cummins-Onan

II. ASCO

III. GE Zenith

20) The transfer switches shall be configured to switch back when power is restored to the station.

21) The generator shall be installed on a suitably sized concrete pad and a generator ground grid shall be provided. The ground grid design shall be in accordance with the National Electric Code (NEC) and subject to City approval.

22) The equipment supplier shall provide training for the facility operating personnel covering operation and maintenance of the equipment provided. The training program shall be not less than 4 hours in duration. Training date shall be coordinated with the facility owner.

vii) Spare Parts

- 1) Lift stations shall be supplied with a spare complete pump/motor combination plus a complete set of manufacturer's recommended spare parts.

404. **Construction Methods**

- 404.1 **Licensing and Safety:** All contractors who work on sewer systems that will be owned by the City of Villa Rica must be licensed in accordance with State of Georgia law and local ordinance. Compliance with applicable safety regulations is the responsibility of each company engaged in the work; the city assumes no responsibility for the actions of others on the job site. It is the responsibility of those installing sanitary sewers, lift stations and related appurtenances to conform to OSHA regulations, 29 CFR Part 1926, Subpart P, Paragraph 1926.650 through 1926.653. Publications from OSHA can be obtained by contacting OSHA Publications Distribution, Washington, D.C.
- 404.2 **Construction Permits:** No construction shall be allowed until a construction permit has been issued by the City of Villa Rica. The contractor shall submit one copy of the approved construction plans which have been stamped approved. The contractor shall furnish his name and address, and telephone number. He shall also furnish the name of the person in charge of the project and any subcontractors and the name and telephone number of a responsible person who can be contacted in case of emergencies during nonworking hours. The contractor shall furnish his construction schedule and shall notify the City 24 hours prior to doing any work. Once the contractor begins work, he shall proceed in a workmanlike manner and shall complete the work in a reasonable time without undue off days and periods of inactivity which make it hard for the City to keep up with his activity.
- 404.3 **Changes from Approved Plans:** Any major changes from the approved plans will require that the engineer submit revised drawings along with a request explaining the reason for the change prior to construction of the change. Any deviation from City of Villa Rica standards will be considered a major change as will any change that will affect capacity, longevity, operation or maintenance of the facility. Any deviation from approved materials will not be accepted without prior approval.
- 404.4 **Trench Excavation:** Sewer lines shall normally be installed by open-cut trench excavation. Trenches shall be cut true to the lines and grades shown on the plans.

Pipe trenches shall not be excavated more than 100 feet in advance of pipe laying, and all work shall be performed to cause the least possible inconvenience to the public. Adequate temporary bridges or crossings

shall be constructed and maintained where required to permit uninterrupted vehicular and pedestrian traffic.

All excavations shall be adequately guarded with barricades and lights in compliance with all OSHA and Georgia Department of Transportation requirements so as to protect the public and workers from hazard.

Excavations adjacent to existing or proposed buildings and structures, or in paved streets or alleys shall be adequately protected by the use of trench boxes, sheeting, shoring and bracing to prevent cave-ins of the excavation, or the undermining or subsequent settlement of adjacent structures or pavements. Underpinning of adjacent structures shall be done when necessary to maintain structures in safe condition.

Streets, sidewalks, landscapes, and other public and private property disturbed in the course of the work shall be restored to as near as original condition as possible or better in a manner satisfactory to the City.

Trenches shall be kept free of water by pumping or well-pointing, as determined by the contractor. No structure shall be built or pipe shall be laid in water. Water shall not be allowed to flow over or rise upon any concrete, masonry or pipe until the same has been inspected and the concrete or joint material has thoroughly set. All water pumped, bailed, or otherwise removed from the trench or other excavation shall be conveyed in a proper manner to a suitable place of discharge. Such discharge shall not cause injury to public health, property, work completed, work in progress, or to any street surface, or cause any interference with the use of same by the public. The water produced by dewatering shall be disposed of in an environmentally sound manner and shall not create sediment or erode adjacent areas. If water from dewatering is to reach waters of the State, an NPDES permit is required.

Construction occurring around active sewer systems shall be done in such a way so as to prevent the spillage of wastewater.

- 404.5 **Rock Excavation:** Drilling and blasting operations shall be conducted with due regard for the safety of persons and property in the vicinity and in strict conformity with requirements of all ordinances, laws and regulations governing blasting and the use of explosives. Rock excavation near existing pipelines or other structures shall be conducted with the utmost care to avoid damage. Injury or damage to other structures and properties are the sole responsibility of the installation contractor and shall be promptly repaired by the Contractor to the satisfaction of the City and property owner.

Rock in trenches shall be excavated over the horizontal limits of

excavation and to depths as follows:

<u>Size of Pipeline Inches</u>	<u>Depth of Excavation Below Bottom of Sewer Pipe, Inches</u>
4 to 8	6
8 to 18	8
18 to 30	10

The undercut space shall then be brought up to grade by backfilling with Size #57 crushed stone material or approved equal.

- 404.6 **Installation of Sewer Pipe:** Construction stake-out will be required prior to construction of sewer lines. As a minimum, the horizontal alignment will be staked at 100-foot intervals and each manhole will be located with a centerline stake and two offset hubs. “Cuts” to invert elevations will be shown for each manhole entry and exit pipe. A copy of the stake-out notes will be provided to the city.

Pipe and accessories shall always be handled with care to avoid damage. Whether moved by hand, skidways or hoists, material shall not be dropped or bumped. The interior of all pipe shall be kept free from dirt and foreign matter at all times. Each joint of pipe shall be unloaded opposite or near the place where it is to be laid in the trench.

All such material that is defective in manufacture or has been damaged in transit or after delivery shall be removed from the job site.

Sewer pipes shall be joined by “push-on” joints using elastomeric gaskets to affect the pressure seal. The ends of pipe to be joined and the gaskets shall be cleaned immediately before assembly, and the assembly shall be made as recommended by the pipe manufacturer. Lubricant used must be non-toxic and supplied or approved for use by the pipe manufacturer. Sewer pipes shall be laid in the uphill direction with the bells pointing upgrade. Any variation from this procedure shall require approval from the City.

When pipe laying is not in progress, the open ends of installed pipe shall be plugged with a watertight plug to prevent entrance of trench water into the line.

404.61 **Bedding of Sewer Pipe:**

- A. Rigid Pipe Bedding: Bedding classes A, B, and C as described in ASTM C 12, or types 3,4, and 5 as described in AWWA C151,

shall be used and compacted for all rigid pipe provided the proper strength pipe is used with the specified bedding to support the anticipated load, based on the soil encountered and the potential ground water conditions. Bedding types where the barrel of the pipe is laid directly on undisturbed soil are not acceptable.

- B. Flexible Pipe Bedding: PVC gravity sewer must be bedded in accordance with the requirements of Laying Condition Types 3, 4, or 5, of ASTM D 2321 or an equally stringent standard.
- C. Embedment Materials for Bedding, Haunching and Initial Backfill: This specification references ASTM D 2321 and D 2487, suitable and unsuitable bedding and backfill materials must be based upon the unified Soil Classification system (USCS). Suitable and unsuitable soils are classified by the USCS lettering system. For both Type 3 and Type 4 bedding, embedment material must be compacted to a minimum of 85% Standard Proctor for GW, GP, SW and SP soils and a minimum of 90% Standard proctor for GM, GC, SM, SC, ML and CL soils. Water compaction is not allowed. Where specified, provide a State of Georgia reference for #57 stone (ASTM C 33), #67 stone (ASTM D 448), Construction exit stone #1, ASTM D 448 (if applicable) or Ga. DOT Section 800.

In wet areas, the minimum bedding requirements will be increased as required to ensure a stable support under the pipe and on the sides of the pipe.

Backfill material up to 12 inches above the top of the pipe shall be compacted dry, loose, soil unless PVC is used in which case the first 6 inches above the top of pipe is required to be crushed stone. If such material is not available from the site then #57 stone shall be used to backfill up to 12 inches above the top of the pipe. Backfilling the remainder of the trench may utilize soil and blasted rock (not over 12 inches in any dimension) compacted sufficiently to avoid excessive settlement. Under no circumstances will tree parts, vegetation, building materials or any other type of debris be used for backfill.

All backfill beneath roads, sidewalks or other critical areas shall be compacted to ninety-five percent (95%) Standard Proctor or as otherwise required by the D.O.T. or other such agency having jurisdiction using mechanical tamping equipment. Moisture control of the material may be required to achieve this compaction and hauling in of select material may be required. Compaction testing and certification by an independent soil testing company will be required in these areas at the Developers expense.

404.7 **Railroad Crossings:** All railroad crossing shall conform to the requirements of the American Railway Engineering Association Manual for Railway Engineering, Part 5. The Contractor shall secure permission from the railroads to schedule the work so as not to interfere with the operation of the railroads. The Contractor shall be held responsible for any delays or damages occurring to the railroads. The Contractor will furnish the railroad with such additional insurance as may be required, cost of same to be borne by the Contractor, together with the costs for flagmen, watchmen, temporary work of any nature, safety devices and any other items that may be imposed by the railroad.

404.8 **Highway Crossings:** All construction work in the State Highway right-of-way shall be approved by the Georgia Department of Transportation. The developer shall be responsible for obtaining encroachment permits.

404.9 **Stream Crossings:** The top of all sewers entering or crossing streams must be at a sufficient depth below the natural bottom of the stream bed to protect the sewer line. Sewer lines crossing streams should be designed to cross the stream as nearly perpendicular to the stream flow as possible and must be free from change in grade. Sewer systems must be designed to minimize the number of stream crossings. In general, the following cover requirements must be met:

1. One foot of cover where the sewer is located in rock.
2. Three feet of cover in other material. In a major stream, more than three feet of cover may be required. Buoyancy calculations should determine the potential for flotation. The design should also make provisions for stream erosion from high flow rates.
3. In paved stream channels, the top of the sewer line should be placed below the bottom of the channel pavement.

The stream bed and sides at the crossing site shall be protected from erosion with the use of Rip-Rap, as defined and sized in the **Manual for Erosion and Sediment Control In Georgia**, Appendix C – Construction Materials, 1992 or most current edition.

404.10 **Aerial Crossings:** Support must be provided for all joints in pipes utilized for aerial crossings. The supports must be designed to prevent frost heave, overturning, and settlement. Precautions against freezing, such as insulation and increased slope, must be provided. Expansion jointing should be provided between above ground and below ground sewers. Where buried sewers change to aerial sewers, special construction techniques should be considered to minimize frost heaving.

For aerial stream crossings, the impact of flood waters and debris shall be considered. The bottom of the pipe should be placed no lower than the

elevation of the 50-year flood. Ductile iron pipe with mechanical joints is recommended.

Aerial crossings will require detailed plans and will be allowed only when, in the city's opinion, there is no reasonable alternative.

Erosion control measures shall be installed prior to installing pipe across any stream. All work should be performed when stream flows are at their lowest, and all work should be performed as quickly and safely as possible. As soon as conditions permit, the stream bed shall be cleared of all falsework, debris, and other obstructions placed therein or caused by the construction operations.

Erosion control measures can include, but are not limited to, the following items:

- a. Silt fencing, types A, B, and/or C
- b. Erosion control check dams
- c. Channel diversion through temporary storm drain pipe.
- d. Rock filter dams

The construction and installation of these various structures are detailed in the **Manual for Erosion and Sedimentation Control in Georgia** or the Georgia Department of Transportation Standards and Construction Details, both of which are available for purchase by the Contractor.

404.11 Casing for Sewers: Where pipe is required to be installed under railroads, highways, streets or other facilities by jacking or boring methods, construction shall be done in a manner that will not interfere with the operation of the facility, and shall not weaken the roadbed or structure.

The diameter of the bore shall conform to the outside diameter and circumference of the casing pipe as closely as practicable. Any voids which develop during the installation operation shall be pressure grouted. Each segment of the casing pipe shall be welded (full circumference butt weld) to the adjoining segment. The completed casing shall have no sags or crowns which cause the grade for any segment to be less than the minimum slope for the size pipe being installed.

The carrier pipe shall be fitted with approved spacers to secure its position within the casing. At each end of the casing pipe the void between the carrier pipe and casing shall be sealed with brick and mortar.

404.12 Replacement of Pavement: Contractor shall fully restore and replace all pavement, curbs, gutters, sidewalks and other surface structures removed or disturbed, to a condition that is equal to or better than the original condition in a manner satisfactory to the City (see standard details).

404.13 Location/Protection of Existing Underground Utilities: It is the responsibility of the Contractor to locate all underground utilities and to protect same. Utility lines or services damaged by the Contractor shall be repaired by the Contractor at the Contractor's own expense. The Contractor has the sole responsibility of complying with all provisions of the Utilities Protection Code.

404.14 Protection of Water Supply and Other Utilities:

The City of Villa Rica has an established Cross-Connection Program to prevent the entry of contaminants or pollutants into any area of the potable water supply through the control of cross connections. It is illegal to introduce any substance into or to have any cross connections with the potable water supply. There shall be no physical connection between a public or private potable water supply system and a sanitary sewer which would permit the passage of any sewage or polluted water into the potable water supply.

Sewers crossing water mains shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer and if it is possible to obtain proper horizontal and vertical separation, the sewer is to be designed and constructed equal to a water pipe.

There shall be no physical connections between a public or private potable water or reclaimed water supply system and a sewer.

Whenever possible, sewers should be laid at least 10 feet horizontally from any existing or proposed water main. Should conditions prevent a separation of 10 feet, the lines shall be laid in separate trenches.

Sewer lines cannot be placed within a body of water, particularly a water supply lake or reservoir and, if a sewer line is to be placed adjacent to a water reservoir, it must be placed downgradient of the reservoir embankment.

404.15 Stream Buffers: Sewers should not be installed within a 25-foot buffer of State waters or within 100 feet of trout streams.

404.16 Solid Waste Landfills: No sewers, services, or any other utilities be are to be constructed on, or serve structures constructed on or proposed to be constructed on, solid waste landfills.

404.17 Sewer Services: A sewer service shall be provided for every existing or proposed lot or building. All sewer services shall be a minimum of 4" in diameter unless otherwise specified. All service lines shall be designed to maintain a minimum of 2 ft/sec. sewer velocity. All services shall be shown on the construction and as-built drawings. A common service shall not be allowed for two or more buildings. The service shall extend to 5' inside the property line of the lot being served and normally be within 10 feet of the lower corner of the lot. All service laterals shall be a minimum of 5' deep at the property line. Where 5' of cover cannot be achieved, sewer services shall be constructed of ductile iron. A 90° bend, constructed from two 45° fittings shall be installed at the end of all sewer services with a vertical section of pipe to extend a minimum of 4' above existing ground level (See Standard Details). Connections to the main exceeding 8 feet in depth may have the saddle or tee rotated to a bend inserted in the service to provide 5' lateral depth at the property line.

The developer shall be responsible for serving all lots developed. On any lot where the service cannot be found, the developer shall be responsible for payment of the cost of installation of the service. Also, unless noted on the final plat, the service shall be low enough to serve the first-floor elevation at the building line. Install 14-gauge detector wire on all laterals.

The builder shall be responsible for the location of the service prior to the pouring of the foundation, driveway or other appurtenance. The City will not be responsible for any house built too low to be served nor for any service covered by construction.

No plumber or contractor will be allowed to connect to the sewerage system except to the end of the service provided for his connection. Also, any service provided will be utilized without the installation of additional services.

404.18 Clean-Up: Prior to requesting the “completion of sewer construction” inspection, the Contractor shall remove and dispose of in an acceptable manner all shipping timbers, shipping bands, spacers, excess materials, broken material, crates, boxes and any other material brought to the job site.

Any work areas within public right-of-way or property outside of the development that were damaged by the sewer construction shall be repaired or replaced with the same kind of material as existed prior to the damage occurring. All easement areas shall be cleared of trees, stumps and other debris and left in a condition such that the easement can be maintained by bush-hog equipment.

All shoulders, ditches, culverts, and other areas impacted by the sewer construction shall be at the proper grades and smooth in appearance.

All manhole covers shall be brought to grade.

A uniform stand of grass or mulch for erosion protection, as defined in the **Manual For Erosion and Sediment Control In Georgia**, is required over all construction easements and sanitary sewer easements prior to the City’s acceptance of the sewer. Use a grass mixture consisting of at least 50% fescue.

405. Inspection of Sewers

All construction inspections shall be performed under the supervision of a Professional Engineer (PE) registered in the State of Georgia.

405.1 City Inspection: The developer’s contractor will be responsible for the quality, accuracy and workmanship of his completed work.

City personnel will visit the job site on a periodic basis and will make spot checks as they deem appropriate. The City of Villa Rica shall have the right to review and inspect all construction and may reject any work that does not meet quality control standards.

405.2 Access to Project: Authorized representatives of the City of Villa Rica, which may include city employees, the city engineer, state or federal agencies, shall have access to the site for inspection at any time.

405.3 Communications During Construction: A preconstruction conference will be required for all projects. The Developer has sole responsibility for scheduling. The Developer, design professional, contractor, and subcontractor(s) are required to meet with the City and all private utilities in this conference. The contractor will notify the city in writing 2 days

before starting construction. The contractor will provide notification by phone any time the work is to be vacated and will provide notice by phone prior to resuming work. The contractor shall request the final inspection.

The city inspector may have informal verbal communications with the contractor foreman or superintendent at any time during construction. The city inspector will not direct the actions of contractor's workmen.

405.4 Concealed Work: The city inspector may direct that the contractor notify the city and receive inspection approval prior to concealing certain work such as manhole foundations, pipe bedding, tees, bends, service laterals, or other appurtenances. At the City's discretion, the City may require work to be uncovered which was not inspected prior to backfilling.

405.5 Minimum Inspection by Developer: The following minimum information shall be determined and certified by the engineer:

1. Horizontal location. Horizontal location of the line will be checked by measuring "as-built" distances between manholes and bearings from manhole to manhole.
2. Elevation and slope. Elevation of each invert and top of manhole will be measured and recorded. Actual pipe slope will be computed and any segment having less than minimum allowable slope will be rejected and re-done.

405.6 City Inspection: Cost for all testing shall be paid for by the developer.

1. Manhole construction. Manholes will be visually inspected to check for plugging of lift holes, use of connecting boots, use of joint material, leakage, proper invert construction, proper setting of frame and cover.
2. Pipe straightness. Sections of sewer line shall be checked by either using a laser beam or lamping and that each section must show at least 90% of a full circle when observed from one end. Any section which fails this visual test shall be further checked.
The section shall have water run through it sufficient to fill any sags that may exist. Then it shall have a television camera pulled through it to check for sags. Any sag holding more than one and one-half inches of water will require that the pipe be removed and replaced to proper grade after which the section shall be televised again to verify correction. The contractor may propose alternative methods other than televising sewers for the City's approval to determine failing sections of sewers.
3. Infiltration. The allowable limit for any section from manhole to manhole will be 25 gallons per day per inch of pipe diameter per mile of pipe. If any infiltration is present at the most downstream

point, then it will be measured using a specially-made weir and measurements will also be made at each upstream manhole that has any visible flow of water. Any individual segment which exceeds the allowable infiltration shall be corrected to within allowable limits.

4. Compaction of backfill. Compaction testing may be required for sewers constructed in paved areas or where pavement is planned. A minimum of two tests per 500 feet of trench line located in roadways will be required. If any of these tests show failing results, then the failing backfill will be removed, re-compacted and re-tested, and one additional area will be tested as well.

405.7 Other Testing Requirements: The tests listed below shall be performed by the contractor in the presence of the City. The city will be notified at least 2 days prior to these tests.

- A. Mandrel Test for PVC Pipe: Procedure for testing PVC sewer pipe for maximum allowable deflection shall be generally as follows (Mandrel sized to 95% of the nominal internal pipe diameter):

1. Completely flush the line making sure the pipe is clean of any mud or trash that would hinder the passage of the mandrel.
2. During the final flushing of the line, attach a floating block or ball to the end of the mandrel pull rope and float the rope through the line. (A nylon ski rope is recommended).
3. After the rope is threaded through the line, connect the pull rope to the mandrel and place the mandrel in the entrance of the pipe.
4. Connect a second rope to the back of the mandrel. This will enable the mandrel to be retrieved if excessive deflection is encountered.
5. Draw the mandrel through the sewer line.
6. An increasing resistance to pull is an indication of excessive deflection. If this occurs mark the rope to note the location. Televis the sewer section to identify the extent of the problem and develop a plan, subject to city approval, for correcting the problem. The contractor may propose an alternative method other than televising sewers for the City's approval to determine locations of failing sewers.
7. Retest.

- B. Air Pressure Test: A low pressure test of each sewer line section will be conducted by the contractor to check for leaks. The following general procedures will apply (also refer to ASTM specs):

1. Temporarily plug the line segment between two manholes using plugs having air tight fittings through which low pressure air can be introduced into the pipe segment being tested.
2. Introduce low pressure air into the test pipe segment until the internal air pressure reaches 4.5 psig above ground water pressure, if any.
3. Wait at least five minutes for air temperature in the test segment to stabilize while internal air pressure remains no less than 3.5 psig above ground water pressure.
4. Bleed internal air pressure to exactly 3.5 psig above ground water pressure.
5. Accurately determine the elapsed time for internal pressure to drop to 2.5 psig above ground water pressure.
6. The air test is acceptable if elapsed time is no less than shown by the following table:

<u>Pipe Dia.</u> <u>Inches</u>	<u>Seconds Per</u> <u>100 Ft. of Pipe</u>	<u>Pipe Dia.</u> <u>Inches</u>	<u>Seconds Per</u> <u>100 Ft. of Pipe</u>
4	11	27	77
6	17	30	85

<u>Pipe Dia.</u> <u>Inches</u>	<u>Seconds Per</u> <u>100 Ft. of Pipe</u>	<u>Pipe Dia.</u> <u>Inches</u>	<u>Seconds Per</u> <u>100 Ft. of Pipe</u>
8	23	36	102
10	28	42	119
12	34	48	136
15	43	54	153
18	51	60	170
21	60	66	187
24	68	72	204

Air leakage time is based on pipe being damp. If pipe and joints are dry, dampen line if helpful in meeting air test time requirement.

Permanently correct excessive leakage determined by air testing, and repeat operations until City witnesses a successful test on each line segment.

Note: Upon request, the city may allow substitution of exfiltration test in lieu of air pressure test. If used, the exfiltration test will be conducted with a minimum water head of 2 feet above the groundwater table and the allowable exfiltration will be limited to 100 gallons per day per inch diameter of pipe per mile of pipe.

C. Manhole Testing: All manholes require testing by either the vacuum test or exfiltration test.

1. Exfiltration Test: Manholes which have been backfilled around shall be tested for exfiltration. The minimum test time duration is 1 hour. Manholes shall be filled with water to the top of ring. The maximum allowable exfiltration rate is 2 gal./ft. of depth/ft. of manhole diameter.
2. Vacuum Test: Vacuum testing of manholes for water tightness may be used in lieu of the exfiltration test prior to backfilling. Vacuum testing must conform to ASTM C-1244. After temporarily plugging pipe openings and installing the vacuum base on top of the cone, a vacuum of 10 inches of Mercury shall be drawn and the vacuum pump shut off. With valves closed, the pressure shall be monitored for a time period of 60 seconds. At the end of the test period, if the vacuum is 9 inches or greater, the manhole has passed the test. If the vacuum drops below 9 inches, the manhole has failed.

405.8 Final Inspection and Conditional Acceptance: In no circumstances shall any buildings and plumbing fixtures be connected to the sewers until inspected and approved by the City.

The contractor shall request in writing a final inspection. This final inspection will generally include spot checks of manholes and sewer lines and a complete overview of the project.

After any discrepancies are corrected, the city will issue a letter certifying conditional acceptance of the sewer system. This letter shall commence the start of the 18-month warranty period which is required of the contractor.

On projects having phased development, this letter will allow the developer to apply for a permit for the next phase of development.

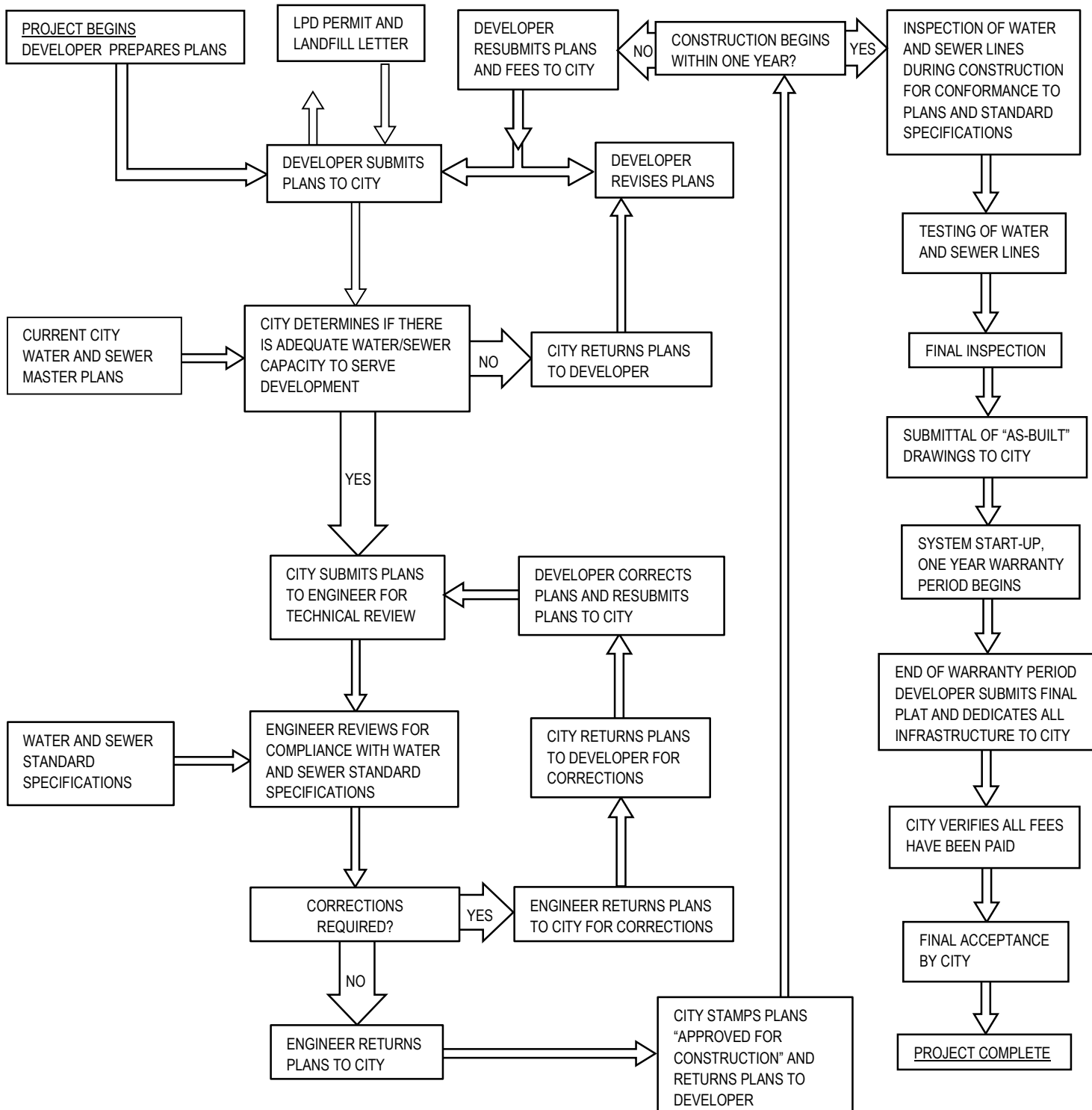
At the end of 18 months, the subdivision inspection team will again re-inspect the entire development. When all discrepancies have been corrected, the city will issue an acceptance letter and will begin perpetual maintenance and operation of the sewerage system.

405.9 Maintenance Bond or Letter of Credit: The developer shall post a maintenance bond or Letter of Credit of 25% of the total project cost on the facility for an eighteen-month period after completion and conditional

acceptance of the facility by the City of Villa Rica for all projects whose costs exceeds \$20,000.00. **Bonds are to be written where the City of Villa Rica must release the bond in writing. Bond expiration dates for release are not acceptable.**

405.10 Maintenance until Final Acceptance: It shall be the developer's obligation to provide all maintenance for an 18-month period after conditional acceptance of the project by the City of Villa Rica. At the end of the 18-month maintenance period the City shall inspect the sewer system, and upon correction by the developer of all deficiencies noted by the City, the City will accept the sewer system for operation.

406. **Standard Details:**



AUGUST 2023



City of Villa Rica

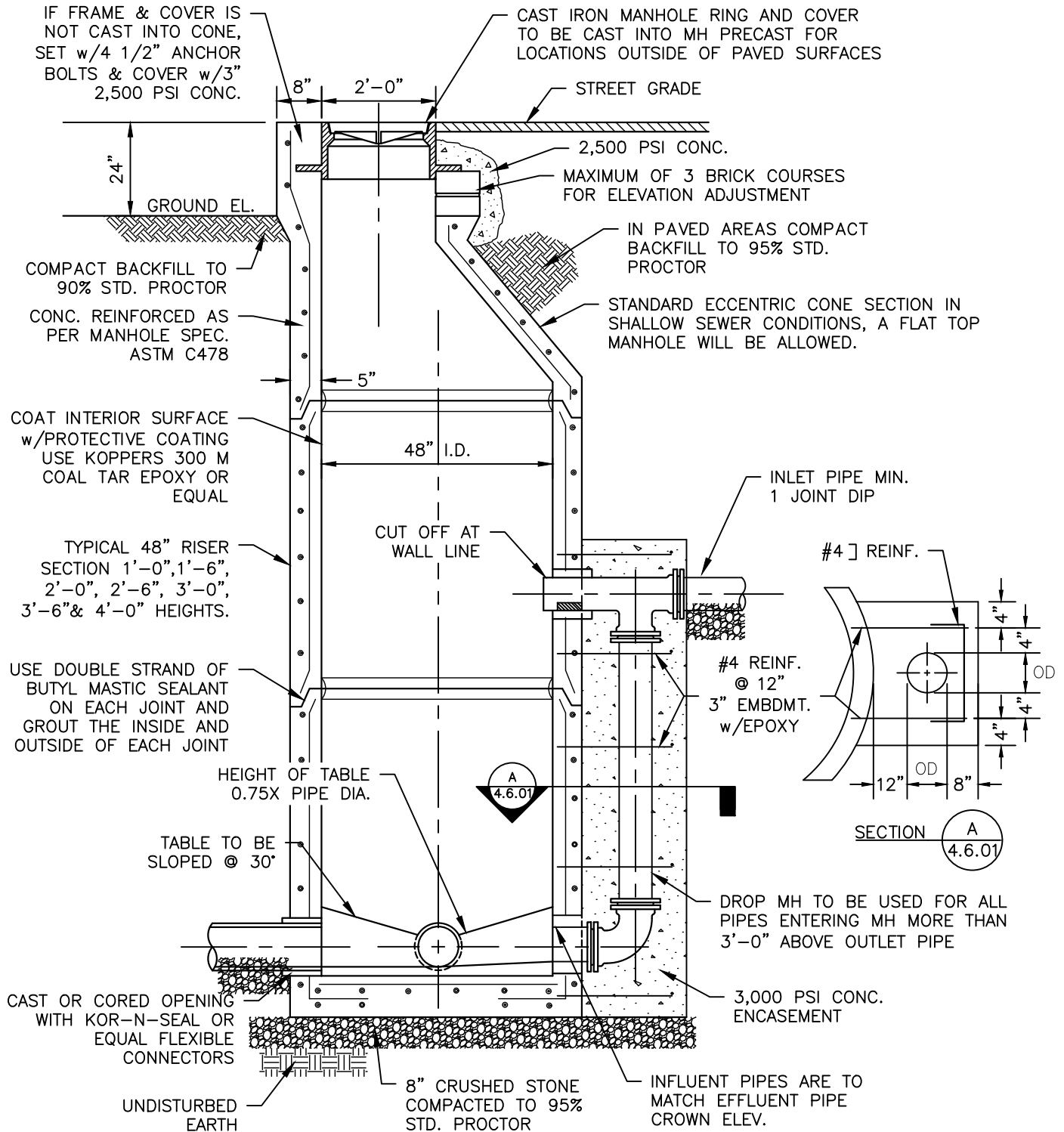
Department of Utilities

STANDARD PROJECT REVIEW AND APPROVAL PROCEDURE

REVISIONS

NOTE:

MANHOLES TO BE FLUSH WITH PAVEMENT IN PAVED AREAS. MANHOLES IN LAW AREAS SHALL BE FLUSH WITH FINISHED GRADE. MANHOLES ON OUTFALL LINES ARE TO BE 24" ABOVE GROUND EL.



NOTE:

PROVIDE MINIMUM 0.1' DROP THROUGH MANHOLE.

**CITY OF
VILLA RICA, GA**

WATER & SEWER DEPARTMENT

**PRECAST
CONCRETE
MANHOLE**

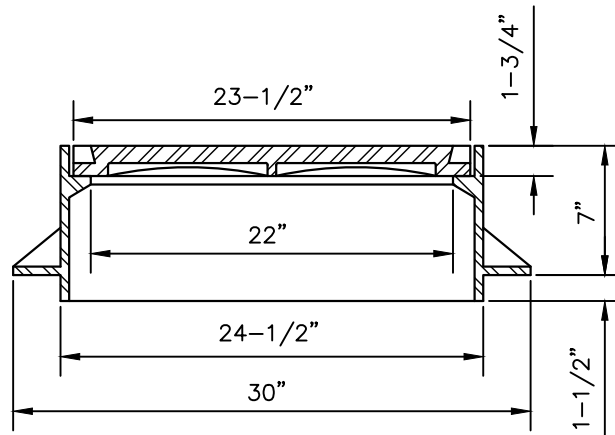
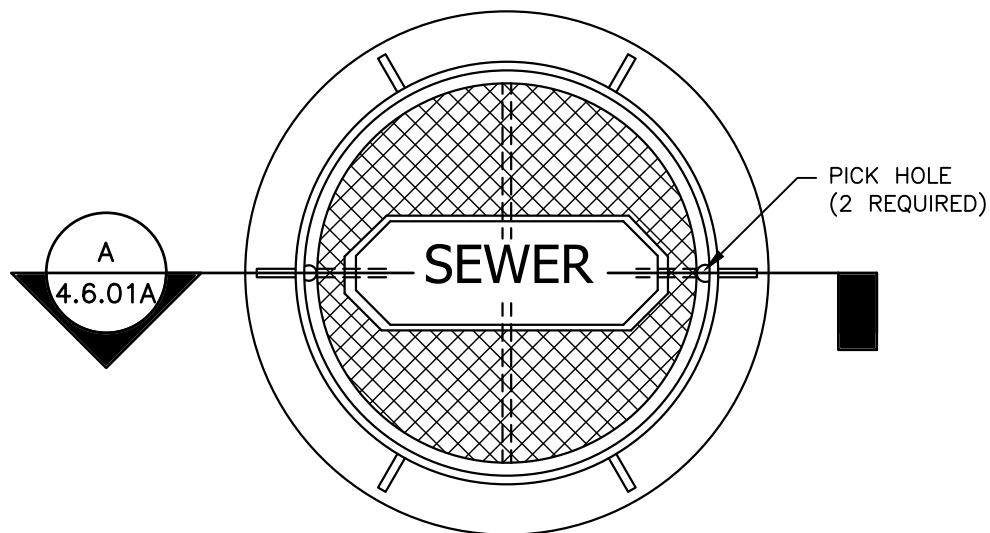
CONSTRUCTION STANDARD

DATE: JAN. 2021

APPROVED:

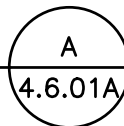
STANDARD
NO.

4.6.01



SECTION

SCALE: N.T.S.



NOTES:

1. FRAME AND COVER MACHINED FOR A NON-ROCKING FIT.
2. APPROXIMATE FRAME WEIGHT-180#.
3. APPROXIMATE COVER WEIGHT-135#.
4. PROVIDE WATER TIGHT BOLT-DOWN TYPE COVER SECURED WITH 4 STD. HEX HEAD BRONZE OR STN STL BOLTS AND GASKETS WHERE INDICATED.

**CITY OF
VILLA RICA, GA**

WATER & SEWER DEPARTMENT

**MANHOLE
FRAME & COVER
CASTING**

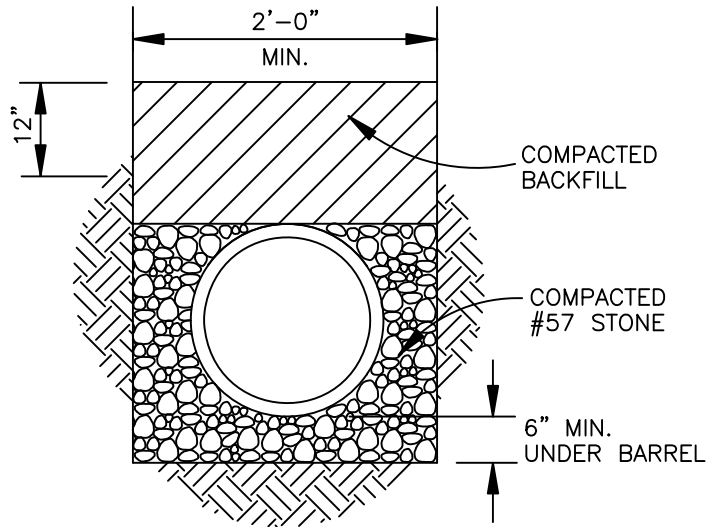
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DATE: JAN. 2021

APPROVED:

STANDARD
NO.

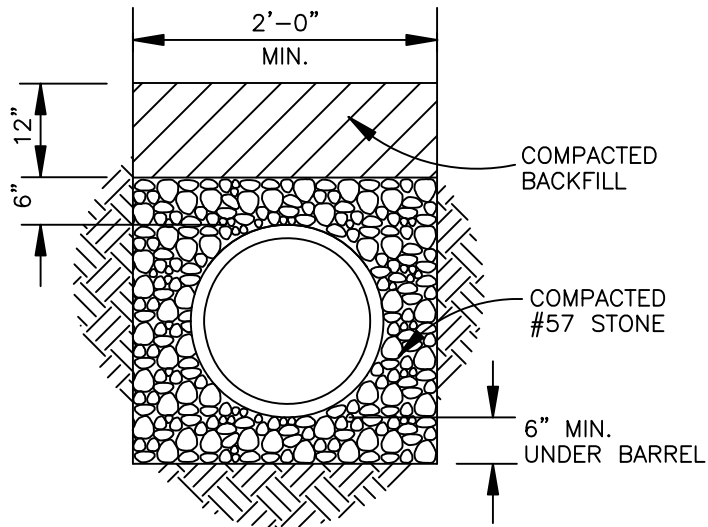
4.6.01A



STANDARD D.I.P. PIPE

BEDDING DETAIL

FULL RUNS (MH TO MH) ONLY



STANDARD P.V.C. PIPE

BEDDING DETAIL

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

**STANDARD
PIPE BEDDING
DETAIL**

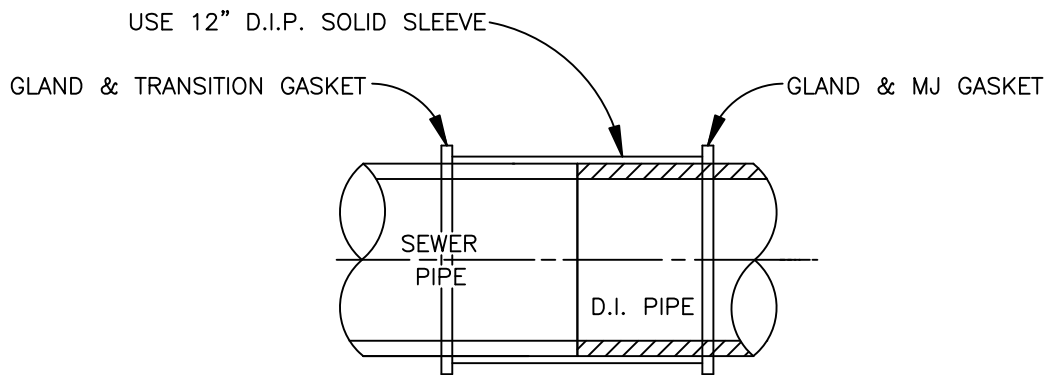
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

4.6.02



TYPICAL DETAIL
JOINING D.I. PIPE TO SEWER PIPE

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

**TYPICAL
PIPE ADAPTER**

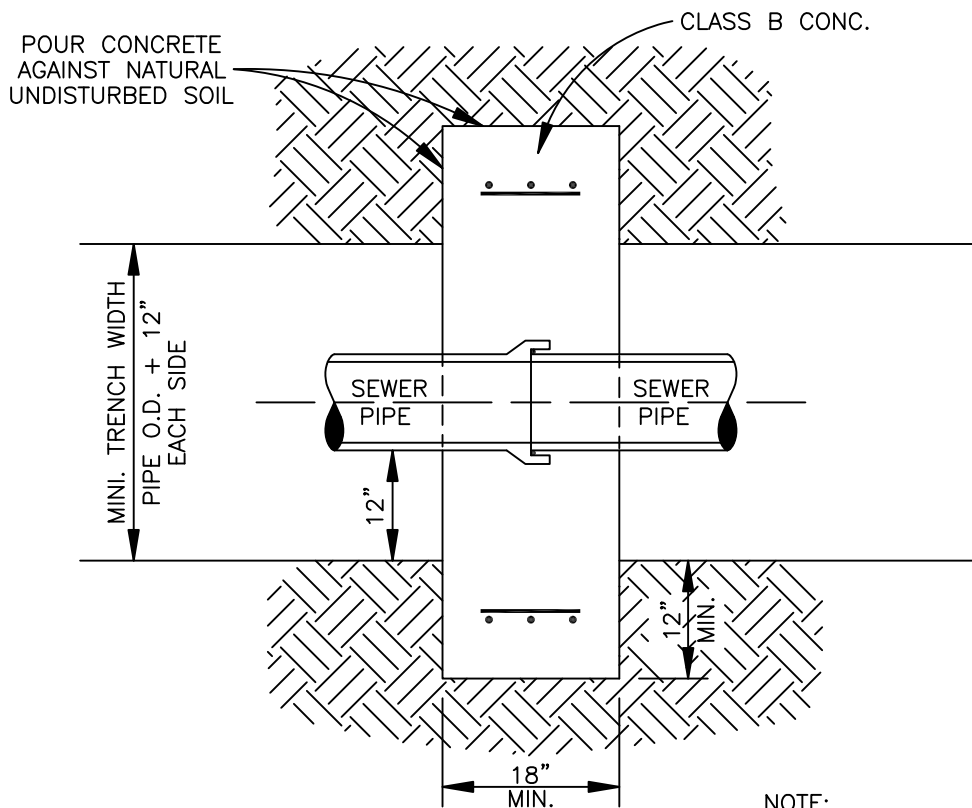
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

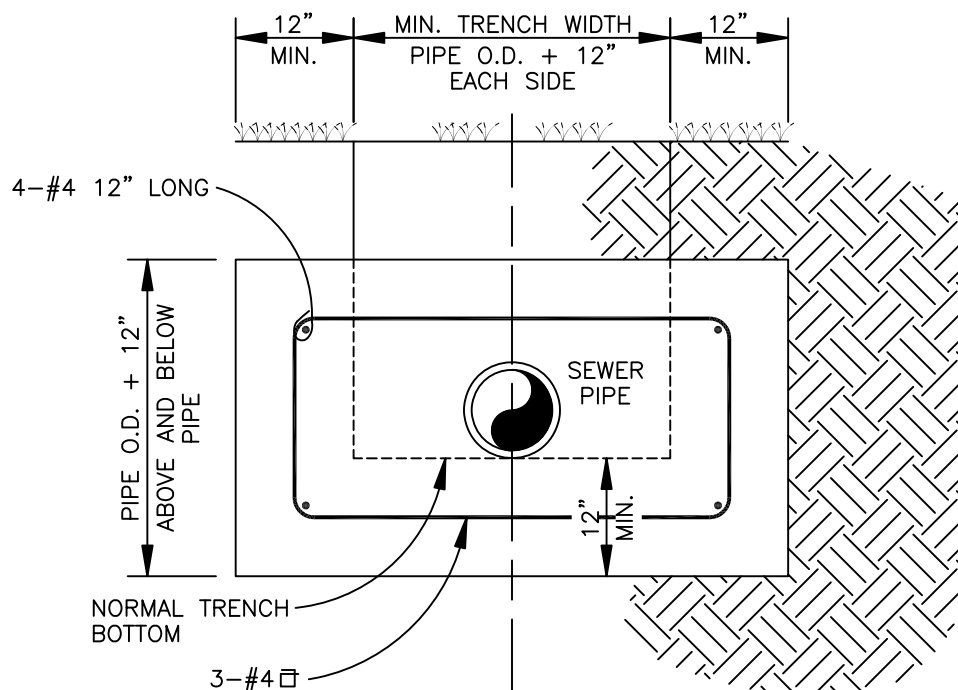
4.6.03



PLAN

NOTE:

COLLAR REQUIRED AT EVERY PIPE JOINT.



SECTION

CITY OF
VILLA RICA

WATER & SEWER DEPARTMENT

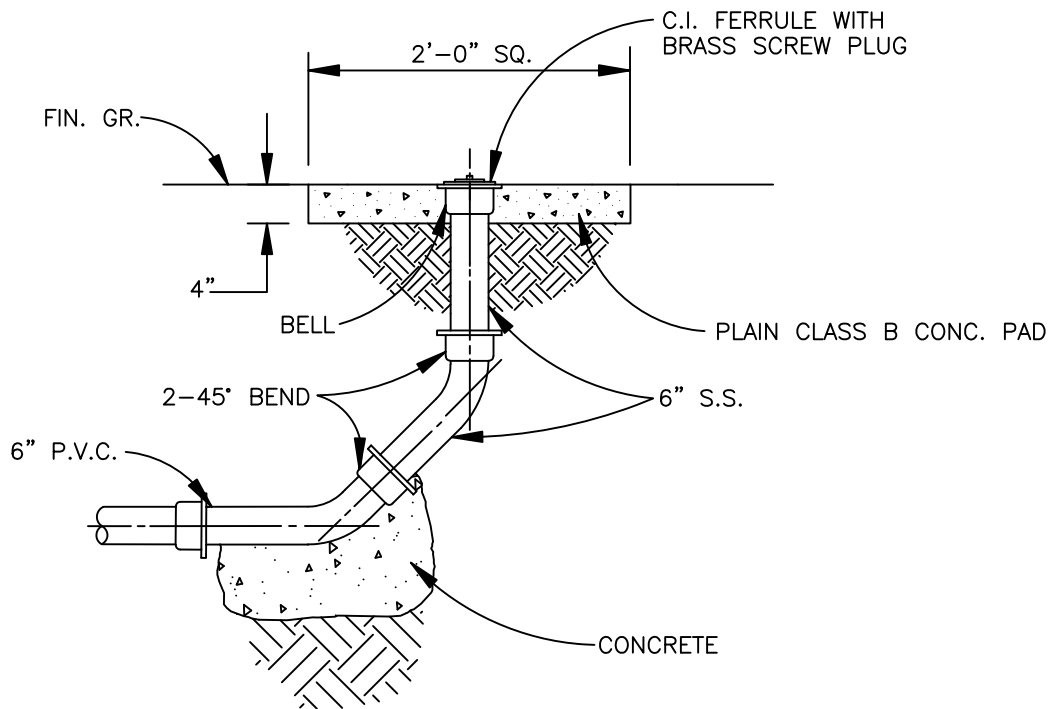
SEWER PIPE
ANCHOR
(SLOPES 20% OR MORE)
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

4.6.04



CLEANOUT DETAIL

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

**CLEANOUT
DETAIL**

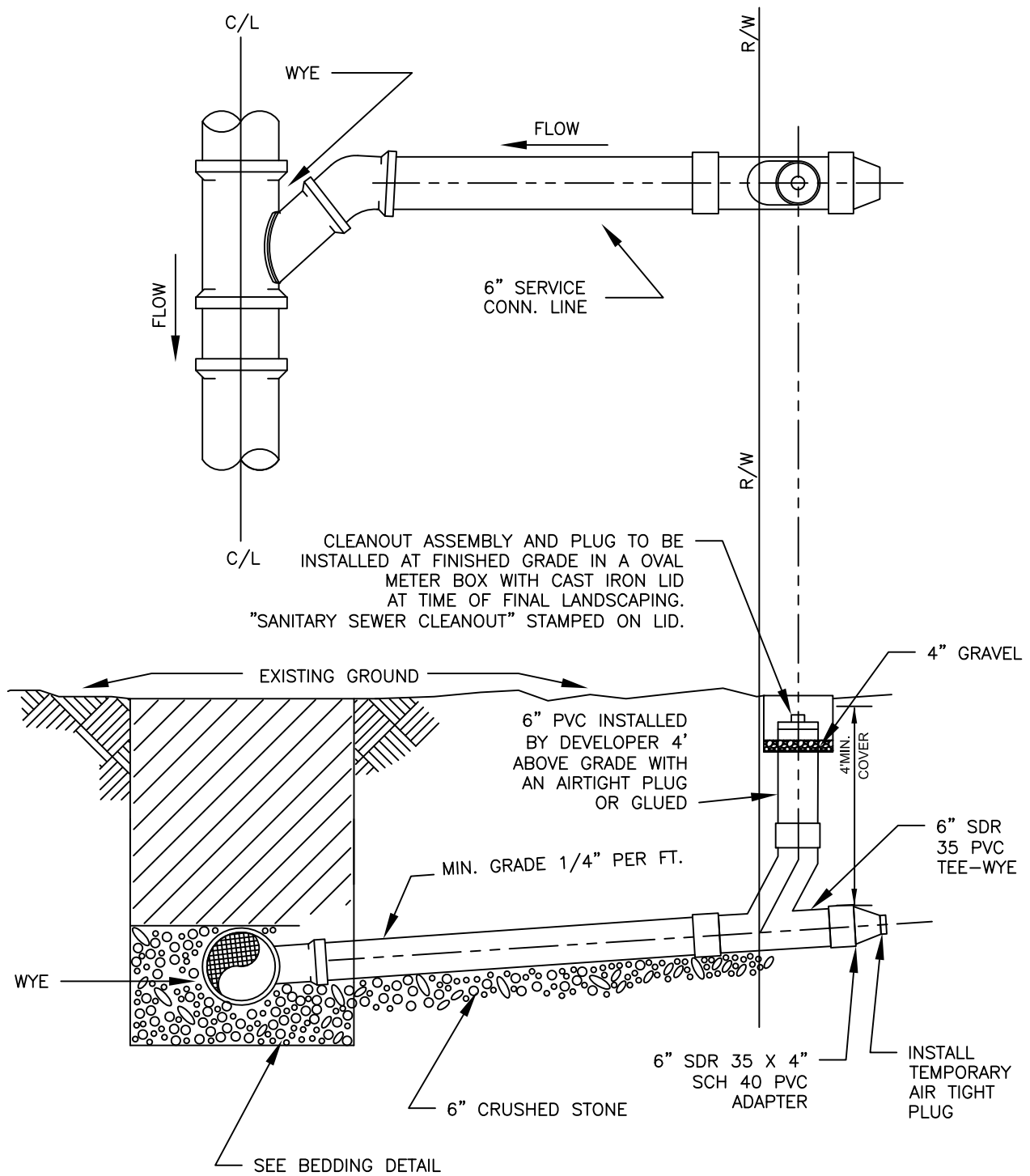
(COMMERCIAL OR PAVED AREAS)
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

4.6.05



SERVICE CONNECTION DETAIL

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500. WATER REGULATIONS**501. General Requirements****501.1 Use of This Document:**

- A. This document is subject to periodic revision to meet changing requirements for materials, fire and safety regulations, environmental regulations, etc. At the beginning of a project the user should verify that he has the latest edition.
- B. This document is intended to convey the general design and construction requirements for a typical project. It also lists specific City of Villa Rica requirements relating to plan review, inspection, testing and acceptance of facilities. It is not intended as a substitute for site-specific engineering and construction techniques. Individual project conditions may require variance from the provisions in this document in which case such variances should be noted in the plans and other data submitted by the project engineer for the city's approval.
- C. All phases of construction must be completed in accordance with the Erosion Sedimentation Act 12-7-1 *et seq.*
- D. No water mains shall be installed on or in close proximity to an abandoned landfill site or any site used for waste disposal.

502. Submittal Requirements**502.1 Water Flow Test:**

- A. A water flow test must be performed on the existing water line to determine the adequacy of the water supply for the project.
- B. The test shall consist of a fire hydrant flow test, conducted at the nearest hydrant to the proposed development and a twenty-four (24) hour pressure test.
- C. Test information shall consist of:
 - 1. Static Pressure and Residual Pressure.
 - 2. Flow in GPM at Residual Pressure
 - 3. Twenty-four (24) hour pressure chart
- D. An adequate supply of water for the proposed project must be available prior to the approval of any plans. Flow tests are valid for one year.
- E. The City will perform the test at the Developers expense.
- F. The Developer will be responsible for retaining the services of an outside consultant/contractor to accomplish and submit a design study based on the flow test results and indicating the projected available

flow at the highest point in the development in GPM with residual pressure of 20 psi for the total project. This report should provide results indicating adequacy of flow quantities and pressure for the proposed development.

502.2 Plans for Proposed Water System:

- A. Preliminary Review: Preliminary plans will be prepared and submitted for review as described elsewhere in the development regulations. Questions relating to adequate fire protection, multiple feeds, water supply and proposed locations of connection(s) should be resolved at this step before proceeding with detailed planning. A submittal for preliminary review must include all land to be developed although the land may be developed in several phases or units. Adequacy determinations of the existing water system will be made for the total project.

The project surveyor shall provide a signed statement indicating records of the property have been researched and no abandoned landfills or waste disposal sites are located in the proximity of proposed water line extension.

- B. Construction plans shall consist of the following:
1. Site plan with streets, street names, topography with contour lines at two-foot intervals, location map, lot layout (if subdivision) or building location (if multi-family, commercial or industrial), proposed location of future sidewalks, land lots, district, and north arrow showing the water layout only.
 2. Proposed pipe size and service lateral locations.
 3. Location and size of gate valves and air release valves.
 4. Thrust blocks at all bends, tees, and plugs.
 5. Fire hydrant locations.
 6. Water system materials.
 7. Location and sizes of existing water mains surrounding the project, with nearest line valve in each direction of proposed tie-in.
 8. Detail of connection to existing lines.
 9. Proposed meter sizes and locations.
 10. Residential developments shall have the electric transformer locations indicated, (this is necessary to verify no conflicts exist with water meter and fire hydrant locations).
 11. Plan of fire line meters or detector meters, if applicable.
 12. Any proposed off-site cross-county water mains or mains on existing right-of-way should be shown at a scale no smaller than 1:100.

13. Any other items incidental to the proposed system.
14. All plans must display the "Utilities Protection Center" logo and "Call Before You Dig" notice.
15. See Section 200 Check Lists for additional plan requirements.
The approved water plan shall not be changed except by written approval of the City or its designated representative.

C. As-Built:

1. As-Built drawings will be the same format as the original construction plans.
2. Road names and lot numbers should be on plans.
3. "As-Built" or "Record Drawing" is to be stamped in large clear print on plans.
4. Sheet should be no larger than 24" X 36".
5. Water mains and meters should be shown, including size and types.
6. Service and meter locations should be shown.
7. Include detail drawings showing size, type, configuration and location fittings.
8. Include detail drawings depicting the configuration of crossings with other utilities (i.e. storm sewers, catch basins, underground cables) and indicating vertical and horizontal clearances.
9. Clearly indicate easement boundaries on all lines not located inside the public right-of-way.
10. Fire hydrants, gate valves and air release valves should be shown.
11. Plan of fire meters or detector meters should be shown if applicable.
12. As-Built drawings must be submitted to the City and approved before the final plat is recorded.

503. **Design Criteria**

- 503.1 **General:** The criteria listed herein is not intended to cover all aspects of design, but rather to mention the basic guidelines and those particulars that are required by the City of Villa Rica.

503.2 **Water Supply:**

- A. Residential water supply for domestic use shall be in accordance with the following table and at a minimum residual pressure of twenty (20) psi at the highest point in the development.

INSTANTANEOUS WATER DEMANDS FOR RESIDENTIAL AREAS

TOTAL NUMBER OF RESIDENCES SERVED	GPM PER RESIDENCE	TOTAL NUMBER OF RESIDENCES SERVED	GPM PER RESIDENCE
5	8.0	90	2.1
10	5.0	100	2.0
20	4.3	150	1.6
30	3.8	200	1.3
40	3.4	300	1.2
50	3.0	400	0.9
60	2.7	500	0.8
70	2.5	750	0.7
80	2.2	1,000	0.6

B. The City may require the following minimum flow/duration quantities prior to development of the property at the highest point in the development.

1. Multi-family: 1000 GPM for 30 minutes;
2. Shopping Centers: 1000 GPM for 30 minutes;
3. Motels, Light Industry and Schools: 1000 GPM for 30 minutes;
4. Heavy Industry, Warehouses, Office Buildings, greater than 200,000 square foot: Minimum 1000 GPM for 45 minutes;
5. Residential: 1000 GPM for 30 minutes.

503.3 Fire Protection:

- A. Fire hydrants shall be spaced not more than 500 feet apart with additional fire hydrants located as necessary to permit all portions of buildings to be reached by hose lays of not more than 300 feet in length. (Spacing as traffic travels.) In subdivisions, hydrants will generally be aligned with the property line separating two adjacent lots. **The minimum size water main for fire hydrant installations is an 8-inch main.**
- B. Fire lines shall be metered per these specifications.
- C. Hose lay distance for fire truck hoses is defined as being measured along the route a piece of fire apparatus must travel in laying a fire hose from the fire to the fire hydrant.
- D. All plans for development must meet all applicable fire protection codes.

503.4 Water Mains and Appurtenances:**A. Water Mains**

1. Ductile Iron Pipe - Ductile iron pipe shall be used in all locations.
2. On Existing Streets - On existing roads, water lines shall be located on the south and west side of the road, 8 feet from the back of curb, with a minimum cover of 36 inches below the level of the road shoulder. Fire hydrants on existing roads shall be located between the waterline and the back of curbing.
3. On New Streets - All curbing must be installed before any water lines are installed. Water lines on new streets shall be located on the south and west side of the street, as shown in the standard detail drawings. Water lines shall be installed with 36 inches of cover at finish grade. Fire hydrants shall be located between the water main and the back of curbing.

B. Service Laterals

1. Shortside service laterals shall be installed with a uniform slope from the main shallowing to a bury of 12 inches at the water meter setting. Water meter settings are to be located adjacent to the right of way limit. Longside services shall have a minimum cover of 36 inches under areas of pavement and curbing then shallowing to 12 inches at the water meter.
2. Service laterals crossing any roads shall be placed inside a minimum of a 2-inch diameter PVC casing.
3. A (W) shall be etched into the curb where each service tap is made for permanent location.
4. Copper tubing shall be used for all services. There shall be no splices of copper tubing under any pavement.
5. Services for subdivisions shall be sized and located as shown on the Standard Detail Drawings.

- C. Residential water meters shall be located at the limits of the street right-of-way. In general, meters will be located near the property line and where possible a double yoke assembly will be utilized at the property line separating two adjacent lots. The project designer is responsible for verifying electric transformer locations and avoiding conflicts. The Developer shall be responsible for installing the meter box and yoke assembly. See standard detail for listing of required components. The City shall install the water meter in the yoke assembly after tap fees have been paid and service applied for.

- D. Vaults and all valve and piping assemblies for Commercial and Industrial meter settings shall be installed by the Developer. Installations for 3/4-inch and 1-inch meter settings shall utilize a standard yoke assembly and the required additional backflow device located in a separate box. The City shall provide the meter after tap fees are paid and service applied for. No water service shall be provided until all required backflow devices are in place.
- E. Backflow Preventer - All water meters shall be provided with a backflow preventer. Residential services shall be provided with a dual check backflow preventer installed by the Developer as part of the standard yoke assembly. Additional backflow prevention measures are required for residential services with lawn irrigation sprinkler systems connected. Commercial water services, as a minimum, shall be provided with a double check valve backflow prevention device installed by the Developer and located immediately downstream of the meter setting in a separate vault or utility box. Additional and/or more extensive backflow prevention measures may be required depending on the type of business, materials handled and plumbing configuration. All customers applying for commercial water service are to contact the Villa Rica Water Department Backflow Prevention Coordinator for a determination of specific requirements concerning backflow prevention devices.
- F. Fire Line Meters shall be designed to meet site-specific conditions. See Standard Details for conceptual layout of meter.
- G. Detector Meter shall be designed to meet site-specific conditions. See Standard Details for conceptual layout.
- H. Water Valves
1. At Intersections - Valves on water mains at intersections shall be located behind the curb. As a general rule, the number of valves shall equal the number of streets in the intersection minus one. The City may require valves in excess of this requirement if the water system layout warrants additional valves.
 2. At End of Line - A water valve and a minimum of 36 feet of pipe shall be provided at the end of all lines for phased developments, and at locations where the water main may be extended in the future for water system improvements. The end of the line shall be provided with a temporary plug and thrust collar designed to function in a manner that will allow for the end of the line to be excavated and exposed for tie-on of an extension without taking the main out of service.

3. Along Mains - Maximum spacing of water valves along mains shall be 1000 feet. These line valves, unless at intersections, shall be located near fire hydrants.
- I. Valve Markers - One concrete valve marker shall be furnished and set at each line valve as required by the City.
- J. Air and Vacuum Release Valves - Air and vacuum release valves shall be located where appropriate as determined by a registered engineer in responsible charge of the project design. All A&V release valve locations are subject to approval of the City. In general, within subdivisions A&V release valves are not necessary as long as services are located at the water main high points.
- K. Polyethylene Encasement - Ductile iron pipe water main shall be provided with polyethylene encasement where the water main either crosses or is in close proximity to a steel gas main.
- L. Easements - Water mains that are located off the public right-of-way shall have a 20-foot permanent easement.

503.5 Line Extension Requirements:

- A. Developers are required to extend all mains along their entire property frontage. The size of the extension will be at least the size of the existing main and may be larger if required by the City.
- B. If an existing main must be extended to serve a particular development, the Developer will be required to pay all costs.

504. Fire Line Ordinance:

- A. All fire service lines must be equipped with an appropriate backflow device. As a minimum this device shall be a double check valve installed in a vault at a point on the fire service line as near to the main as practical. Certain fire system configurations may require more extensive backflow prevention measures. Contact the Villa Rica Water Department Backflow Prevention Coordinator for a specific determination of backflow prevention requirements of a particular fire service system design.
- B. All fire service systems require the installation of an underwriter approved detector meter installed as a component of the double check assembly or a factory mutual fire line meter immediately upstream of the double check valve assembly.
 1. All detector check assemblies shall utilize a "City-Specified" meter equipped with a "Pro-read" remote reading device.

2. Factory mutual fire line meter systems shall utilize "City-Specified Turbine" or "compound" meter equipped with "Pro-read" remote reading devices.
- C. Fire service charges for systems utilizing a detector meter shall be based on a count of sprinkler heads plus a service fee.
- D. Fire service charges for systems utilizing a factory mutual fire meter shall be based on actual water usage and monthly minimums for meter size.
- E. When unauthorized water is used through a detector meter in three or more billing periods in one calendar year, it shall be replaced with a factory mutual fire line meter. Unauthorized use of water is defined as non-fire fighting water and/or water use without prior notification and approval of the City.
- F. All domestic water supply must be metered with a proper meter.
- G. Work to be performed by Developer. Installation of detector meters or factory mutual fire line meters as required by this ordinance will be handled by the Developer under supervision of the City's inspectors. The cost of installation will be the responsibility Developer.
- H. The City shall have the authority to cut off water service to buildings whose owners refuse to comply with the provisions of this ordinance upon proper notification of sixty (60) days.
- I. The customer shall have ownership and be responsible for maintenance and repairs of the fire service line beginning at the boundary with the public right-of-way. For mains located outside of public right-of-way the customer's ownership and maintenance responsibility shall begin at the connection to the main.

505. **Material Specifications**

All materials used in the work including equipment shall be new and unused materials of a reputable U.S. Manufacturer conforming to the applicable requirements of the Specifications, and no materials shall be used in the work until they have been approved by the City.

- 505.1 **Ductile Iron Pipe:** Ductile iron pipe shall be designed in accordance with ANSI A21.50 (AWWA C150), latest revision, and manufactured in accordance with ANSI A21.51 (AWWA C151), latest revision. Wall thickness class shall be a minimum Class 50.

Ductile Iron Pipe shall have an outside asphaltic coating per ANSI A21.51 (AWWA C151), latest revision. Pipe shall have standard cement lining inside with asphaltic seal coat per ANSI A21.4 (AWWA C104), latest revision.

Pipe Joints - except where restrained or flange joints are specified - shall

be push-on or mechanical joint type conforming to ANSI A21.11 (AWWA C111), latest revision. Pipe shall be in 18' to 20' nominal lengths with standard deflection pipe sockets. Where restrained joints are shown or specified on pipe larger than 12" diameter the joints shall be "Lok-Fast", "Lok-Ring", or equal. Restrained joints for pipe sizes 12" diameter and smaller requiring restrained joint construction may utilize "Fast Grip" gaskets as manufactured by American Pipe or an approved equal.

Where river crossing pipe is shown or specified, the pipe shall be "Flex-Lok Boltless Ball Joint Pipe" as manufactured by American Pipe or approved equal.

Where specified, flanged pipe shall meet ANSI A21.51 and be used with fittings meeting ANSI A21.53. (AWWA C153).

505.2 PVC Pipe: All PVC pressure pipe used for temporary water mains shall be Class 200, SDR 14 pipe rated at 200 psi working pressure.

505.3 Copper Tubing for Water Service: House service pipe shall be copper service pipe, type K, soft temper, seamless copper tubing, conforming to Federal Specification WW-T-T00. Compression or flare joints shall be used.

505.4 Steel Casing Pipe: Steel casing pipe shall be steel pipe conforming to A.S.T.M. Designation A-139, Grade B, electric fusion welded steel pipe. The pipe shall have a minimum tensile strength of 35,000 psi. Both the exterior and interior of the pipe shall have a coal tar varnish coating.

505.5 Pipe Fittings: Fittings shall be ductile iron furnished in accordance with ANSI Specifications A21.53 (AWWA C153), latest revision, and shall have a minimum of 250 psi. pressure class rating. Joints shall be mechanical joint with ductile iron retainer glands conforming to ANSI Specification A21.11 (AWWA C111), latest revision. Ductile iron retainer glands shall be Mega-Lug glands as manufactured by EBAA Iron. All fittings shall be furnished with a cement mortar lining.

505.6 Butterfly Valves:

A. All butterfly valves shall be bubble-tight closing at the rated pressure with flow in either direction, and shall be satisfactory for applications involving throttling service and frequent operations or operations after long periods of inactivity. Valves shall meet the full requirements of AWWA Standard C504, latest revision for 150 psi working pressure

and shall be suitable for above ground or buried service.

All interior ferrous surfaces of valves larger than 12-inch shall have a special epoxy coating meeting the requirements of AWWA C550.

Valve bodies shall be equipped with integrally cast mechanical joint ends meeting ANSI A21.11 (AWWA C111). Mechanical joints shall be fitted with retainer glands with set screws on ductile iron pipe. Retainer glands shall be Mega-Lug as manufactured by EBAA Iron.

Butterfly valves installed underground shall come equipped with the manual operator specified in the following paragraph.

- B. Manual operators shall be of the traveling nut, self-locking type and shall be designed to hold the valve in any intermediate position between fully open and fully closed without creeping or fluttering. Operators shall be equipped with mechanical stop-limiting devices to prevent over travel of the disc in the open and closed positions. Valves shall close with a clockwise rotation. Operators shall be fully enclosed and designed for buried operation. Provide extensions as necessary to bring the operating nut within eighteen inches of the ground surface

505.7 Gate Valves: Valves 12-inches and smaller shall be gate valves. These valves shall be non-rising stem design, iron body, bronze mounted with a compression, resilient seat manufactured in accordance with AWWA Standard C509, latest revision. Valves shall be designed for a minimum working pressure of 200 psi and shall have 2" square operating nuts, except in meter vaults where hand wheels shall be installed. Valves shall have non-rising stems, shall open when turned counter-clockwise and shall meet AWWA Specifications for Class C valves. Valves with flanged connections shall conform to ANSI B16.1. Mechanical joints shall be fitted with retainer glands and set screws on ductile iron pipe. Retainer glands shall be Mega-Lug as manufactured by EBAA Iron. Gate valves shall be as manufactured by American Darling, Mueller, or M&H. Provide extensions as necessary to bring the operating nut within eighteen inches of the ground surface.

505.8 Valve Boxes: Each valve shall be provided with a valve box. Valve boxes for valves shall be approved standard cast iron, screw type adjustable-shaft boxes having a minimum shaft diameter of 5-1/4 inches adjustable for the necessary depth. The casting shall be coated with two coats of coal tar pitch varnish. The lids of all boxes shall bear the word "Water". Boxes shall be equal to Russco Model 562-S or equal with a 5-1/4-inch cast iron drop cover. All off-pavement valve boxes shall have concrete collars and valve markers.

- 505.9 Air and Vacuum Relief Valve Assemblies:** Air and vacuum relief valves shall be cast iron body and covers with bronze trim, stainless steel float, Buna-N-Seal, and shall be designed for a minimum working pressure of 150 psi.

The valve shall be designed to exhaust large quantities of air during the filling period, and small quantities of air which collect in the line while operating under pressure. Acceptable manufactures of air/vacuum valves are Golden-Anderson, APCO or Val-Matic.

Valves between the water main and air relief valve shall be 2-inch stainless steel ball valves.

All air and vacuum relief valves are to be installed in standard meter boxes with gravel bottoms. Provide a minimum gravel layer thickness of 12 inches.

- 505.10 Fire Hydrants:** All fire hydrants shall be designed and manufactured to comply with the latest specifications of the AWWA. They shall be designed for 5-1/4" valve opening and 150 pounds working pressure. The hydrants shall be of simple design, easy to operate, effectively and positively drained and protected from damage by freezing, have bronze seat and drain ring and convenient for repairing and replacing parts.

Hydrants shall be equipped with one 4-1/2" diameter pumper nozzle and two 2-1/2" diameter hose connections, which shall have threads meeting the latest requirements of the State Fire Insurance Commission. Hydrants shall have a 3-way pentagonal operating nut, and shall open when turned counter-clockwise. Hydrants shall have a safety flange on the barrel and a safety coupling on the valve stem, to prevent damage to barrel and stem in case of traffic accident. Hydrants shall be either Mueller Company's Centurian Traffic Model, M & H Style 129 Traffic Model, or American Darling Mark B62B. **The minimum main size for fire hydrant installation is an 8-inch main.**

The construction to the main line shall be with mechanical joint locked hydrant tee equal to American Cast Iron Pipe Company A-10180. All fire hydrant branches shall be valved. Wherever possible the fire hydrant shall be connected to the gate valve by using a locked hydrant adapter equal to American A-10895. The connection at the base of the hydrant shall be mechanical joint with ductile iron retainer gland, for Class 150, centrifugally cast, 6" ductile iron pipe. The valve opening shall meet the requirements of the AWWA Specifications for 5-1/4" hydrant. The valve,

valve seat and inner working parts shall be easily accessible. The distance from the ground to the hose nozzle shall not be less than 24". The body of each hydrant shall be neatly painted with a silver paint and the ears and bonnet painted silver.

Each hydrant shall be tested to 200 psi. The first test shall be made with the valve closed. The second test shall be made with the main valve open but all nozzles closed. While this test is being carried on, the hydrant shall be subjected to a hammer test. Any hydrant showing defects by leakage, sweating or otherwise shall be rejected. The barrel and all parts shall withstand these tests. These tests shall be made in the field after the hydrants are installed.

505.11 Service Saddles: Service saddles shall be Ford F202 or equal with CC threads (3/4" single, 1" dual.)

505.12 Pipe Couplings: Pipe connections between new pipe and existing pipe shall be made with Dresser Style 90 long steel couplings for pipe sizes 2" and below; use mechanical joint sleeves for pipe sizes above 2". Field joints shall be made to insure permanently tight joints under all reasonable conditions of expansion, contraction, shifting, etc.

505.13 Curb Stops: curb stops shall be Ford B23-332W-NL or equal, and dual check valve Ford HHc30-320-NL Dual or equal.

505.14 Corporation Stop: Corporation stop shall be Ford F1000 or equal.

505.15 Branch Piece: 1" x 3/4" x 7-1/2 "Branch Piece shall be Ford U48-43-7 1/2, 1" compression joint or flare inlet x 3/4" MIP outlet.

505.16 P.V.C. Casing Pipe: P.V.C. casing pipe used for long-side services shall be schedule 40, a minimum of 1" larger in diameter than the service line, but no less than 2" in diameter. Detection wire shall be placed on all non-metal casing pipes and service lines.

505.17 Meter Boxes: The meter box shall be plastic and the lid shall be cast iron. The meter box shall be as manufactured by DFW or equal; the lid shall be as manufactured by Kenflow or equal.

505.18 Tapping Valves: Tapping valves shall be M.J. Type, 200 psi minimum rating, acceptable manufactures include Mueller, M&H, and American Darling.

505.19 Tapping Sleeves: Tapping sleeves shall be Ford Stainless Steel tapping sleeves with carbon steel flange.

- 505.20 Water Meters:** The Developer shall install the meter box and curb stop on all residential and commercial and Industrial services in the 3/4 inch and 1-inch sizes. The City shall provide and install the meter after all fees are paid and service is requested. On larger size Commercial and Industrial services, the developer shall install the vault and all piping and valves. The City will provide and install the meter after all fees are paid. No water service will be provided until all required backflow prevention devices are in place.
- 505.21 Backflow Preventers:** Backflow preventers for residential services shall consist of a dual check valve and shall be installed by the Developer as part of the yoke assembly. Backflow prevention devices for commercial services, as a minimum, shall consist of an ASSE approved double check backflow preventer installed by the developer immediately downstream of the meter assembly. Contact the Villa Rica Water Department Backflow Prevention Coordinator for a specific determination of backflow prevention requirements.
- 505.22 Valve Markers:** Valve markers shall be made of 3,000 psi concrete, and shall be four feet (4') long and 4" on each side, with four #4 reinforcing bars. The markers shall be set with an even number of feet between the center line of the valve and the center line of the aluminum disc in the top of the marker, and the distance in feet between the valve and marker shall be stamped in the marker at the time of setting.
- 505.23 Polyethylene Encasement:** Polyethylene film shall be manufactured of virgin polyethylene material conforming to ASTM Standard Specifications D-1248-78 Type I, Class A or C, Grade E-1. The polyethylene film shall have a minimum thickness of 8 mil. The polyethylene encasement material shall be provided in tube sizes adequate for the various size pipes.
- 505.24 Insulators for D.I.P. in Steel Casing:** Insulators shall be as manufactured by Cascade Waterworks Manufacturing Company or approved equal. Insulators for 24" D.I.P. carrier pipe shall be CCS-2580 and 8" in width. Insulators for 12" D.I.P. carrier pipe shall be CCS-1320 and 8" in width. Insulators for 8" D.I.P. carrier pipe shall be CCS-905 and 8" in width. All insulators shall have a stainless-steel shell. Insulators shall be located within 2' of each end of the casing and spaced no more than 10' apart within the casing. The positioning of the casing insulators shall be centered for water mains.

506. Water System Construction**506.1 General:**

- A. It shall be expressly understood that these specifications are for installation of all underground water mains and appurtenances.
- B. All work shall conform to the applicable provisions of the AWWA Specifications of latest revision except as otherwise specified herein.

506.2 Trench Excavation:

- A. Trenches shall have a minimum width of twenty-four (24) inches or the diameter of the outside of the bell of the water main plus twelve (12) inches, (which ever is greater), and the depth thereof shall be such that there shall be a minimum of 42 inches of cover measured below the roadway surface, natural ground, or proposed grade to the top of the pipe. In cases where water lines cross sanitary sewers, there shall be a minimum of two (2) feet vertical separation between the water and sewer mains. In cases where water mains parallel sewer mains there shall be a minimum of ten (10) feet horizontal separation maintained between the mains.

Trenches shall be dug so that the pipe can be laid to the alignment and depth required, and the trench shall be of such width and shall be braced and drained so that the workmen may work therein safely and efficiently. No chocking under the pipe will be permitted. All joints shall be as specified herein. Excavation must be made under the bell of each pipe so that the entire length of the pipe will lie uniformly on the bottom of the trench and the pipe weight shall not rest on the bells. Trenches shall be free of water during the work.

Water lines shall have a minimum cover of 42". All changes in grade shall be made gradually. At points of interference with storm sewers and cross drains, pipe will be run under the conflicting utility if the minimum cover cannot be maintained by going over the top of the pipe.

In laying pipe across water courses, railroad crossings, or depressions of any kind, the minimum depth here specified shall be maintained at the bottom of the depression.

Where necessary, the line shall be lowered at valves so that the top of the valve stem is approximately one foot below the finished grade. The trench shall be deepened to provide a gradual approach to all low points of the line.

- B. Wherever rock is encountered in the excavation, it shall be removed by suitable means. If blasting is used for removal of rock, the contractor shall take all proper safety precautions. He shall comply with all rules and regulations for the protection of life and property that may be imposed by any public body having jurisdiction relative to the handling, storing and use of explosives. Before blasting, the Contractor shall cover the excavation with heavy timbers and mats in such a manner as to protect the adjacent property owners from damage. All rock encountered shall be removed six (6") inches below the bottom grade of the trench and the trench built back to the correct grade with suitable material tamped into place. Sides of the trench shall be trimmed of projecting rock that will interfere with backfilling operations. The Contractor shall be wholly responsible for any damage resulting from blasting. Rock excavation by blasting shall be at least 75 feet in advance of pipe laying.
- C. After the pipe has been laid, backfilling shall be performed in two (2) distinct operations. In general, all backfill beneath, around and to a depth of twenty-four (24") inches above the top of the pipe shall be placed in six (6") inch layers for the full width of the trench and thoroughly compacted by hand with vibratory equipment. Care shall be taken so that the pipe is not laterally displaced during backfilling operations. The backfill lifts shall be placed by an approved method in accordance with that hereinafter specified. Backfill materials shall be the excavated materials without bricks, stone, foreign matter or corrosive materials, where not otherwise specified or indicated on the plans.
- D. Backfill under permanent concrete or bituminous pavement and as elsewhere specified or indicated on the plans shall be as shown in the Standard Detail Drawings for trenches in paved areas. Mechanical vibrating equipment shall be used to achieve the required compaction.
- E. Backfill under gravel or crushed stone surfaced roadways and low-type bituminous surfaced roadways shall be approved suitable excavated material placed in twelve (12") inch layers and thoroughly compacted for the full depth and width of the trench, conforming to the compaction, density compaction method and materials as specified in "D" above.
- F. Backfill in unpaved areas shall be compacted with mechanical vibrating equipment to ninety-five percent (95%) as determined by the Standard Proctor Test. Trenches shall be compacted so they will not settle. If settlement occurs, trenches are to be refilled, re-compacted and re-graded. Backfill material from pipe bedding to ground surface

shall be excavated earth free from large stones and other debris.

- G. Contractor shall fully restore and replace all pavement, surface structures, grassing, landscaping, etc., removed or disturbed as part of the work to a condition equal to that before the work began. All pavement removal shall be replaced per Standard Detail Drawings.
- H. Where sheeting is used in connection with the work, it is in no case to be withdrawn before the trench is sufficiently filled to prevent damage to banks, road surfaces, adjacent pipes, adjacent structures or adjacent property, public or private.

506.3 Laying Pipe: All pipe shall be laid straight, true to line and grade. Bell and coupling holes shall be dug in the trench and the pipe shall have a continuous bearing with the trench bottom between bell or coupling holes. No shimming or blocking up of the pipe shall be allowed. When the work is not going on, all pipe openings shall be securely closed by the insertion of the proper size plug and caulking so that dirt and debris will not be washed into the pipe in case of rain.

In making the joints with ductile iron pipe, the spigot end of the pipe and the inside of the bell shall be thoroughly cleaned and the gasket inspected to see that it is properly placed; lubricant shall be applied to the spigot end of the pipe and it shall be inserted into the bell of the adjoining pipe to the stop mark on the pipe.

506.4 Thrust Restraint for Pressure Lines:

A. Reaction Blocking

1. Underground piping laid around curves and at all unsupported changes of direction, all tees, wyes, crosses, plugs and other like fittings shall be solidly and properly blocked with concrete against solid earth to take the reaction of the main pressure and to prevent lateral movement of the pipe or fittings when under pressure. Reaction blocking shall be installed at all locations requiring same and where tie rods and clamps are not called for in the plans. Concrete for reaction blocking shall have a minimum compressive strength of 3,000 psi at twenty-eight (28) days. The blocking, unless otherwise shown, shall be so placed that the pipe and fitting joints will be accessible for repair. In addition to the concrete blocking specified herein, all mechanical joint fittings shall be installed with Mega-Lug retainer glands.
2. Reaction blocking shall be constructed as per AWWA Standard

C600 Section 3.8, latest revision. It shall be constructed in conformance with the Standard Detail Drawings for Reaction Blocking.

- B. Retainer Glands: Mechanical joint fittings on Ductile Iron Pipe shall be installed with retainer glands. Retainer glands are to be Mega-Lug retainer glands as manufactured by EBBA Iron.
1. Clean the socket and the plain end. Lubrication and additional cleaning should be provided by brushing both the gasket and the plain end with soapy water or an approved pipe lubricant meeting the requirements of ANSI C111 or AWWA A21.11 just prior to slipping the gland and gasket onto the plain end for joint assembly. Place the gland on the plain end with the lip extension toward the plain end, followed by the gasket.
 2. Insert the pipe into the socket and press the gasket firmly and evenly into the gasket recess. Keep the joint straight during assembly.
 3. Push the gland toward the socket and center it around the pipe with the gland lip against the gasket. Insert bolts and hand tighten nuts. Make deflection after joint assembly but before tightening bolts.
 4. Tighten the bolts to the normal range of bolt torque specified in AWWA C600 while at all times maintaining approximately the same distance between the gland and the face of the flange at all points around the socket.
 5. Tighten the torque limiting twist off nuts in a clock-wise direction until all wedges are in firm contact with the pipe surface. Continue tightening in an alternate manner until all of the nuts have been twisted off.

506.5 **Setting Fire Hydrants:** Fire hydrants shall be placed at the locations shown on the plans or as directed by the City and shall be installed **on a minimum main size of 8-inch**. All fire hydrants shall be installed with a resilient seat gate for isolation from the main. Gate valves for fire hydrants shall be connected directly to the main by means of a "Locked Hydrant Tee". Fire hydrants shall be connected to the isolation valve with a locked hydrant adapter. Installations where locked hydrant tees or locked hydrant adapters cannot be utilized, either due to distance from the main or size, shall be restrained with retainer glands and threaded rods. Care shall be exercised that set screws and retainer glands are tightened sufficiently to secure the hydrants before pressure is put on the main. Not less than nine cubic feet of coarse, broken stone shall be placed around the base of the hydrants, as shown in the Standard Detail Drawings, Section 500. Before placing the hydrants, care shall be taken to see that all foreign material is removed from within the body. The stuffing boxes shall be

tightened and the hydrant valve opened and closed to see that all parts are in first class working condition. All hydrant openings shall be kept capped, except when hydrant is being worked on.

Existing fire hydrants shall not be operated without permission of the City.

When a fire hydrant has been constructed but is not yet in service, the Contractor shall provide and attach to the fire hydrant, flags or collars indicating that the fire hydrant is not in service. Said flags or collars shall remain on the fire hydrant until it is put into service.

Whenever an existing fire hydrant is taken out of service, whether temporarily or permanently, it shall be equipped with a flag or collar indicating that it is not in service. The Contractor shall provide and install flags or collars as required and shall notify the Fire Department whenever the operating status of any fire hydrant changes.

FIRE HYDRANTS SHALL NOT BE OPERATED WITH ANY TOOL EXCEPT A SPECIFICALLY DESIGNED FIRE HYDRANT WRENCH. If the Contractor observes any other contractor or person operating a fire hydrant with an unapproved fire hydrant wrench, he shall report that fact to the City immediately. It is the Contractors responsibility to ensure that all new facilities are maintained in new condition until final completion of the project and acceptance by the City. Fire hydrants with damaged operating nuts shall not be accepted.

- 506.6 Setting Valves and Fittings:** Valves shall be set plumb, and shall have cast iron valve boxes. The valve boxes shall be placed directly over the valve and set plumb, the top of the box being brought to the surface of the ground. Provide valve extensions on all valves with operating nuts more than three feet in depth. Valve extensions shall bring the operating nut to within eighteen (18) inches of the surface and shall be keyed into the valve nut. After the boxes are in place, earth shall be filled in the trench and thoroughly tamped around the box. After all settlement has taken place, a precast concrete collar shall be installed for each valve box.

Fittings shall be properly restrained to ensure that they will not be blown off or broken loose under the greatest possible working pressure (see Standard Detail Drawings). All fittings shall be mechanical joint and shall be installed with Mega-Lug retainer glands and concrete blocking unless specified otherwise. In situations where there is insufficient undisturbed earth to act as a bearing surface or where otherwise directed by the City, fittings shall be restrained by the use of threaded rods or other method acceptable to the City.

Prior to blocking any joint or fitting with concrete, that joint or fitting shall be wrapped with polyethylene film in such a manner that the concrete will not stick directly to the pipe but that the load bearing capacity of the blocking will not be affected. Care shall be taken to prevent the concrete from covering bolts. Polyethylene film shall be installed at other points along the water main where so directed by the City.

506.7 Placing of Steel Casing Pipe: Casing pipe shall be installed at the location shown on the plans. Unless directed otherwise, the installation procedure shall be by the dry bore method. The hole is to be mechanically bored and cased through the soil by a cutting head on a continuous auger mounted inside the casing pipe. The installation of the casing and boring of the hole shall be done simultaneously by jacking. Lengths of pipe are to be adequately welded to the preceding section installed. Excavation material will be removed and placed at the top of the working pit. Backfill material and methods of backfilling and tamping shall be as required under BACKFILLING. Carrier pipe shall be inserted within the casing by use of stainless steel casing spacers. Intervals shall be as detailed in Section 805.24.

506.8 Marking Location of Valves:

- A. Each main line water valve shall be marked by cutting a letter "V" in the horizontal surface at the back of the curb. The "V" shall be turned to point toward the valve which may be either in the street or in the grass behind the curb. The letter height shall be 4" to 6".
- B. Concrete valve markers shall be set for main line water valves with an even number of feet between the center line of the valve and the center line of the aluminum disc in the top of the marker, and the distance in feet between the valve and marker shall be stamped in the marker at the time of setting.

506.9 Dewatering Trenches: The Contractor shall do all necessary pumping or bailing, build all drains and do all other work necessary at his own expense to keep the trenches clear of water during the progress of the work.

506.10 Bracing, Sheet piling, and/or Shoring: Whenever the condition of the ground is such that it is necessary to protect the work, the street, the roadway or the workmen, the sides of the trench shall be supported with suitable bracing, sheet piling and/or shoring to be furnished by the Contractor at his own expense.

506.11 Rock Excavation: Drilling and blasting operations shall be conducted

with due regard for the safety of persons and property in the vicinity and in strict conformity with requirements of all ordinances, laws and regulations governing blasting and the use of explosives. Rock excavation near existing pipelines or other structures shall be conducted with the utmost care to avoid damage. Injury or damage to other structures and properties shall be promptly repaired by the Contractor to the satisfaction of the City and property owner.

Rock in trenches shall be excavated over the horizontal limits of excavation and to depths as follows:

<u>Size of Pipeline</u> <u>Inches</u>	<u>Depth of Excavation Below</u> <u>Bottom of Pipe, Inches</u>
6 and Less	6
8 to 18	8
18 to 30	10
Over 30	12

The undercut space shall then be brought up to grade by backfilling with Size #57 crushed stone material or approved equal.

506.12 Location and Protection of Existing Underground Utilities: It is the responsibility of the Contractor to locate the underground utilities and to protect same. Utility lines or services damaged by the Contractor shall be repaired by the Contractor at his own expense. The Contractor is to comply with all Federal, State and Local laws requiring notification of the Utilities Protection Center prior to excavating.

506.13 Connection to the Existing City Water System:

A. Requirements for all connections: All persons desiring to connect a line extension to an existing main must make application at the City at least 21 working days prior to the date the connection is to be made. Connection to existing mains will only be allowed for approved projects. All connections must be made with a wet tap using a tapping saddle or tapping sleeve. The contractor has the option of contracting with the City Water Department to perform the actual tapping of the main or they may contract with an outside private contractor. City approval of private contractor to perform pipe tapping is mandatory. Submit detailed resume and work history with references to establish competency and expertise for performing tap work. A City of Villa Rica Water Department inspector must be present at all times during tapping operations. The contractor shall furnish the following information when making application:

1. Approved plan for the project.
2. Copy of Street or highway permit if applicable.

3. Schedule of work to be performed.
 4. Resume, work history and references of proposed tapping contractor for taps installed by a private contractor.
 5. Payment of cost estimate for connections installed by the City.
- B. City makes connection: The City will charge for work at prevailing department rates and schedule the connection to conform to their work schedule and notify the Contractor so that he can complete his preparation.
1. The Contractor shall furnish the following at site:
 - a. Tapping sleeve and valve installed on the line and ready for tapping.
 - b. Proper traffic control devices and person(s) to direct traffic if required.
 - c. Backhoe or lift capable of handling the tapping machine.
 - d. Minimum of three (3) men to assist with the work.
 2. The Contractor will be billed for making the connection based on material costs and the hourly rates for the City's operator, additional laborers, truck and any other equipment used if made by City forces.
- C. Private Contractor makes connections:
1. City personnel shall supervise the tap and associated work by private contractor.
 2. All taps shall be made on wet lines under pressure.
 3. All taps to be made with saddles or tapping sleeves meeting City standard specifications.

506.14 Street Cuts:

- a. All paved roads will be bored and cased. A bore must be attempted before consideration will be given to cutting the street. A permit is required for all utility installations in existing City streets as detailed in Section 307.6 of the General Design Regulations.
- b. One lane of traffic shall be maintained open at all times.
- c. Construction work shall be limited to the hours between 9 A.M. and 4 P.M. Other time constraints may be imposed if deemed necessary by the City.
- d. The Contractor shall furnish traffic control devices and person(s) to direct traffic, if required.
- e. Compaction and surface replacement to be performed per City Standard Specifications as detailed in other sections herein.

506.15 **Standard Drawings:** Installation of fire hydrants, water valves, valve boxes, meters, long side service water lines, etc. shall be made in accordance with applicable Standard Design Drawings in these specifications.

506.16 **Clean Up:** Prior to requesting the final inspection, the Contractor shall do the following:

- A. Remove and dispose of in an acceptable manner all shipping timbers, shipping bands, spacers, excess materials, broken material, crates, boxes and any other material brought to the job site.
- B. Repair or replace any work damaged by the water line construction.
- C. Regrade and smooth all shoulder areas disturbed by the water line construction.
- D. Set precast concrete collars around all valve boxes outside paved areas.
- E. Insure that all fire hydrants are set to grade and that all valves have been located and are fully open.

506.17 **Interruption of Water Supply During Construction:** Approval of the City Water Department must be obtained prior to interrupting water service to an occupied building. A minimum of twenty-four (24) hours advance notice shall be given to any occupied building served by a water line which is required to be shut off. Occupants shall be informed of the date, time of cutoff and the duration of stoppage by written notice posted on doorways of all buildings affected. Failure to do so will make the Contractor liable for any damages reported to the City Office.

507. **Inspection and Tests**

507.1 **Scope:** This section pertains to the inspection and testing of installed water lines requiring testing for assuring proper operation and service and/or specifically specified to be tested. In general, all lines designed to operate under pressure shall be successfully tested. Tests of installed piping shall consist of a pressure and leakage test.

All construction inspections shall be performed under the supervision of a Professional Engineer (PE) registered in the State of Georgia.

All piping to be tested must satisfactorily comply with the pressure tests before being eligible for acceptance. In general, tests shall be conducted in accordance with AWWA Standard C-600 except as otherwise herein specified.

507.2 Testing:

- A. After all piping has been placed, each run shall be tested by the Contractor in the presence of the Inspector and tests shall be continued until all leaks have been made tight to the satisfaction of the Inspector. The Contractor shall furnish all necessary water, meters, pumps, gauges, bulkheads, and other materials and appliances necessary to conduct the test as herein required. Every precaution must be taken to valve-off or otherwise protect control equipment in or attached to the pipe line to prevent damage or injury thereto. All piping shall be tested at 200 psi for a minimum test duration of one (1) hour. The City or its representative may require a 24-hour test if it so desires.
- B. Before applying the specified test pressure, all air shall be expelled from the pipe. If hydrants, blow-offs or air release valves are not available at the high places, the Contractor shall make the necessary taps, as per the standard detail for tap construction, at points of highest elevation before the test is made and close the corporation stop after the test has been completed.
- C. Prior to the pressure test, pipe laid in trenches shall be backfilled adequately to secure the pipe during the test. Any observed leakage shall require corrective measures to pipe lines and/or joints as otherwise provided for in these Specifications and to the satisfaction of the Inspector. During the final pressure test the specified pressure shall be maintained in the pipe being tested for a minimum time of one (1) hour.
- D. The City will furnish the necessary water for testing the lines. However, any water lost through breakage of lines or unnecessary or excessive flushing of line will be charged to the Contractor. Each valved section must be flushed and tested at a pressure of 200 PSI for one hour. Lines shall be tested in sections in a manner that assures testing of the tapping valve and all main line valves. When testing at the above specified pressures, the rate of leakage shall not exceed 15 gallons per 24 hours per inch diameter per mile of line. (See Table below).

Size of Pipe	Leakage Tabulation	
	Gallons/Hr./100 Ft.	Gallons / Day
12"	0.142	3.409
10"	0.118	2.841
8"	0.095	2.273
6"	0.071	1.704

Any section of the line not meeting the above test shall have the leaks

found and corrected at once and re-tested until the leakage falls within the limits specified above.

- E. All fire hydrants shall be flushed to check operations.
- F. All valves shall be located, and operation checked.

507.3 Disinfection: After leakage testing, and all necessary repairs have been made, the lines shall be flushed clean and then disinfected in strict accordance with AWWA Standard for Disinfecting Water Mains, AWWA C651, latest revision subject to the following special conditions:

- A. The method of disinfection shall be either the Continuous-Feed Method or the Slug Method. The Tablet Method is not acceptable.
- B. The form of chlorine may be either: (1) a 1 percent solution made from either sodium hypochlorite or calcium chlorine gas cylinder supplying a vacuum-type chlorinator, or (2) making a solution and pumping it into the pipeline.
- C. The Contractor shall dechlorinate the highly-chlorinated water being flushed from the pipeline or otherwise dispose of in a manner complying with State Environmental regulations.
- D. The developer shall be responsible for collecting bacteriological samples under City supervision. The City shall perform the initial bacteriological testing of water samples from the disinfected pipeline at no charge. The Contractor shall be responsible for charges on all failed tests.
- E. Before any flushing or disinfection work is begun, the Contractor shall outline his planned procedures for these tasks and obtain approval of the City.

507.4 Contractor Qualifications:

- A. Licensing and Safety: All contractors who work on water systems that will be owned by the City of Villa Rica must be licensed in accordance with State of Georgia law and local ordinance. Compliance with applicable safety regulations is the responsibility of each company engaged in the work; the city assumes no responsibility for the actions of others on the job site. It is the responsibility of those installing water mains and related appurtenances to conform to OSHA regulations, 29 CFR Part 1926, Subpart P, Paragraph 1926.650 through 1926.653. Publications from OSHA can be obtained by contacting OSHA Publications Distribution, Washington, D.C.
- B. Contractors performing water system installations must be approved by the City and should be completely familiar with the procedures and contract requirements associated with this type project.
- C. Unsatisfactory work will cause a contractor not to be given a permit for future work.

507.5 Construction Inspection:

- A. Responsibility for Inspection: The developer will be responsible for the quality, accuracy and workmanship of his completed work.

City personnel will visit the job site on a periodic basis and will make spot checks as they deem appropriate. The City of Villa Rica shall have the right to review and inspect all construction and may reject any work that does not meet quality control standards. The contractor shall leave trenches open at critical locations to allow visual inspection of fittings, valves and hydrants prior to backfilling. The City maintains the right to refuse performing inspections at unsafe worksites.

- B. Access to Project: Authorized representatives of the City of Villa Rica, which may include city employees, the City, state or federal agencies, shall have access to the site for inspection at any time.

- C. Communications During Construction: All written communications regarding water construction shall be directed to the City Water Department. The developer shall be responsible for scheduling a preconstruction conference between their contractor and utilities and affected City departments prior to any construction activities.

After a preconstruction conference has been held the contractor will notify the City in writing 2 days before starting construction. The contractor will provide notification by phone any time the work is to be vacated and will provide notice by phone prior to resuming work.

The Owner/Developer shall request the final inspection in writing.

The city inspector may have informal verbal communications with the contractor foreman or superintendent at any time during construction. The city inspector will not direct the actions of contractor's workmen.

- D. Concealed Work: The contractor shall notify the city and receive inspection approval prior to concealing certain work such as valves, fittings, bends, tees, fire hydrants, pipe bedding, reaction blocking, lot services, or other appurtenances.
- E. As-Built Drawings Provided by Design Professional: As-Built drawings will be provided and certified by the design professional who is employed by the developer. As-built drawings shall be submitted showing the horizontal location of the mains, main size, valve, hydrant, and service line and meter location. Locations shall be

referenced to a fixed landmark where necessary. Provide detail drawings of crossings with other utilities showing vertical and horizontal clearances.

F. Minimum Testing: All costs for testing required by the City shall be paid for by the developer.

1. Compaction of backfill. Compaction testing will be required for mains constructed in paved areas or where pavement is planned. A minimum of two tests at each road crossing will be conducted at varying depths as fill is being placed. If any of these tests show failing results, then the failing backfill will be removed, re-compacted and re-tested, and one additional area will be tested as well.
2. Pressure and disinfection tests shall be observed until each test is passing.

507.6 Final Inspection and Conditional Acceptance: Prior to final inspection of the water system the developer shall have previously completed the pressure and disinfection tests. After the developer makes written request for final inspection, the city will schedule a final inspection. The contractor and the developer will be present during this final inspection. This final inspection will generally include spot checks of hydrants, valves and other appurtenances and a complete overview of the project.

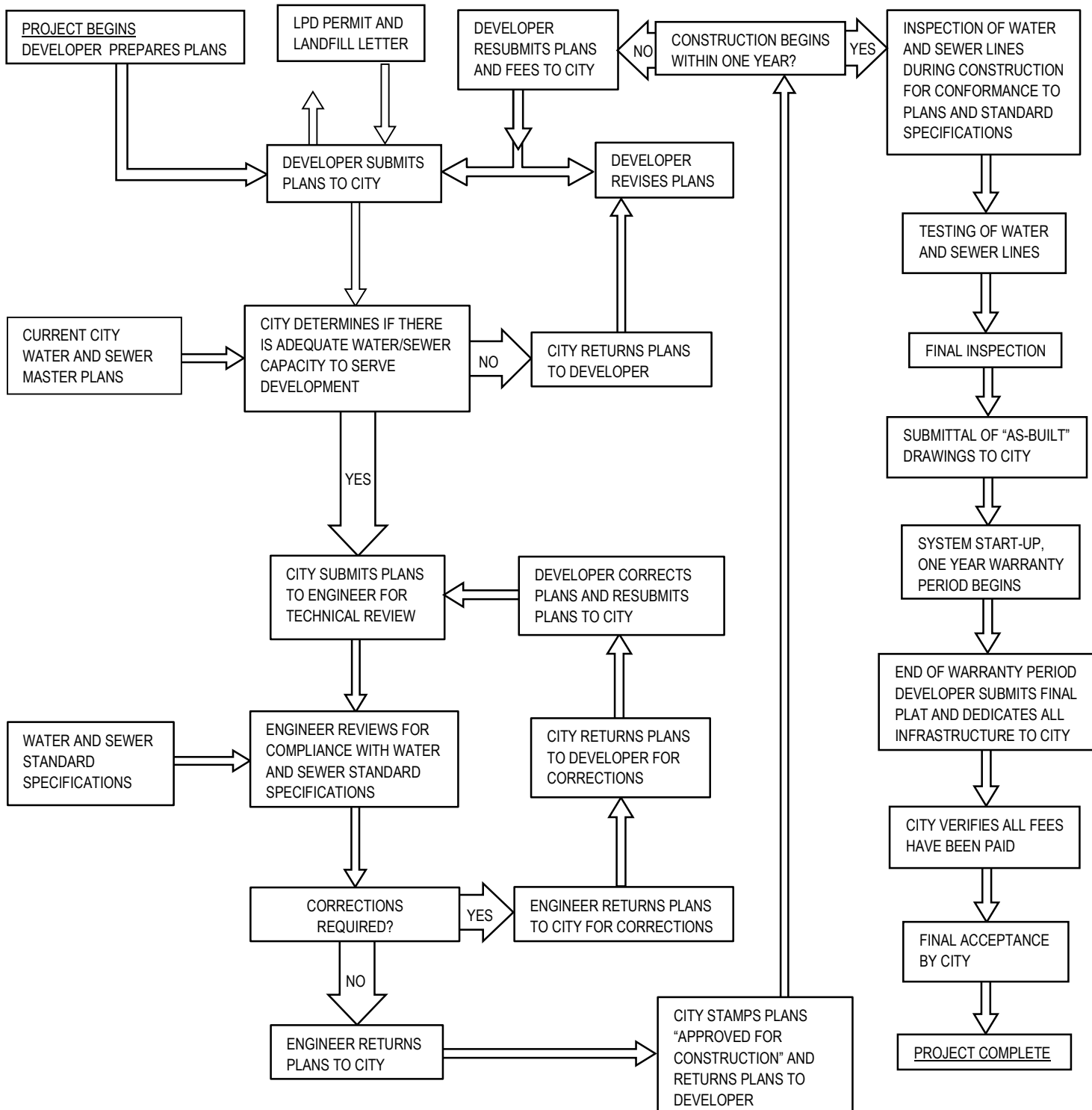
After any discrepancies are corrected and approved as-built drawings are submitted, the city will issue a letter certifying conditional acceptance of the water system. This letter shall commence the start of the 18-month warranty period which is required of the contractor.

On projects having phased development, this letter will clearly identify portions of the project being accepted.

At the end of 18 months, the subdivision inspection team will again re-inspect the entire development. When all discrepancies have been corrected, the city will issue an acceptance letter and will begin perpetual maintenance and operation of the water system.

507.7 Maintenance Bond or Letter of Credit: The developer shall post a maintenance bond or Letter of Credit of 25% of the total project cost on the facility for an eighteen-month period after completion and conditional acceptance of the facility by the City of Villa Rica for all projects whose cost exceeds \$20,000.00. **Bonds are to be written where the City of Villa Rica must release the bond in writing. Bond expiration dates for release are not acceptable.**

507.8 Maintenance until Final Acceptance: It shall be the developer's obligation to provide all maintenance for an 18-month period after acceptance of the project by the City of Villa Rica. At the end of the 18-month maintenance period the City shall inspect the water system, and upon correction by the developer of all deficiencies noted by the City, the City will accept the water system for maintenance.



AUGUST 2023

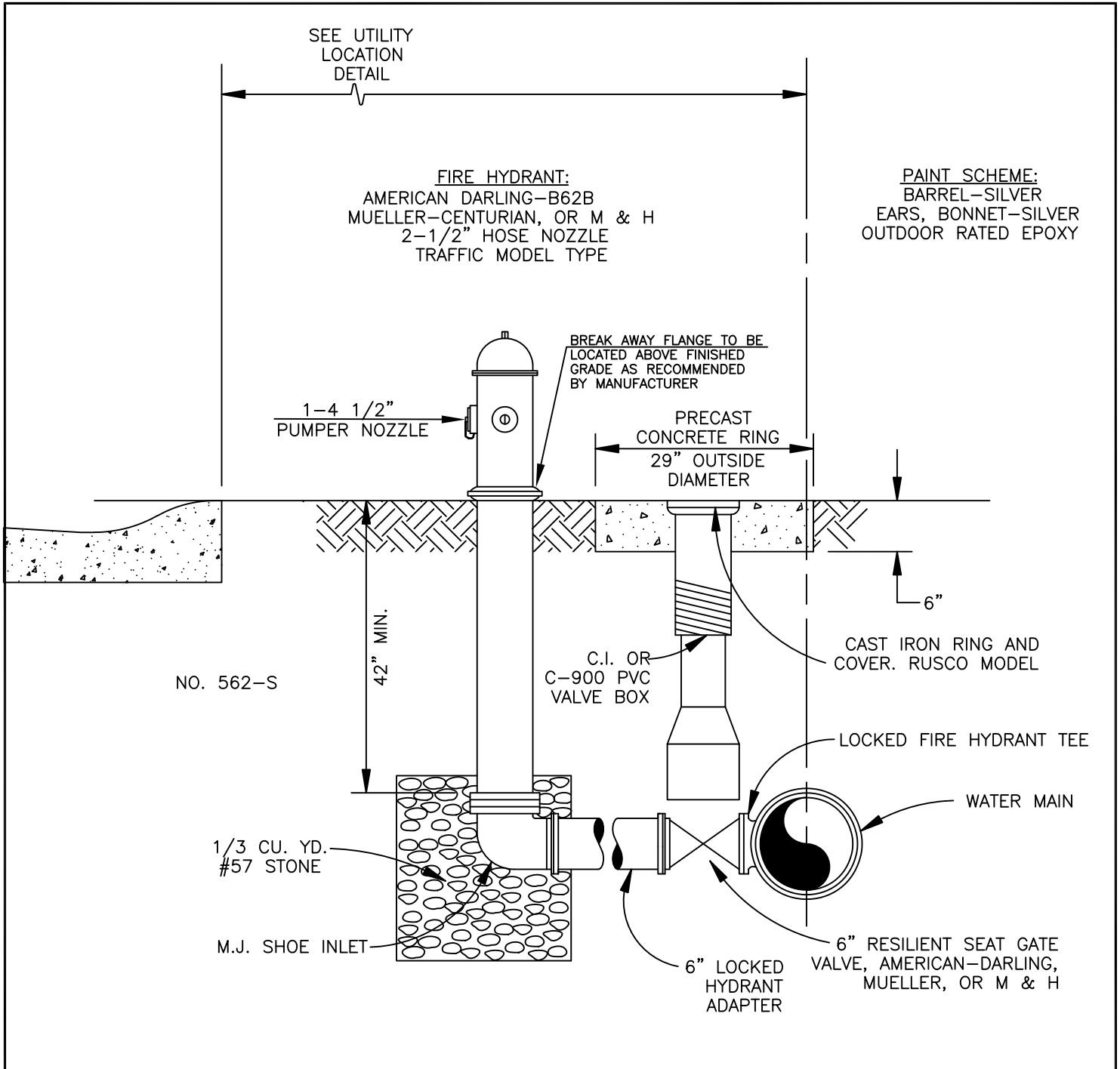


City of Villa Rica

Department of Utilities

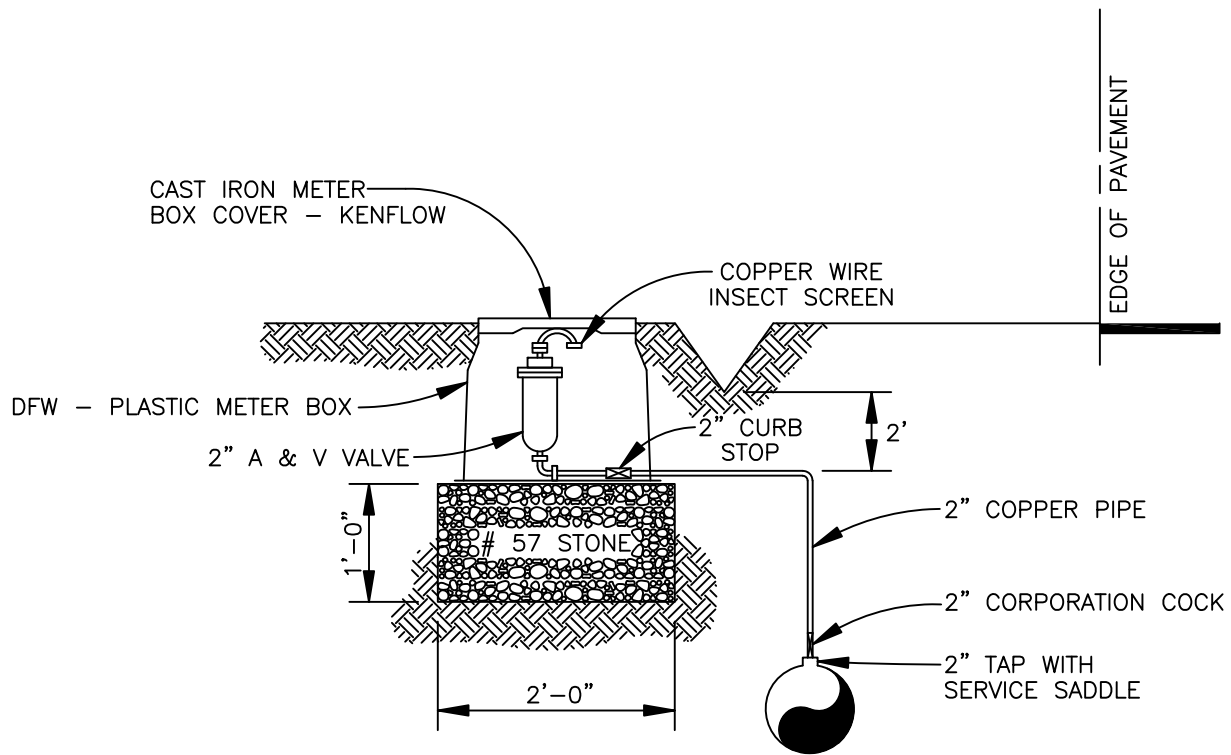
STANDARD PROJECT REVIEW AND APPROVAL PROCEDURE

REVISIONS



- NOTES:**
- 1. HYDRANT NOZZLE TO FACE STREET
 - 2. VALVE BOX TO BE ADJUSTED TO GRADE
 - 3. CONCRETE COLLAR AROUND VALVE BOX IF NOT IN PAVED AREA
 - 4. GRAVEL TO BE PLACED AROUND HYDRANT DRAIN, MINIMUM DIMENSIONS 2' x 2' x 2.25'

CITY OF VILLA RICA WATER & SEWER DEPARTMENT	TYPICAL FIRE HYDRANT INSTALLATION CONSTRUCTION STANDARD	DATE:	JAN. 2018	STANDARD NO. 5.8.01
		APPROVED:		



TYPICAL WATER AIR & VACUUM RELEASE VALVE ASSEMBLY

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

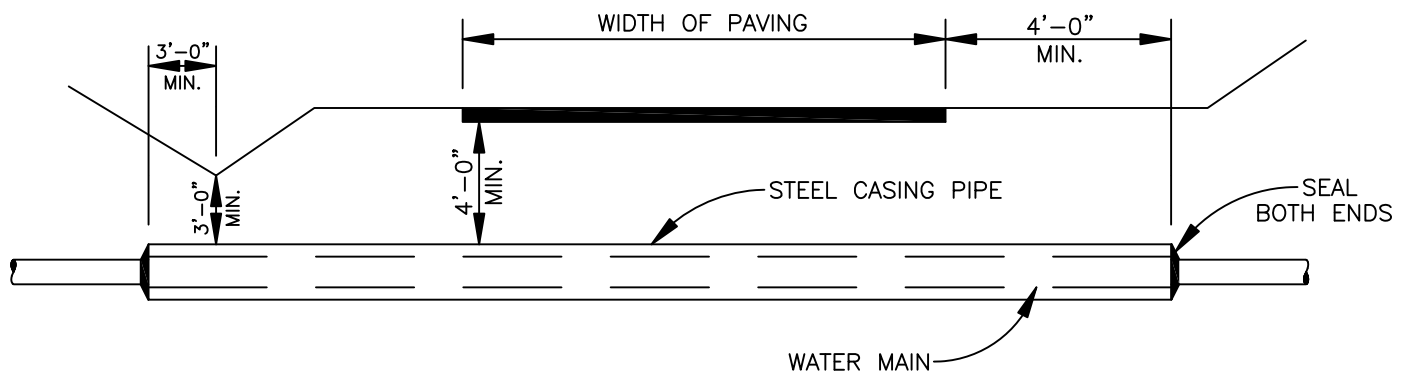
**WATER A & V
RELEASE VALVE
ASSEMBLY**
CONSTRUCTION STANDARD

DATE: SEPT. 2018

APPROVED:

STANDARD
NO.

5.8.02



NOTES:

1. CASING PIPE SHALL EXTEND A MINIMUM OF 3' BEYOND TOE OF FILL SLOPES OR DITCH LINES AND 4' BEYOND EDGE OF PAVEMENT AND BACK OF CURB.
2. CASING SPACERS SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.
3. MUST OBTAIN PERMIT FROM PUBLIC WORKS PRIOR TO BORING EXISTING ROAD.

TYPICAL ROAD
CROSSING DETAIL

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

**TYPICAL ROAD
CROSSING**

CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

5.8.03

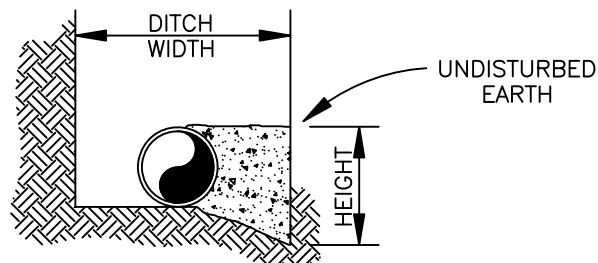
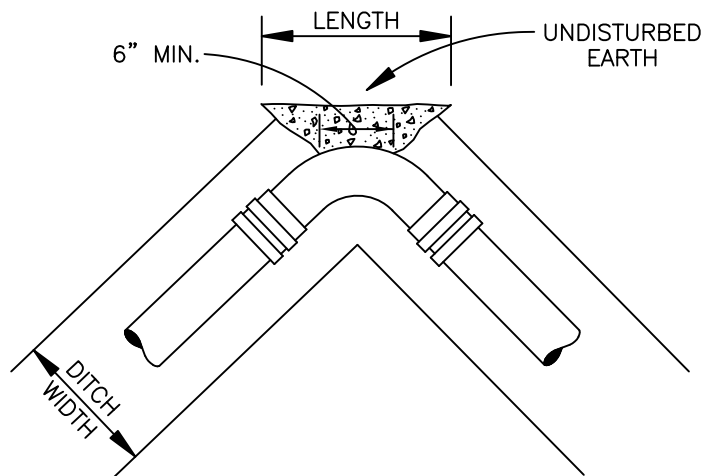


TABLE FOR CONCRETE BLOCKING
(16" PIPE, 200 PSI TEST PRESSURE)

<u>FITTING</u>	<u>MINIMUM BEARING AREA</u> <u>LENGTH x HEIGHT</u>
11 1/4° BEND	2' x 2'
22 1/2° BEND	2' x 3'
45° BEND	3' x 4'
90° BEND	6' x 4'
TEE	4' x 4'
DEAD END	4' x 4'

FOR SMALLER PIPE, THE ABOVE BLOCKING BEARING AREA CAN BE MULTIPLIED BY REDUCTION FACTORS SHOWN BELOW; HOWEVER, THE LEAST DIMENSION IS TO BE NOT LESS THAN 1 FOOT.

<u>PIPE SIZE</u>	<u>REDUCTION FACTOR</u>
12"	0.58
10"	0.41
8"	0.27
6"	0.16

NOTE:

SOIL BEARING STRENGTH OF 2500 PSI IS ASSUMED IN THE CALCULATIONS ABOVE.

CONCRETE BLOCKING

CITY OF
VILLA RICA

WATER & SEWER DEPARTMENT

CONCRETE
BLOCKING DETAIL

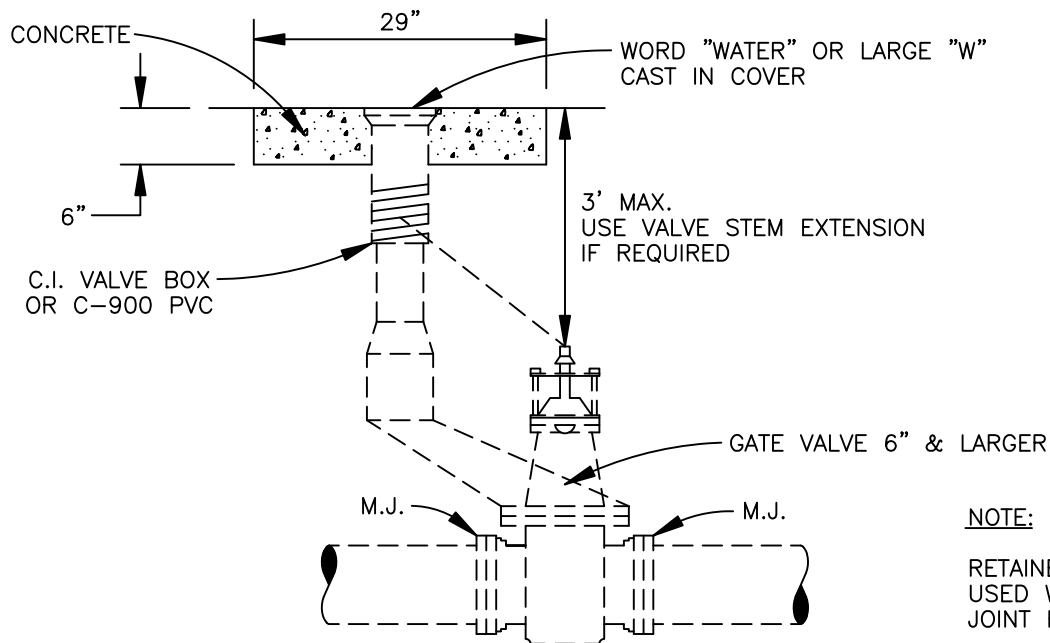
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

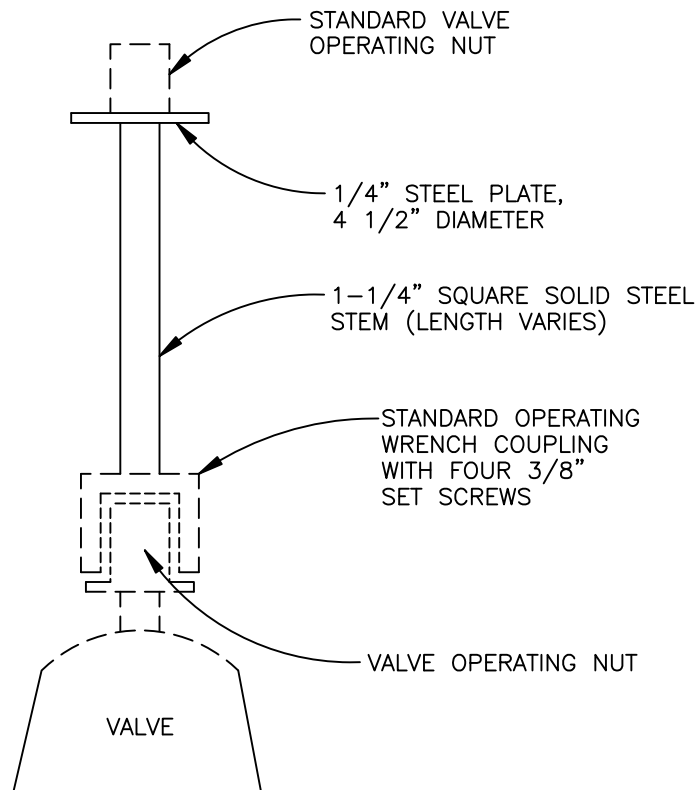
5.8.04



TYPICAL VALVE INSTALLATION

NOTES:

1. TOP OF EXTENSION SHALL BE NO MORE THAN TWO FEET BELOW FINAL GRADE.
2. CONTRACTOR IS RESPONSIBLE FOR IN FIELD MEASUREMENT OF DEPTH OF PIPE COVER TO DETERMINE NEED FOR VALVE STEM EXTENSION.



VALVE STEM EXTENSION DETAIL

CITY OF
VILLA RICA

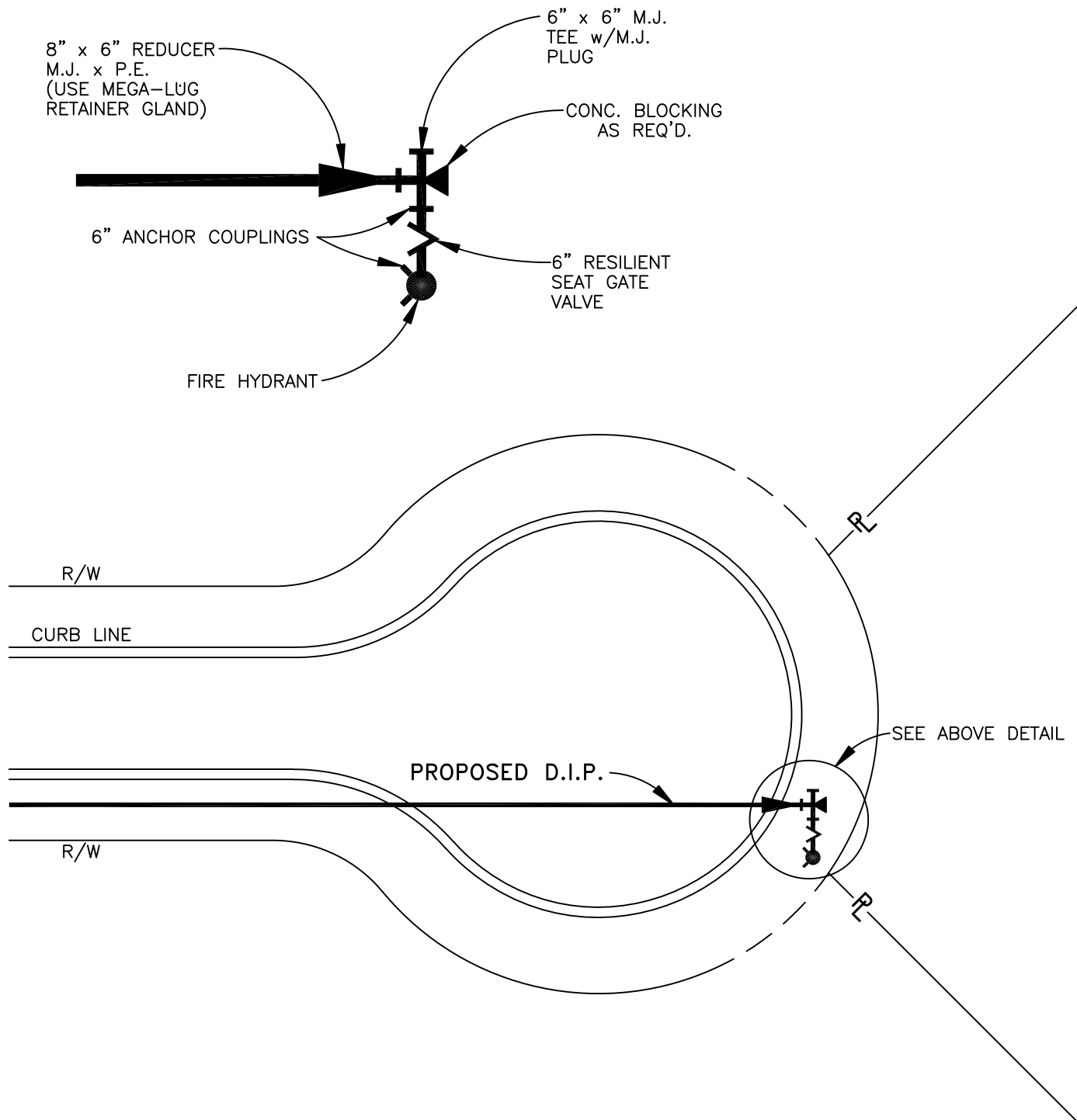
WATER & SEWER DEPARTMENT

TYPICAL
VALVE
INSTALLATION
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.
5.8.05



WATERMAIN AT CUL-DE-SAC

NOTE:

ALIGN FIRE HYDRANT WITH PROPERTY LINE.
CONSTRUCT WITH MAXIMUM DISTANCE OF 8' FROM
BACK OF CURB TO BACK OF HYDRANT AND BACK OF
CURB TO BACK OF CONCRETE BLOCKING.

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

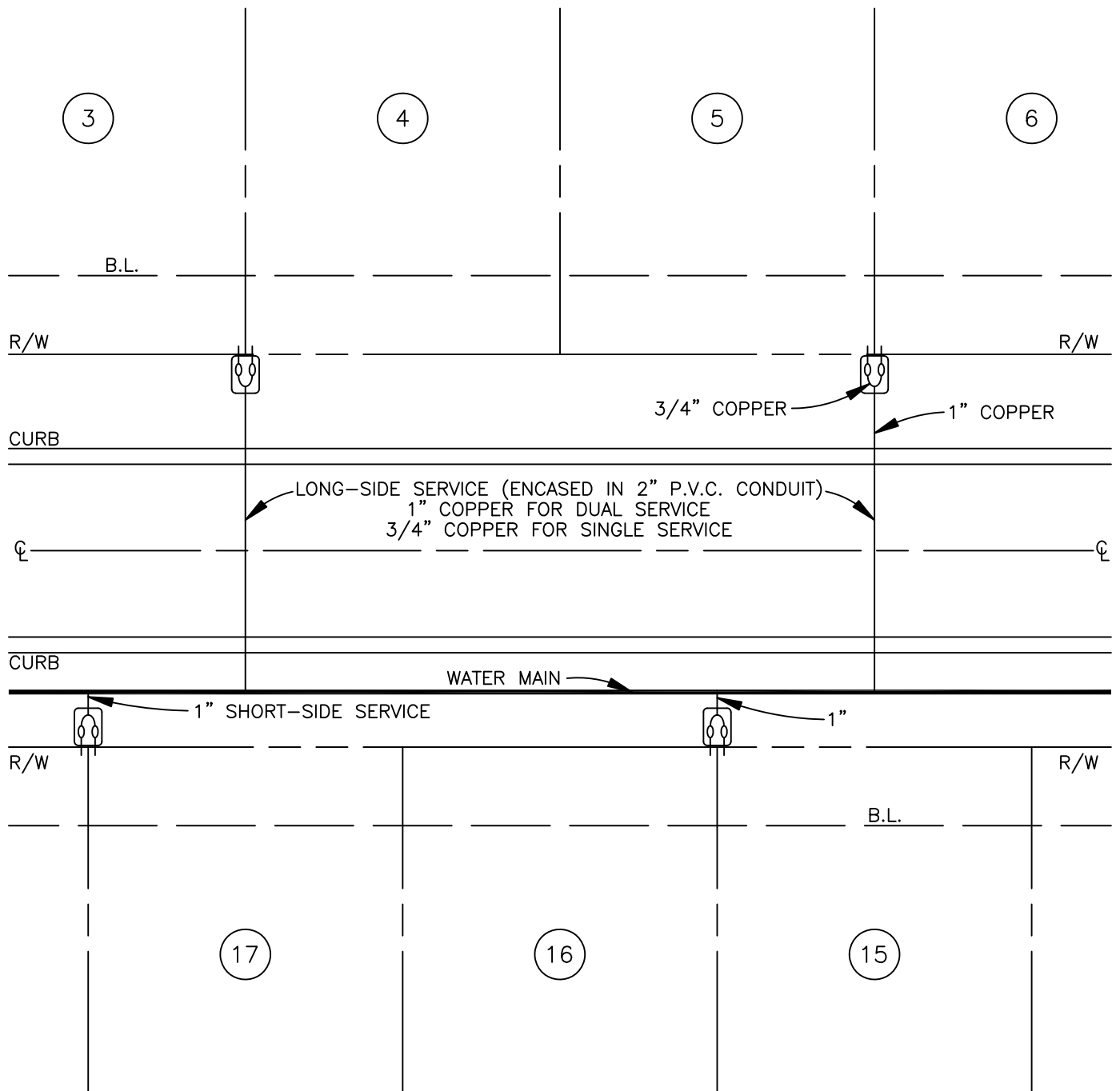
**TYPICAL
WATERMAIN
AT CUL-DE-SAC**
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

5.8.06



NOTE:

METERS TO BE INSTALLED AT PROPERTY LINES WHENEVER FEASIBLE

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

**3/4" WATER
METER LOCATION
(FOR SUBDIVISIONS)**
CONSTRUCTION STANDARD

DATE: SEPT. 2018

APPROVED:

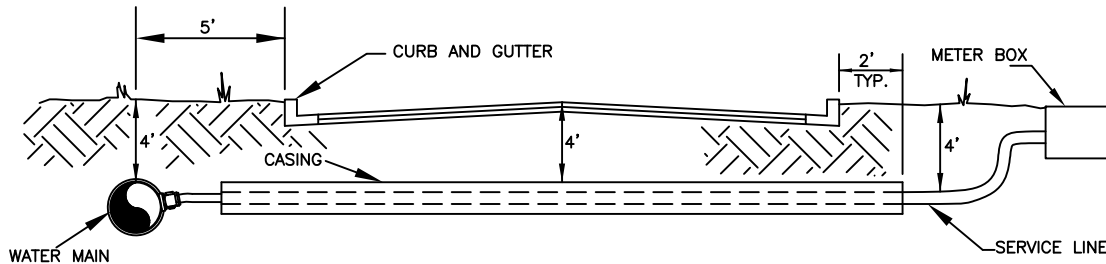
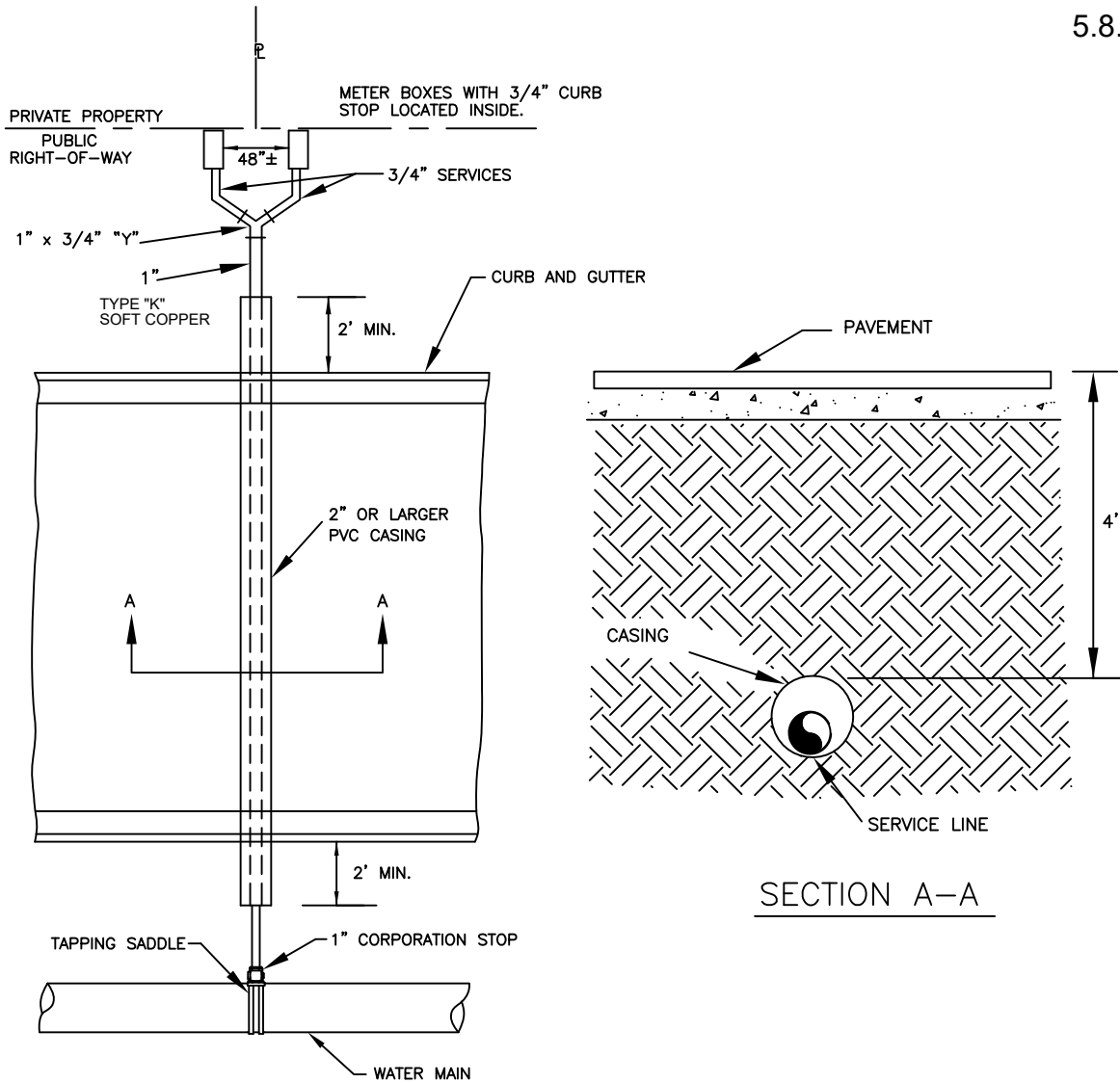
STANDARD
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5.8.07

CITY OF VILLA RICA

Detail

5.8.08

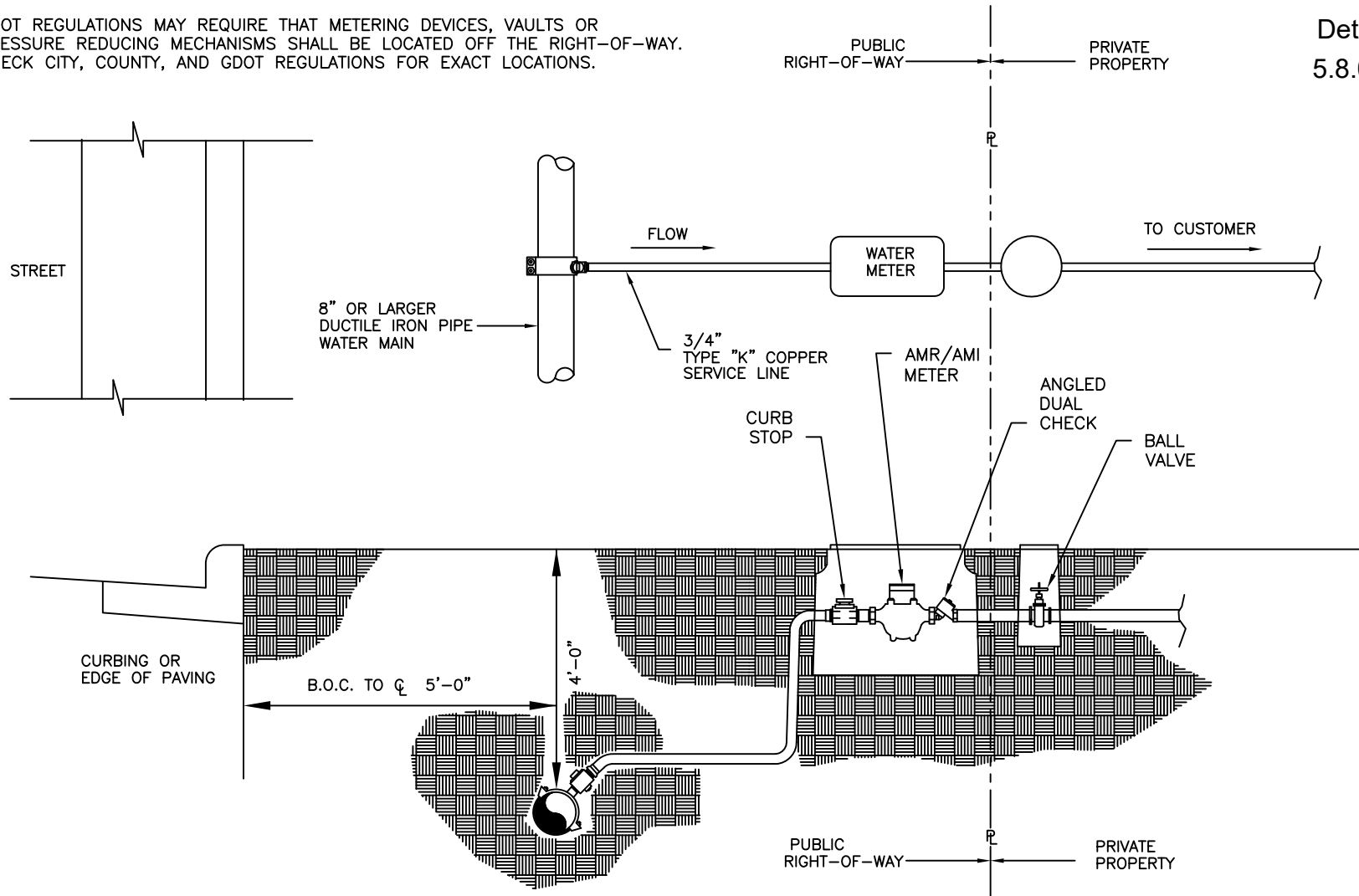


TYPICAL SIAMESE SERVICE INSTALLATION

CITY OF VILLA RICA

GDOT REGULATIONS MAY REQUIRE THAT METERING DEVICES, VAULTS OR PRESSURE REDUCING MECHANISMS SHALL BE LOCATED OFF THE RIGHT-OF-WAY. CHECK CITY, COUNTY, AND GDOT REGULATIONS FOR EXACT LOCATIONS.

Detail
5.8.09

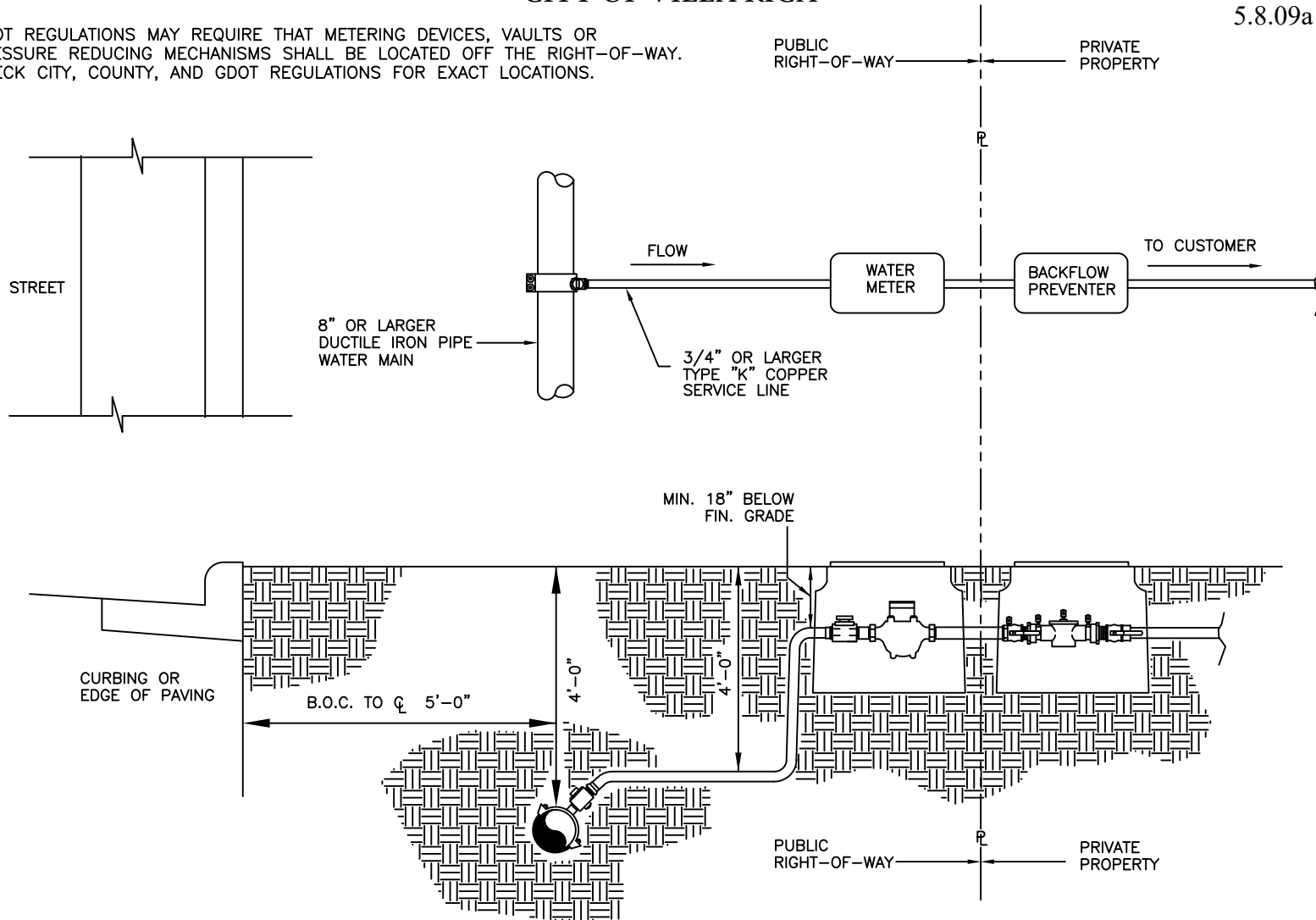


5/8"x3/4" RESIDENTIAL METER INSTALLATION

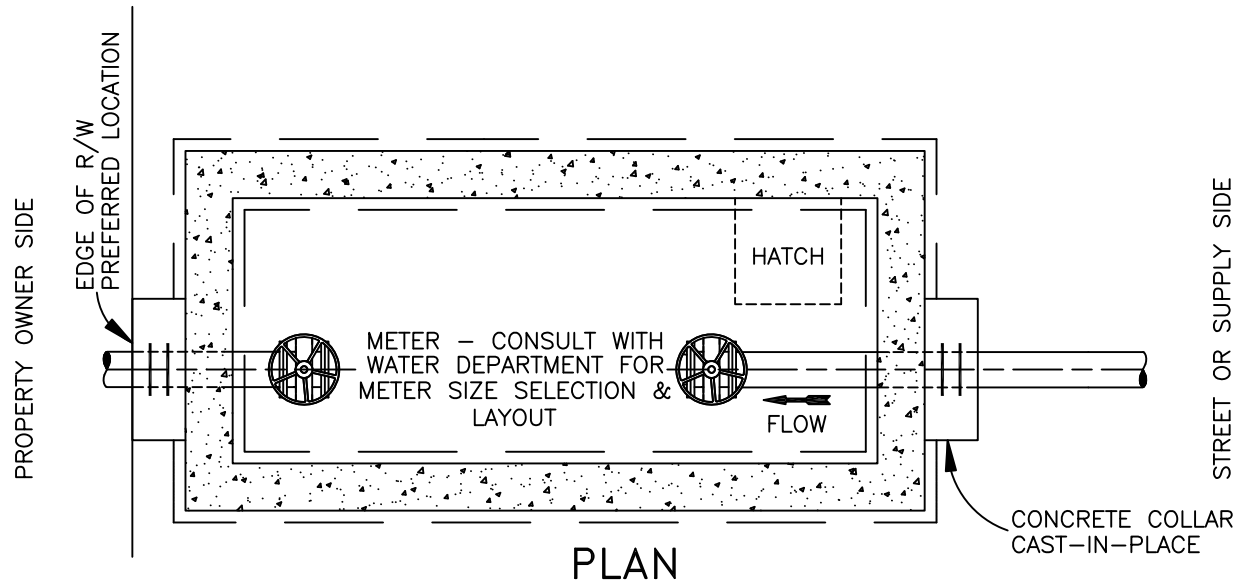
CITY OF VILLA RICA

5.8.09a

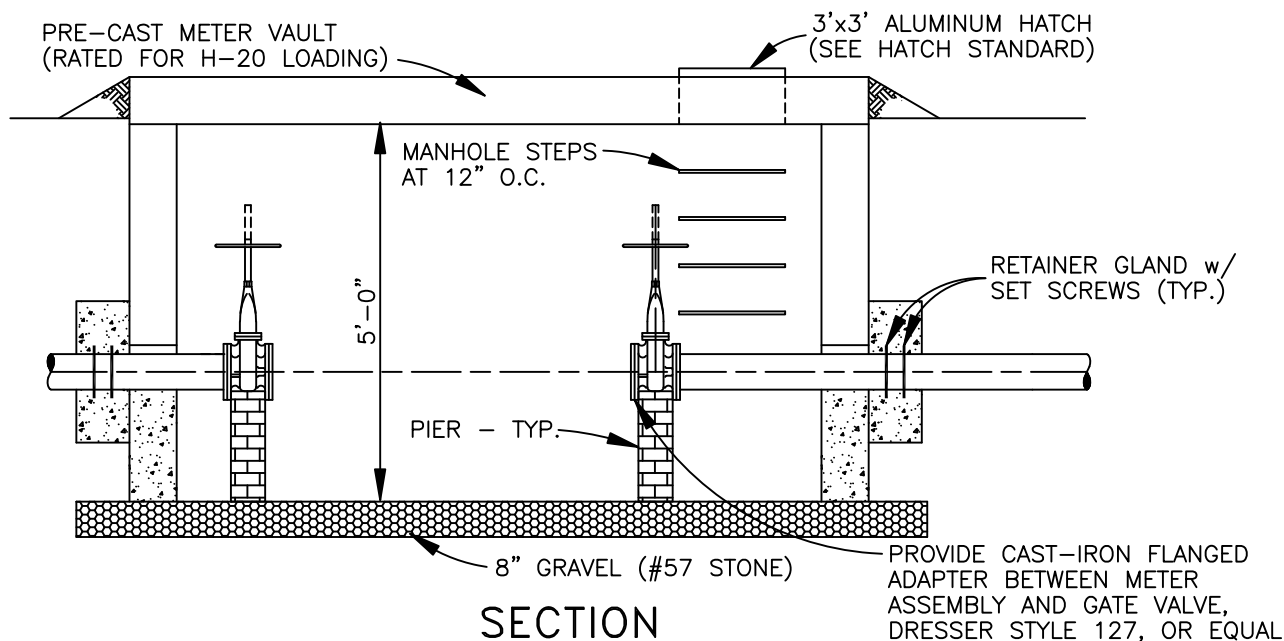
GDOT REGULATIONS MAY REQUIRE THAT METERING DEVICES, VAULTS OR PRESSURE REDUCING MECHANISMS SHALL BE LOCATED OFF THE RIGHT-OF-WAY. CHECK CITY, COUNTY, AND GDOT REGULATIONS FOR EXACT LOCATIONS.



3/4" THROUGH 2" METER AND BACKFLOW PREVENTER INSTALLATION



PLAN



SECTION

NOTES:

1. BOXES EXCEEDING 5' IN DEPTH MUST BE APPROVED BY THE CITY.
2. WHEN METER BOX CANNOT BE LOCATED ENTIRELY ON R/W, A PERMANENT EASEMENT SHALL BE OBTAINED TO PREVENT FENCES OR OTHER OBSTRUCTIONS FROM BEING ERECTED AROUND THE METER BOX.
3. COVER OPENING & STEPS TO BE PLACED NEAREST THE METER REGISTER.
4. THE METER MUST BE INSTALLED WITH AT LEAST 8 DIAMETERS OF STRAIGHT PIPE SAME SIZE AS METER ON THE INLET SIDE TO PERMIT ON-SITE MAINTENANCE AND CALIBRATION.
5. THESE BOXES ARE NOT TO BE INSTALLED IN TRAFFIC AREAS WITHOUT PRIOR PERMISSION FROM THE CITY.
6. DOUBLE CHECK BACK FLOW PREVENTION REQUIRED ON PROPERTY OWNER'S SIDE OF METER. LOCATION SHALL BE APPROVED BY THE CITY.
7. ALL VALVES AND FITTINGS INSIDE THE VAULT SHALL BE FLANGED.
8. ALL FITTINGS OUTSIDE THE VAULT SHALL BE MECHANICAL JOINT WITH RETAINER GLANDS.

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

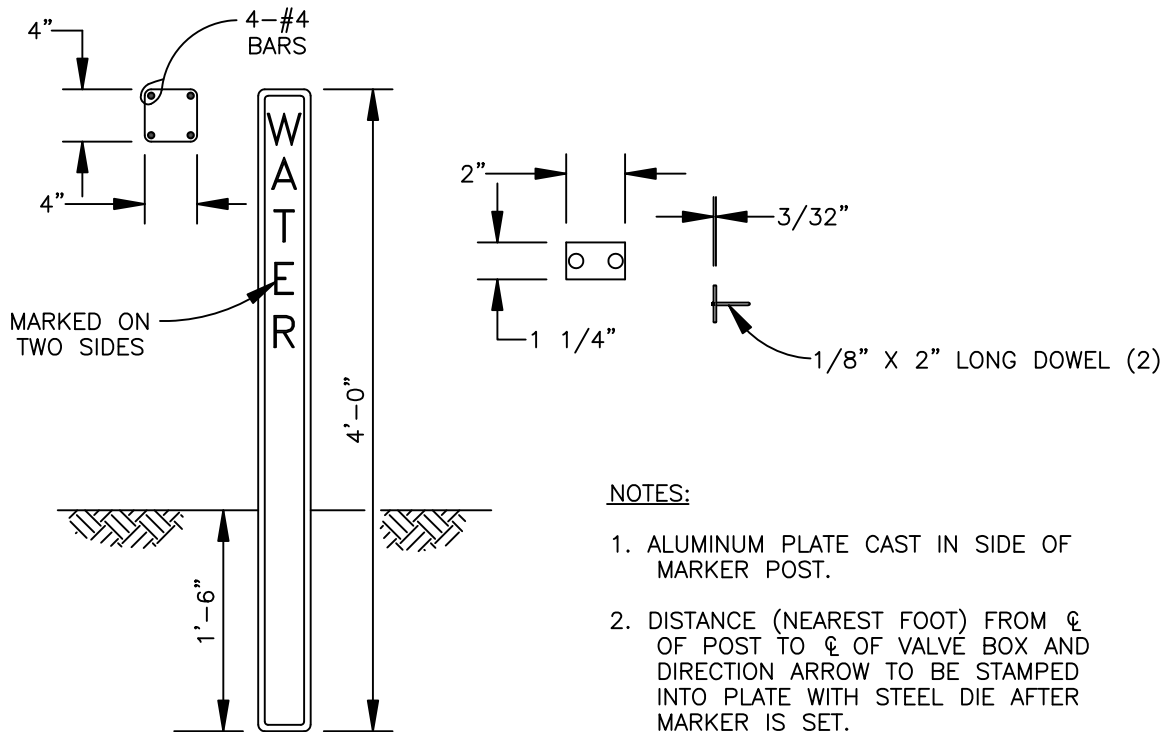
**TYPICAL LARGE
METER & VAULT
INSTALLATION**
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

5.8.10



DETAIL OF CONCRETE VALVE MARKER

**CITY OF
VILLA RICA**

WATER & SEWER DEPARTMENT

**CONCRETE
VALVE
MARKER**

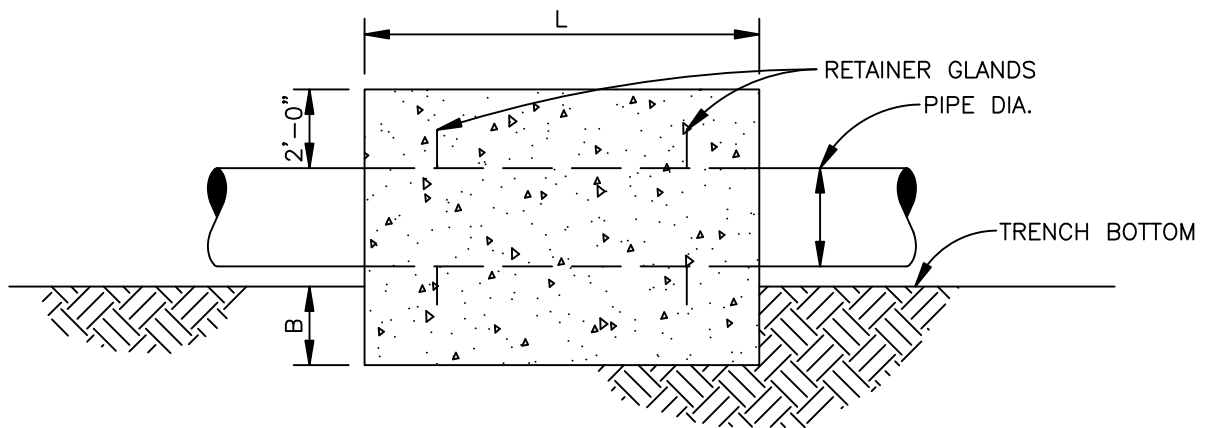
CONSTRUCTION STANDARD

DATE: JAN. 2018

APPROVED:

STANDARD
NO.

5.8.11



PROFILE VIEW

CONCRETE COLLAR
WIDTH=WIDTH OF DITCH

PIPE DIA.	L	B
8"	4'	1'
10"	4'	1'
12"	5'	1'
16"	6'	2'

CONCRETE THRUST COLLAR

CITY OF
VILLA RICA

WATER & SEWER DEPARTMENT

CONCRETE
THRUST
COLLAR
CONSTRUCTION STANDARD

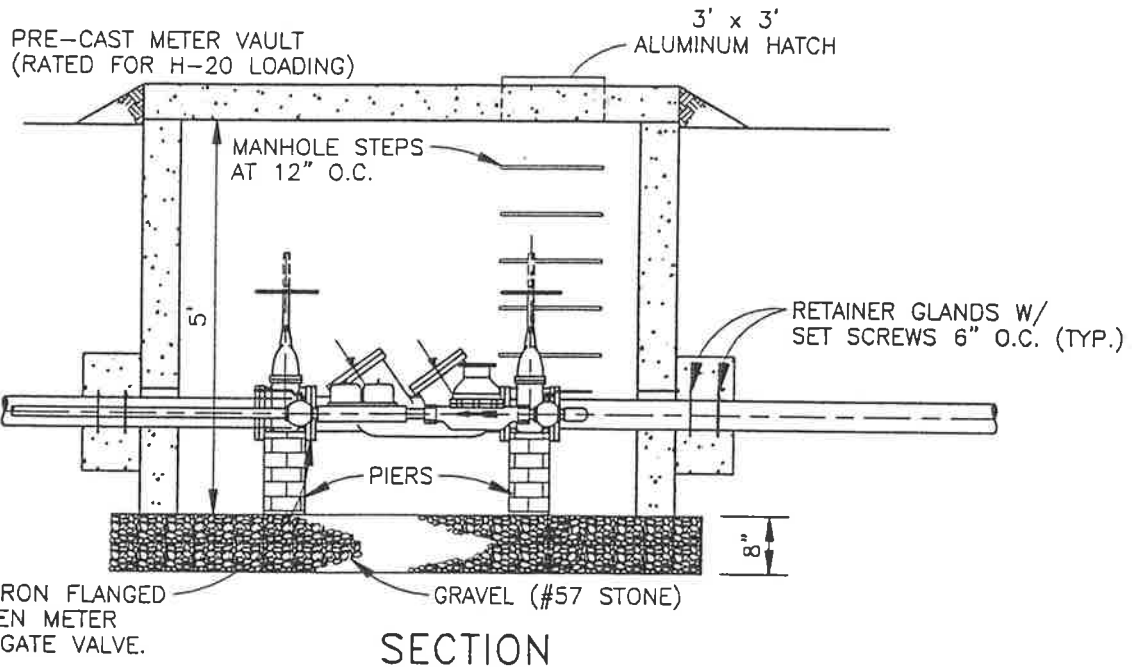
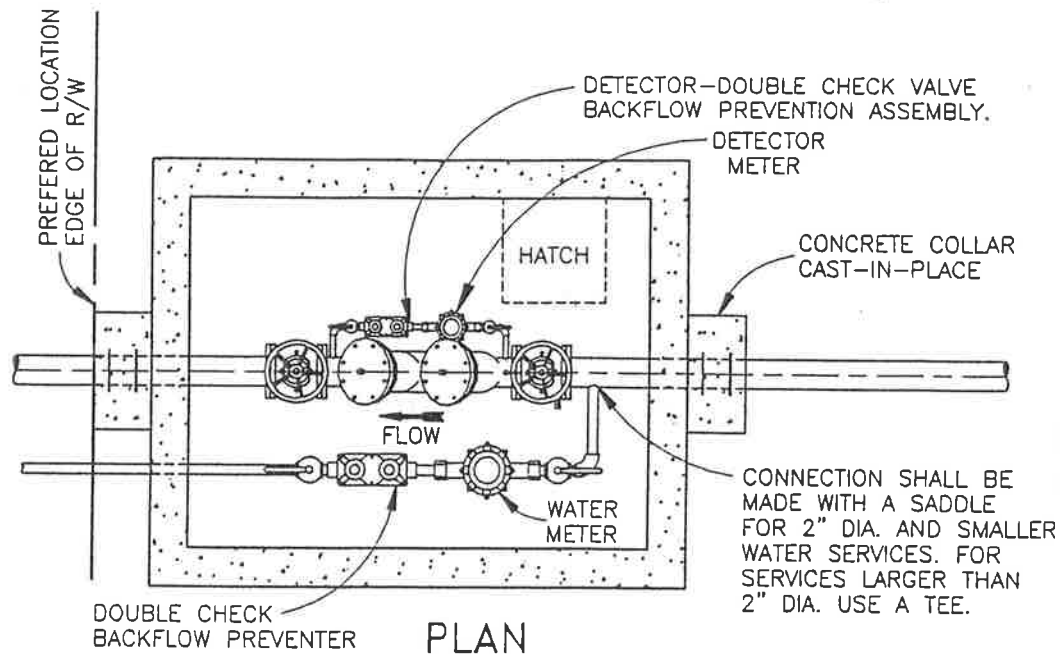
DATE: JAN. 2018

APPROVED:

STANDARD
NO.

5.8.12

PROPERTY OWNER SIDE



NOTES:

1. BOXES EXCEEDING 5' IN DEPTH MUST BE APPROVED BY THE CITY
2. WHEN METER BOX CANNOT BE LOCATED ENTIRELY ON R/W, A PERMANENT EASEMENT SHALL BE OBTAINED TO PREVENT FENCES OR OTHER OBSTRUCTION FROM BEING ERRECTED AROUND THE METER BOX.
3. COVER OPENING & STEPS TO BE PLACED NEAREST THE METER REGISTER.
4. THESE BOXES ARE NOT TO BE INSTALLED IN TRAFFIC AREAS WITHOUT PRIOR PERMISSION FROM THE CITY
5. ALL VALVES AND FITTINGS INSIDE THE VAULT SHALL BE FLANGED.
6. REDUCED PRESSURE DETECTOR ASSEMBLY (RPDA) REQUIRED WHEN THE DANGER FROM BACKFLOW PRESENTS A HEALTH HAZARD. ALL RPDA's SHALL BE INSTALLED IN VAULTS SET ABOVE THE GROUND WITH DRAINS.

CITY OF
VILLA RICA,
GEORGIA

DETECTOR/WATER
METERS AND
VAULT
CONSTRUCTION STANDARD

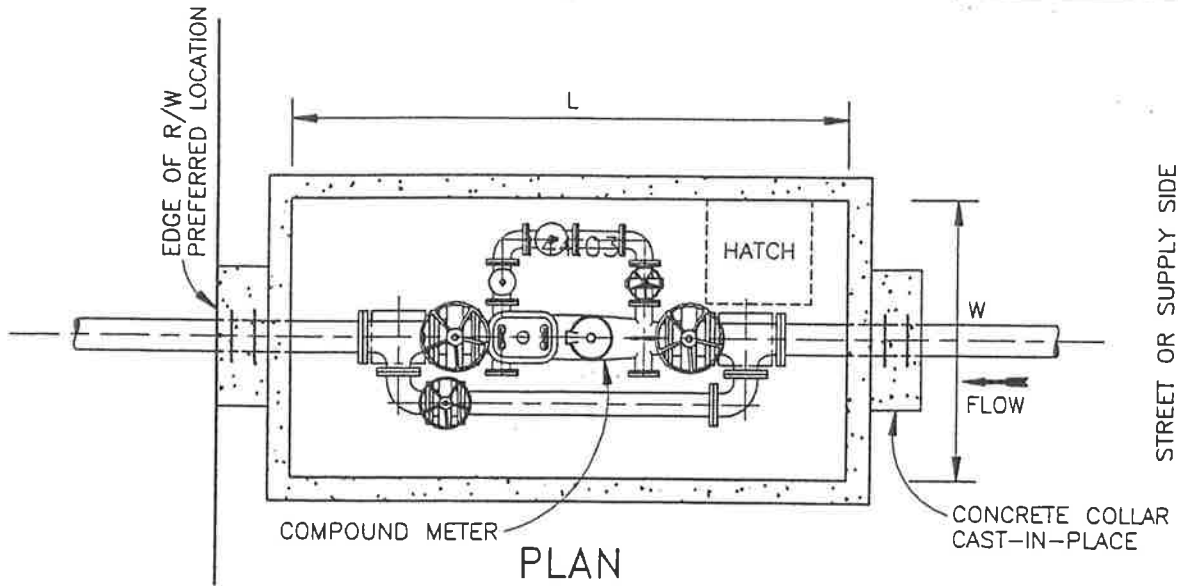
DATE:

APPROVED:

STANDARD
NO.

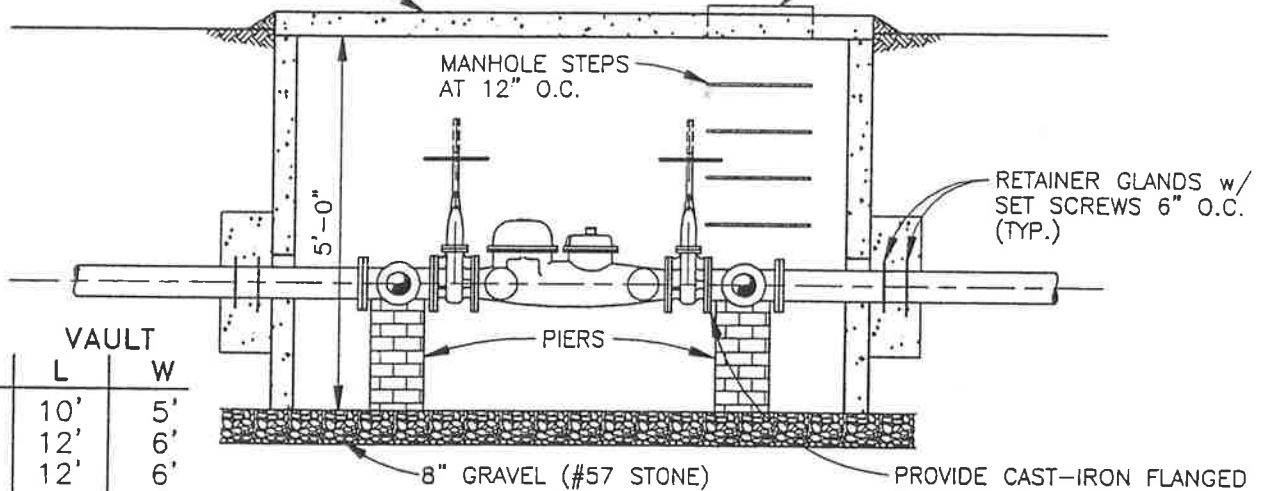
5.8.14

PROPERTY OWNER SIDE



PRE-CAST METER VAULT
(RATED FOR H-20 LOADING)

3' x 3'
ALUMINUM HATCH



METER SIZE	VAULT	
	L	W
4" x 2"	10'	5'
6" x 3"	12'	6'
8" x 4"	12'	6'

NOTES:

SECTION

1. BOXES EXCEEDING 5' IN DEPTH MUST BE APPROVED BY THE CITY
2. WHEN METER BOX CANNOT BE LOCATED ENTIRELY ON R/W, A PERMANENT EASEMENT SHALL BE OBTAINED TO PREVENT FENCES OR OTHER OBSTRUCTIONS FROM BEING ERRECTED AROUND THE METER BOX.
3. COVER OPENING & STEPS TO BE PLACED NEAREST THE METER REGISTER.
4. BYPASS REQUIRED (WITH VALVES).
5. THE METER MUST BE INSTALLED WITH AT LEAST 8 DIAMETERS OF STRAIGHT PIPE SAME SIZE AS METER ON THE INLET SIDE TO PERMIT ON-SITE MAINTENANCE AND CALIBRATION. AN INLET AND OUTLET GATE VALVE WITH BYPASS LINE ARE REQUIRED (SEE ILLUSTRATION).
6. THESE BOXES ARE NOT TO BE INSTALLED IN TRAFFIC AREAS WITHOUT PRIOR PERMISSION FROM THE CITY
7. DOUBLE CHECK BACK FLOW PREVENTION REQUIRED ON PROPERTY OWNER'S SIDE OF METER. LOCATION SHALL BE APPROVED BY THE CITY
8. ALL VALVES AND FITTINGS INSIDE THE VAULT SHALL BE FLANGED.
9. ALL FITTINGS OUTSIDE THE VAULT SHALL BE MECHANICAL JOINT WITH RETAINER GLANDS.
10. ALL METERS SHALL COME EQUIPPED WITH A TOUCHREAD OR TOUCHLESS SENSOR COMPATIBLE WITH THE CITY'S METER READING EQUIPMENT.
11. FOR COMPOUND METERS 4" AND SMALLER, THE BYPASS SHALL BE INSTALLED INSIDE THE VAULT. FOR METERS 6" AND LARGER, THE BYPASS MAY BE INSTALLED OUTSIDE OF THE VAULT.

CITY OF
VILLA RICA,
GEORGIA

COMPOUND
METERS AND
VAULT
CONSTRUCTION STANDARD

DATE:

APPROVED:

STANDARD
NO.

5.8.13

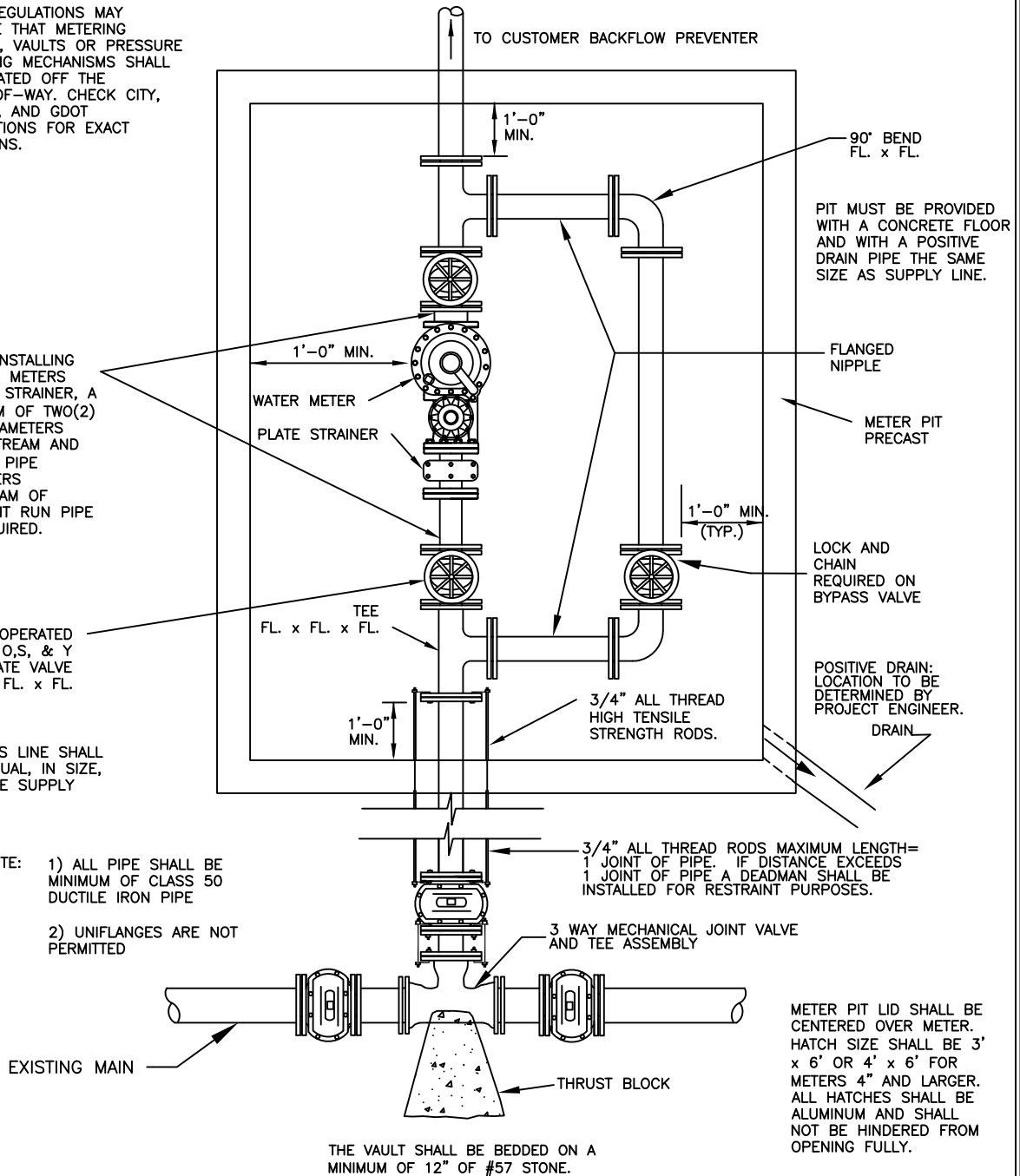
GDOT REGULATIONS MAY REQUIRE THAT METERING DEVICES, VAULTS OR PRESSURE REDUCING MECHANISMS SHALL BE LOCATED OFF THE RIGHT-OF-WAY. CHECK CITY, COUNTY, AND GDOT REGULATIONS FOR EXACT LOCATIONS.

WHEN INSTALLING BADGER METERS WITH A STRAINER, A MINIMUM OF TWO(2) PIPE DIAMETERS DOWNSTREAM AND FIVE(5) PIPE DIAMETERS UPSTREAM OF STRAIGHT RUN PIPE IS REQUIRED.

WHEEL OPERATED O,S, & Y GATE VALVE FL. x FL.

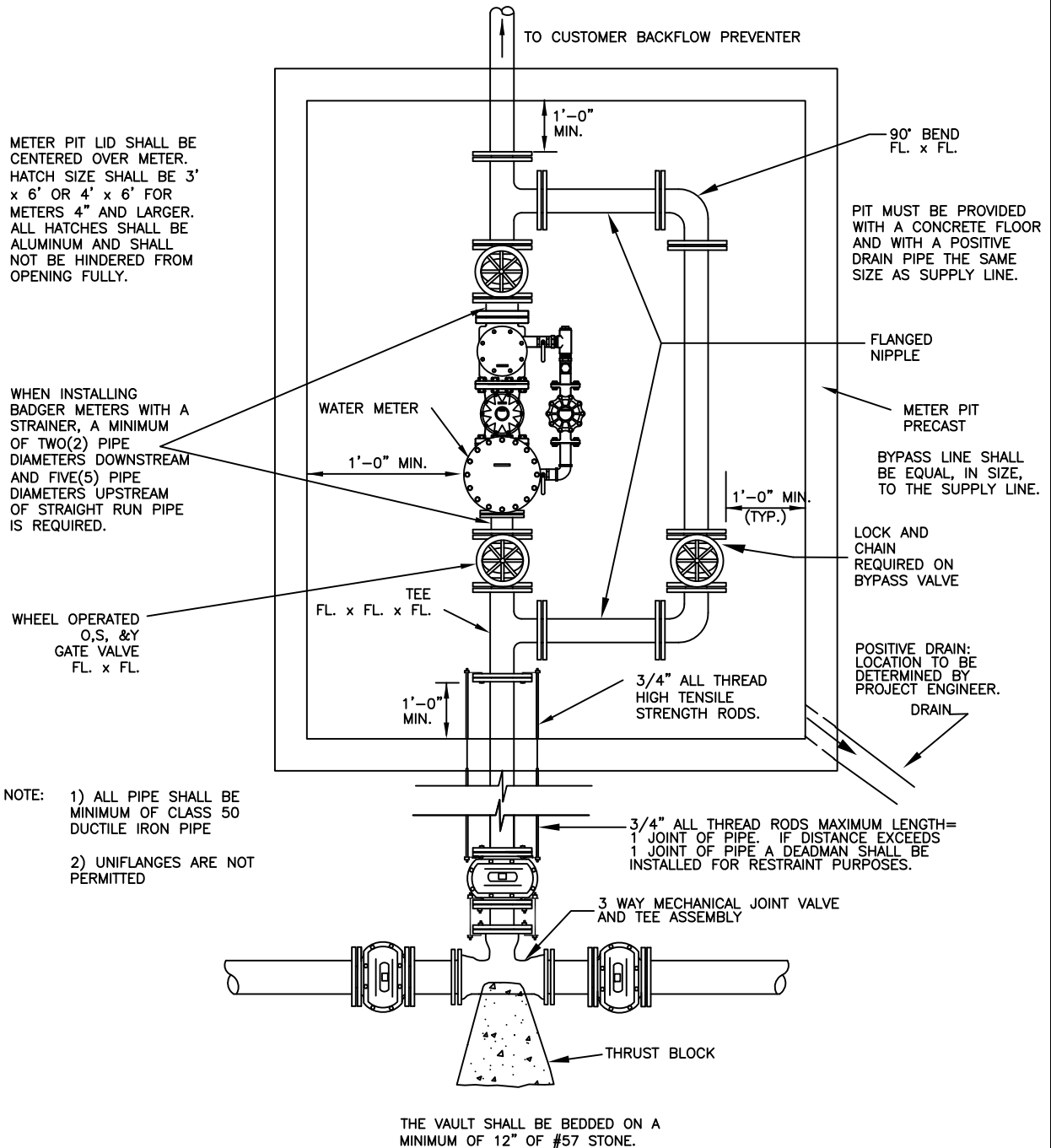
BYPASS LINE SHALL BE EQUAL, IN SIZE, TO THE SUPPLY LINE.

- NOTE:
- 1) ALL PIPE SHALL BE MINIMUM OF CLASS 50 DUCTILE IRON PIPE
 - 2) UNIFLANGES ARE NOT PERMITTED



3" THRU 6" METER INSTALLATION (PLAN VIEW)

GDOT REGULATIONS MAY REQUIRE THAT METERING DEVICES, VAULTS OR PRESSURE REDUCING MECHANISMS SHALL BE LOCATED OFF THE RIGHT-OF-WAY. CHECK CITY, COUNTY, AND GDOT REGULATIONS FOR EXACT LOCATIONS.



8" THRU 10" METER INSTALLATION DETAIL

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SECTION 600 FLOODPLAIN MANAGEMENT /
FLOOD HAZARD PREVENTION

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**600. FLOODPLAIN MANAGEMENT / FLOOD DAMAGE PREVENTION
ORDINANCE**

Introduction

It is hereby determined that:

The flood hazard areas of the City of Villa Rica are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

Flood hazard areas can serve important stormwater management, water quality, stream bank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.

Effective floodplain management and flood hazard protection activities can (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.

Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Villa Rica does ordain this ordinance and establishes this set of floodplain management and flood hazard reduction policies for the purpose of regulating the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

Floodplain management involves the designation of flood-prone areas and the managing of their uses. It is also aimed at minimizing modifications to streams, reducing flood hazards, and protecting the beneficial uses of the floodplain such as water quality protection. As such, floodplain management can be seen as a subset of the larger consideration of surface water and stormwater management. Floodplain regulations and development restrictions can greatly reduce future flooding impacts, preserve greenspace and habitat, and protect their function in safely conveying floodwaters and protecting water quality. This article aims to

help the county integrate floodplain management with stormwater management during the land development process.

The article requires that the county regulate the floodplains that will be expected with future land use conditions, which are based upon the communities adopted future land use map, zoning, or watershed study projections. The ordinance also requires the county to regulate floodplains on all streams with a drainage area of one hundred (100) acres and greater.

In order to administer the ordinance, “future-conditions” floodplains must be established.

- (1) Future-conditions floodplains for streams with a drainage area of one (1) square mile (640 acres) and greater in size are to be delineated by the local jurisdiction. As required in the Metropolitan North Georgia Water Planning District, District-Wide Watershed Management Plan, cities and counties are expected to model and map at least ten (10) percent of their area each year until future-conditions floodplains have been established for the entire community.
- (2) For streams with drainage area between one hundred (100) acres and six hundred forty (640) acres, the local jurisdiction shall model and map the future-conditions floodplains be determined on a per development basis by the applicant.
- (3) For development projects in watersheds of any size where future-conditions floodplains have not yet been established, the applicant will be required to determine the future-conditions floodplain boundaries located on their property in accordance with approved methodologies and in compliance with this article.

601. **General Provisions**

601.1 **Purpose and Intent**

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, stream bank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and,
6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

601.2 Applicability

This ordinance shall be applicable to all Areas of Special Flood Hazard within the City of Villa Rica.

601.3 Designation of Ordinance Administrator

The city engineer, chief building official or their designee is hereby appointed to administer and implement the provisions of the ordinance codified in this article.

601.4 Basis for Area of Special Flood Hazard – Flood Area Maps and Studies

For the purposes of this ordinance, the following are adopted by reference:

1. The Flood Insurance Study (FIS), dated September 28, 2007, with accompanying maps and other supporting data and any revision thereto. (For those land areas acquired by a municipality through annexation, the current effective FIS and data for (Carroll/Douglas), dated September 28, 2007, with accompanying maps and other supporting data and any revision thereto.)
2. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the 100-year floodplain and flood-prone areas include:

- a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City of Villa Rica; or
 - b. Any base flood study authored by a registered professional engineer in the State of Georgia which has been prepared by FEMA approved methodology and approved by the City of Villa Rica.
3. Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas include:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, State or Federal agency applicable to the City of Villa Rica; or
 - b. Any future-conditions flood study authored by a registered professional engineer in the State of Georgia which has been prepared by FEMA approved methodology approved by the City of Villa Rica.
4. The repository for public inspection of the FIS, accompanying maps and other supporting data is located with the City of Villa Rica.

601.5 Compatibility with Other Regulations

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environment shall control.

601.6 Severability

If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

601.7 Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Villa Rica or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

602. Definitions

Accessory structure or facility means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered New Construction.

Adjacent to the future-conditions floodplains means the future-conditions floodplain includes all those areas verified by a licensed surveyor located lower in elevations than either three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher, unless the area is hydraulically independent (see definition for Hydraulically independent).

Appeal means a request for a review of the City of Villa Rica's interpretation of any provision of this ordinance.

Area of Future-Conditions Flood Hazard means the land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of Shallow Flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of Special Flood Hazard is the land subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation (including A, A1-30, A-99, AE, AO,

SECTION 600 FLOODPLAIN MANAGEMENT /
FLOOD HAZARD PREVENTION

AH, and AR on the FHBM or the FIRM), all floodplain and flood prone areas at or below the future-conditions flood elevation, and all other flood prone areas as referenced in this Definition Section. All streams with a drainage area of 100 acres or greater shall have the area of special flood hazard delineated.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base Flood Elevation means the highest water surface elevation anticipated at any given point during the base flood.

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure built for support, shelter, or enclosure for any occupancy or storage.

Development means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Elevated Building means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

Existing Construction Any structure for which the "start of construction" commenced before the City of Villa Rica floodplain ordinance.

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before the City of Villa Rica floodplain ordinance.

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

FEMA means the Federal Emergency Management Agency.

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) the overflow of inland or tidal waters; or
- (b) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map or FHBM means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map or FIRM means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood Insurance Study or FIS means the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

Floodplain means any land area susceptible to flooding.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or Regulatory Floodway means the channel of a stream or other watercourse and the adjacent areas of the floodplain which is necessary to contain and discharge the base flood flow without cumulatively increasing the base flood elevation more than one foot.

Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

Future Conditions Flood means the flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions Flood Elevation means the flood standard equal to or higher than the Base Flood Elevation. The Future-conditions Flood Elevation is defined as the highest water surface anticipated at any given point during the future-conditions flood.

Future-conditions Floodplain means any land area susceptible to flooding by the future-conditions flood.

Future-conditions Hydrology means the flood discharges associated with projected land-use conditions based on a community's zoning map, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Highest Adjacent Grade means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

Historic Structure means any structure that is;

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Hydraulically Independent means an area has absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, etc., with no fill or other manmade barriers creating the separation.

Lowest Floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

Manufactured Home means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of

manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Mean Sea Level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance the term is synonymous with National Geodetic Vertical Datum (NGVD) and/or the North American Vertical Datum (NAVD) of 1988.

National Geodetic Vertical Datum (NGVD) as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New Construction means any structure (see definition) for which the "start of construction" commenced after the City of Villa Rica floodplain ordinance and includes any subsequent improvements to the structure.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the City of Villa Rica floodplain ordinance.

North American Vertical Datum (NAVD) of 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City of Villa Rica to the applicant which is required prior to undertaking any development activity.

Recreational Vehicle means a vehicle which is:

- (a) built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) designed to be self-propelled or permanently towable by light duty truck; and,
- (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive Loss means flood related damage sustained by a structure on two (2) separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred.

Site means the parcel of land being developed, or the portion thereof on which the development project is located.

Start of Construction means the date the permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are not exempt from any ordinance requirements). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a 10-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the

damage occurring. This term includes structures which have incurred "substantial damage" regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include those improvements of a building required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, which have been pre-identified by the City of Villa Rica, and not solely triggered by an improvement or repair project.

Substantially Improved Existing Manufactured Home Park or Subdivision is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance is a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certificates, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

603. **Permit Procedures and Requirements**

603.1 **Permit Application Requirements**

No owner or developer shall perform any development activities on a site where an Area of Special Flood Hazard is located without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically excluded by this ordinance, any landowner or developer desiring a permit for a development activity shall submit to the City of Villa Rica a permit application on a form provided by the City of Villa Rica for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this ordinance.

603.2 **Floodplain Management Plan Requirements**

An application for a development project with any Area of Special Flood Hazard located on the site will be required to include a floodplain

management / flood damage prevention plan. This plan shall include the following items:

1. Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building corners and 20-foot contour intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a registered professional engineer or surveyor.
 - j. A local bench mark must be provided within the limits of the site.
2. Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - b. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - c. Certification that any proposed non-residential floodproofed structure meets the criteria in Section 605.2 (2);
 - d. For enclosures below the base flood elevation, location and total net area of foundation openings as required in Section 605.1 (5).
 - e. Design plans certified by a registered professional engineer or architect for all proposed structure(s).
3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
4. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory floodway widths, flood profiles and all other computations and other information similar to that presented in the FIS;

5. Copies of all applicable State and Federal permits necessary for proposed development; and
6. All appropriate certifications required under this ordinance.

The approved floodplain management / flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

603.3 Construction Stage Submittal Requirements

For all new construction and substantial improvements on sites with a floodplain management / flood damage prevention plan, the permit holder shall provide to the City of Villa Rica a certified as-built Elevation Certificate or Floodproofing Certificate for non-residential construction including the lowest floor elevation or flood-proofing level immediately after the lowest floor or flood-proofing is completed. A final Elevation Certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.

When flood-proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The City of Villa Rica shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby shall be cause to issue a stop work order for the project.

603.4 Duties and Responsibilities of the Administrator

Duties of the City of Villa Rica shall include, but shall not be limited to:

1. Review all development applications and permits to assure that the requirements of this ordinance have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
2. Require that copies of all necessary permits from governmental agencies from which approval is required by Federal or state law,

including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334, be provided and maintained on file;

3. When Base Flood Elevation data or floodway data have not been provided, then the City of Villa Rica shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, state or other source in order to meet the provisions of Sections 604 and 605;
4. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;
5. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood-proofed;
6. When flood-proofing is utilized for a non-residential structure, the City of Villa Rica shall obtain certification of design criteria from a registered professional engineer or architect;
7. Notify affected adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
8. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the City of Villa Rica shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps; and,
9. All records pertaining to the provisions of this ordinance shall be maintained in the office(s) of the City of Villa Rica and shall be open for public inspection.
10. Coordinate all FIRM revisions with the GA DNR and FEMA; and
11. Review variance applications and make recommendations to the board of zoning appeals (BZA).

604. Standards for Development

604.1 Definition of Floodplain Boundaries

1. Studied “A” zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.
2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the City of Villa Rica. If future-conditions elevation data is not available from the City of Villa Rica, then it shall be determined by a registered professional engineer using a method approved by FEMA and the City of Villa Rica.

604.2 Definition of Floodway Boundaries

1. The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the City of Villa Rica. If floodway data is not available from the City of Villa Rica, then it shall be determined by a registered professional engineer using a method approved by FEMA and the City of Villa Rica.
 - a. *Development or subdivisions.* If the request involves a development or subdivision, the developer or subdivider shall either pay for the city to conduct the study, or shall pay an independent consultant to provide the data, provided that consultant is first approved by the city engineer. If floodway data is provided by the city, the developer or subdivider shall pay the pro rata share of the costs of the consultant to map the relevant basin.
 - b. *Individual lots.* If the request involves an individual lot not part of a larger common plan of development, or a pre-existing lot in an existing subdivision, then the individual shall consult with the city engineer. The city engineer shall make the determination whether to require additional floodway data at the applicant’s expense, to expedite county mapping of the relevant area, or to accept the existing data as sufficient.

604.3 General Standards

1. No development shall be allowed within the future-conditions floodplain that could result in any of the following:

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- a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - b. Reducing the base flood or future-conditions flood storage capacity;
 - c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or,
 - d. Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.
2. Any development within the future-conditions floodplain allowed under 1. above shall also meet the following conditions:
 - a. Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the top of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
 - b. Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
 - c. Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
 - d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of Section 604.4;
 - e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
 - f. Any significant physical changes to the base flood floodplain shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the City of Villa Rica using the Community Consent forms before

forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of construction, the applicant shall submit as-built surveys for a final Letter of Map Revision (LOMR).

604.4 Engineering Study Requirements for Floodplain Encroachments

An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and/or floodways for which the provisions of Section 605.4 apply. This study shall be prepared by a currently registered Professional Engineer in the State of Georgia and made a part of the application for a permit. This information shall be submitted to and approved by the City of Villa Rica prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:

1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
2. Step-backwater analysis, using a FEMA-approved methodology approved by the City of Villa Rica. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
3. Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

604.5 Floodway Encroachments

Located within Areas of Special Flood Hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways

must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in 2. below.
2. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof; and,
3. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City of Villa Rica until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA and no-rise certification is approved by the City of Villa Rica.

604.6 Maintenance Requirements

The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on his property so that the flood-carrying or flood storage capacity is not diminished. The City of Villa Rica may direct the property owner (at no cost to the City of Villa Rica) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the City of Villa Rica.

605. Provisions for Flood Damage Reduction

605.1 General Standards

In all Areas of Special Flood Hazard the following provisions apply:

1. New construction of principal buildings (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sections 604.3, 604.4 and 604.5 have been met;

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2. New construction or substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;
 3. New construction or substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;
 4. New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;
 5. Elevated Buildings - All new construction and substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished and flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (ii) The bottom of all openings shall be no higher than one foot above grade; and,
 - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished and flood resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and,
 - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
 6. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located four (4) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

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7. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces;
8. All proposed development shall include adequate drainage and stormwater management facilities per the requirements of City of Villa Rica to reduce exposure to flood hazards.
9. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
10. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
11. On-site waste disposal systems shall be located and constructed to avoid impairment to them, or contamination from them, during flooding; and,
12. Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazards from them, during flooding.
13. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non- conformity is not furthered, extended or replaced.
14. If the proposed development is located in multiple flood zones or multiple base flood elevation cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence.
15. When only a portion of a proposed structure is located within a flood zone or the future-conditions floodplain, the entire structure shall meet the requirements of this article; and
16. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
 - a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;

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- b. All public utilities and facilities, such as sewer, gas electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.

605.2 Building Standards for Structures and Buildings within the Future-Conditions Floodplain

The following provisions, in addition to those in Section 605.1, shall apply:

1. Residential Buildings

- a. New construction. New construction of principal buildings, including manufactured homes shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 604.3, 604.4, 604.5 have been met. If all of the requirements of Sections 604.3, 604.4, 604.5 have been met, all new construction shall have the lowest floor, including basement, elevated no lower than four (4) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 605.1(5).
- b. Substantial Improvements. Substantial improvement of any principal structure or manufactured home shall have the lowest floor, including basement, elevated no lower than four (4) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Section 605.1(5).

2. Non-Residential Buildings

- a. New construction. New construction of principal buildings, including manufactured homes shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 604.3, 604.4, and 604.5 have been met. New construction that has met all of the requirements of Sections 604.3, 604.4, and

604.5 may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered Professional Engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the City of Villa Rica.

- b. Substantial Improvements. Substantial improvement of any principal non-residential structure located in A1- 30, AE, or AH zones, may be authorized by the City of Villa Rica to be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered Professional Engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the City of Villa Rica.

3. Accessory Structures and Facilities

Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, parking lots, recreational facilities and other similar non-habitable structures and facilities) which are permitted to be located within the limits of the floodplain shall be constructed of flood-resistant materials and designed to pass all floodwater in accordance with Section 605.1(5) and be anchored to prevent flotation, collapse or lateral movement of the structure.

4. Standards for Recreational Vehicles

All recreational vehicles placed on sites must either:

- a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and

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- security devices, and has no permanently attached structures or additions); or
 - b. The recreational vehicle must meet all the requirements for Residential Buildings—Substantial Improvements (Section 605.2 (1) b), including the anchoring and elevation requirements.

5. Standards for Manufactured Homes

- a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of Sections 604.3, 604.4, and 604.5 have been met.
- b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
 - (i) The lowest floor of the manufactured home is elevated no lower than four (4) feet above the level of the base flood elevation, or one (1) foot above the future-conditions flood elevation, whichever is higher; or
 - (ii) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
- c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of Section 605.1(7).

605.3 Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain

- 1. Residential Buildings – For new construction or substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least four (4) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher.
- 2. Non-Residential Buildings – For new construction or substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one (1) foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.

605.4 Building Standards for Residential Single-Lot Developments on Streams without Established Base Flood Elevations and/or Floodway (A-Zones)

For a residential single-lot development not part of a subdivision that has Areas of Special Flood Hazard, where streams exist but no base flood data have been provided (A-Zones), the City of Villa Rica shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a Federal, State, local or other source, in order to administer the provisions and standards of this ordinance.

If data are not available from any of these sources, the following provisions shall apply:

1. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty (50) feet from the top of the bank of the stream, whichever is greater.
2. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than four (4) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with Section 605.1(5).

605.5 Building Standards for Areas of Shallow Flooding (AO-Zones)

Areas of Special Flood Hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one (1) to four (4) feet above ground, with no clearly defined channel. In these areas the following provisions apply:

1. All substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the flood depth number in feet specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least four (4) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Section 605.1(5).
2. Substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant

utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one (1) foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice; and,

3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

605.6 Standards for Subdivisions

1. All subdivision proposals shall identify the special flood hazard area and provide base flood elevation data and future-conditions flood elevation data;
2. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;
3. All subdivision plans will provide the elevations of proposed structures in accordance with Section 603.2.
4. All subdivision proposals shall be consistent with the need to minimize flood damage;
5. All subdivision proposals shall have public utilities and facilities such as water, sanitary sewer, gas, and electrical systems located and constructed to minimize or eliminate infiltration of flood waters, and discharges from the systems into flood waters; and
6. All subdivision proposals shall include adequate drainage and stormwater management facilities per the requirements of the City of Villa Rica to reduce potential exposure to flood hazards.

606. Variance Procedures

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this ordinance. A request for a variance may be submitted by an applicant who has been denied a permit by the

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City of Villa Rica or by an owner or developer who has not previously applied for a permit for the reasons stated herein above.

1. Requests for variances from the requirements of this ordinance shall be submitted to the City of Villa Rica. All such requests shall be heard and decided in accordance with procedures to be published in writing by the City of Villa Rica. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
2. Any person adversely affected by any decision of the City of Villa Rica shall have the right to appeal such decision to the Villa Rica City Manager. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
3. Any person aggrieved by the decision of the Villa Rica City Manager shall have the right to appeal such decision to the Villa Rica City Council. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
4. Any person aggrieved by the decision of the Villa Rica City Council may appeal such decision to a court of competent jurisdiction, as provided in Section 5-4-1 of the Official Code of Georgia Annotated.
5. Variances may be issued for the repair or rehabilitation of Historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic structure, and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.
6. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
7. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
8. In reviewing such requests, the City of Villa Rica shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.
9. Conditions for Variances:
 - a. A variance shall be issued only when there is:
 - (i) a finding of good and sufficient cause;

- (ii) a determination that failure to grant the variance would result in exceptional hardship; and,
 - (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
 - b. The provisions of this ordinance are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of a Historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
 - c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.
 - d. The City of Villa Rica shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
10. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the City of Villa Rica shall deem necessary to the consideration of the request.
11. Upon consideration of the factors listed above and the purposes of this ordinance, the City of Villa Rica may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this ordinance.
12. Variances shall not be issued “after the fact.”

607. **Violations, Enforcement and Penalties**

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

607.1 Notice of Violation

If the City of Villa Rica determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

1. The name and address of the owner or the applicant or the responsible person;
2. The address or other description of the site upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action;
5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
6. A statement that the determination of violation may be appealed to the City of Villa Rica by filing a written notice of appeal within thirty (30) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

607.2 Penalties

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Villa Rica shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate

danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City of Villa Rica may take any one or more of the following actions or impose any one or more of the following penalties.

1. **Stop Work Order** -The City of Villa Rica may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
2. **Withhold Certificate of Occupancy** - The City of Villa Rica may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. **Suspension, Revocation or Modification of Permit** - The City of Villa Rica may suspend, revoke or modify the permit authorizing the development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the City of Villa Rica may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. **Civil Penalties** - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the City of Villa Rica shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the City of Villa Rica has taken one or more of the actions described above, the City of Villa Rica may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains un-remedied after receipt of the notice of violation.

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5. **Criminal Penalties** - For intentional and flagrant violations of this ordinance, the City of Villa Rica may issue a citation to the applicant or other responsible person, requiring such person to appear in appropriate magistrate court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
 6. **Emergency Enforcement.** In the event an emergency is of such immediacy and danger that giving a twenty-four (24) hours' notice of violation would threaten the public health, safety and welfare, the City of Villa Rica is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and correct the situation. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above. The City of Villa Rica shall be authorized to recover costs of the abatement from the property owner or responsible parties.
 7. **Remedies not exclusive.** The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state or local law and the City of Villa Rica may seek cumulative remedies.

In any action brought in municipal, magistrate or superior court to enforce this article, the city shall be entitled to recover attorney's fees, court costs, and other expenses associated with enforcement of this article, including sampling and monitoring expenses.

Any person violating any of the provisions of this article shall become liable to the city by reason of such violation.

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700. **EROSION AND SEDIMENT CONTROL REGULATIONS**

701. **Title.**

This article will be known as “City of Villa Rica Soil Erosion and Sediment Control Ordinance.”

702. **Definitions**

The following definitions shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated:

Best Management Practices (BMP’s): A collection of structural practices and vegetative measures which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control. The term “properly designed” means designed in accordance with the hydraulic design specifications contained in the “Manual for Erosion and sediment Control in Georgia” specified in O.C.G.A. 12-7-6, subsection (b).

Board: The Board of Natural Resources.

Buffer: The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Commission: The State Soil & Water Conservation Commission.

Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. (Also known as excavation.)

Department: The Department of Natural Resources.

Director: The Director of the Environmental Protection Division of the Department of Natural Resources.

District: The West Georgia Soil and Water Conservation District.

Division: The Environmental Protection Division of the Department of Natural Resources.

Drainage Structure: A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control, or flood control purposes.

Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion and Sedimentation Control Plan: A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity, also known as the “plan”.

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Ground Elevation: The original elevation of the ground surface prior to cutting or filling.

Land-Disturbing Activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Section 7.5. 183 (1) e.

Larger Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, “plan” means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or survey markings, indicating that construction activities may occur on a specific lot.

Local Issuing Authority: The City of Villa Rica, Georgia which is certified pursuant to O.C.G.A. §12-7-8.

Metropolitan River Protection Act (MRPA): A state law referenced as O.C.G.A. §12-5-440 et.seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Natural Ground Surface: The ground surface in its original state before any grading, excavation or filling.

Nephelometric Turbidity Units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.

Operator: The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with a storm-water pollution prevention plan for the site or other permit conditions, such as a person authorized to carry out activities required by the storm-water pollution prevention plan or to comply with other permit conditions.

Permit: The authorization necessary to conduct a land-disturbing activity under the provisions of this ordinance.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State, any interstate body or any other legal entity.

Project: The entire proposed development project regardless of the size of the area of land to be disturbed.

Qualified Personnel: Any person who meets or exceeds the education and training requirements of O.C.G.A. §12-7-19.

Roadway Drainage Structure: A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Soil and Water Conservation District Approved Plan: An erosion and sedimentation control plan approved in writing by the Georgia Soil and Water Conservation Commission.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State General Permit: The National Pollutant Discharge Elimination System general permit or permits for storm-water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. §1251, et. seq., and subsection (f) of Code §12-5-30.

State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Structural Erosion and Sedimentation Control Practices: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either hanging the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such practices can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

Trout Streams: All streams or portions of streams within the watershed as designated by the Game and Fish Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20 et. seq. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

Vegetative Erosion and Sedimentation Control Measures: Measures for the stabilization of erodible or sediment producing areas by covering the soil with:

1. Permanent seeding, sprigging or planting, producing long-term vegetative cover; or Temporary seeding, producing short-term vegetative cover; or
2. Sodding, covering areas with a turf of perennial sod-forming grass. Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

703. **Exemptions**

This article shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

- A. Surface mining, as the same is defined in O.C.G.A. 12-4-72, "Mineral Resources and Caves Act";
- B. Granite quarrying and land clearing for such quarrying;
- C. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion;
- D. The construction of single-family residences, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in Section 704 of this ordinance and this paragraph. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 2 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for

springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The minimum requirements of Section 704(C) of this ordinance and the buffer zones provided by this section shall be enforced by the City of Villa Rica;

- E. Agricultural operations as defined in O.C.G.A. §1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;
- F. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Section 704(C) (15) and (16) of this article, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices;
- G. Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture;
- H. Any project involving less than one acre of disturbed area; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre or within 200 feet of the bank of any state waters, and for purposes of this paragraph, "State Waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year- round; provided, however, that any person responsible for a project which involves less than one acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the City of Villa Rica from regulating any such project which is not specifically exempted by Section 703 of this article;
- I. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality;

provided, however, that construction or maintenance projects of Department of Transportation or State Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of Code §12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which a copy of a notice of intent under the state general permit shall be submitted to the City of Villa Rica, the City of Villa Rica shall enforce compliance with the minimum requirements set forth in O.C.G.A. §12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;

- J. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. §36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. §36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the City of Villa Rica shall enforce compliance with the minimum requirements set forth in O.C.G.A. §12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and
- K. Any public water system reservoir.

704. **Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices**

- A. General Provisions: Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities. Therefore, plans for those land-disturbing activities which are not excluded by this ordinance shall contain provisions for application of soil erosion and sedimentation control measures and practices. The provisions shall be incorporated into the erosion and sedimentation control plans. Soil erosion and sedimentation control measures and practices shall conform to the minimum requirements of Section 704 of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities

and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion and sedimentation pollution during all stages of any land-disturbing activity.

B. BMP's: Best Management Practices

1. Best management practices as set forth in Section 704 of this article shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of O.C.G.A. §12-5-30, the "Georgia Water Quality Control Act". As used in this subsection the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. §12-7-6 subsection (b).
2. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by the City of Villa Rica or of any state general permit issued by the Division pursuant to subsection (f) of O.C.G.A. §12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.
3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by the City of Villa Rica or any state general permit issued by the Division pursuant to subsection (f) of Code §12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.
4. The Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of the turbidity level of

receiving waters into which discharges from land disturbing activities occur.

C. Minimum Requirements: The rules and regulations, ordinances, or resolutions adopted pursuant to this chapter for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. Stripping of vegetation, re-grading and other development activities shall be conducted in a manner so as to minimize erosion;
2. Cut-fill operations must be kept to a minimum;
3. Development plans must conform to topography and soil type so as to create the lowest practical erosion potential;
4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
5. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
6. Disturbed soil shall be stabilized as quickly as practicable;
7. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
8. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
9. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. §12-7-1 et. seq.;
10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
11. Cuts and fills may not endanger adjoining property;

12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
14. Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section 704(B) (2.) of this article;
15. Except as provided in paragraph (16) of this subsection, there is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. §12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; provided, however, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:
 - i. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and

- ii. The buffer shall not apply to the following land-disturbance activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (II) Stream crossings for sewer lines; and
16. There is established a 50 foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act", except where a roadway drainage structure must be constructed ; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25 foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:
- i. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed: provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - ii. The buffer shall not apply to the following land disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular

to the stream; cause a width disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; (ii) Stream crossings for sewer lines.

17. Nothing contained in this chapter shall prevent the City of Villa Rica from adopting rules and regulations, ordinances, or resolutions which contain requirements that exceed the minimum requirements in Section 704 (B)(2) and (3) of this article.

18. In non-trout streams like those in Villa Rica, the State requires a minimum 25-foot vegetated buffer extending from the stream bank or the point of wrested vegetation. However, in the City of Villa Rica these State standards have been extended to require a minimum 50-foot stream buffer with an additional 25-foot setback for any impervious surfaces. (Making it a total of 75 feet)

19. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.

705. Application / Permit Process:

A. General: The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of the City of Villa Rica that affect the tract to be developed and the area surrounding it. They shall review the zoning ordinance, stormwater management ordinance, subdivision ordinance, flood damage prevention ordinance, this ordinance, and other ordinances which regulate the development of land within the jurisdictional boundaries of the City of Villa Rica. However, the operator is the only party who may obtain a permit.

705.1. Application Requirements:

- A. No person shall conduct any land- disturbing activity within the jurisdictional boundaries of the City of Villa Rica without first obtaining a permit from the City of Villa Rica Community Development Department to perform such activity.
- B. The application for a permit shall be submitted to the City of Villa Rica Community Development Department and must include the applicant's erosion and sedimentation control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in Section 704(C) of this ordinance. Soil erosion and

sedimentation control plans shall conform to the provisions of Section 705.2 of this ordinance. Applications for a permit will not be accepted unless accompanied by two (2) copies of the applicant's soil erosion and sedimentation control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan or that such a visit was not required in accordance with rules and regulations established by the board.

C. The following fees shall be assessed:

- a. Initial Application Fee: \$500.00;
- b. Re-Application Fee: \$50.00 each occurrence;
- c. Land Disturbance Permit: \$250.00

Plus the following additional fee:

- a. For residential development-\$15.00 per lot in the project area;
- b. For commercial development - \$25.00 per acre or fraction thereof in the project area;
- c. For industrial development - \$50.00 per acre or fraction thereof in the project area;
- d. All other development - \$20.0 per acre or fraction thereof in the project area.
- e. In addition to the local permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the division; regardless of the existence of the City of Villa Rica in the jurisdiction.

D. Immediately upon receipt of an application and plan for a permit, the City of Villa Rica shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. A District shall approve or disapprove a plan within 35 days of receipt. Failure of a District to act within 35 days shall be considered an approval of the pending plan.

The results of the District review shall be forwarded to the City of Villa Rica. No permit will be issued unless the plan has been approved by the District, and any variances required by Section 704 B. & C. and bonding, if required as per Section 705.1 F. have been obtained. Such review will not be required if the City of Villa Rica and the District have entered into an agreement which allows the City of Villa Rica to conduct such review and approval of the plan without referring the application and plan to the District.

- E. If a permit applicant has had two or more violations of previous permits, this ordinance section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing of the application under consideration, the City of Villa Rica may deny the permit application.
- F. The City of Villa Rica may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this ordinance or with the conditions of the permit after issuance, the City of Villa Rica may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the City of Villa Rica with respect to alleged permit violations.

705.2 Plan Requirements:

- A. Plans must be prepared to meet the minimum requirements as contained in Section 705.2 B. & C. of this ordinance. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the *Manual for Erosion and Sediment Control in Georgia*, published by the State Soil and Water Conservation Commission as a guide; or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The *Manual for Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws.

B. Data Required for Site Plan

- a. Narrative or notes, and other information: Notes or narrative to be located on the site plan in general notes or in erosion and sediment control notes.
- b. Description of existing land use at project site and description of proposed project.
- c. Name, address, and phone number of the property owner.
- d. Name and phone number of 24-hour local contact who is responsible for erosion and sedimentation controls.
- e. Size of project, or phase under construction, in acres.
- f. Activity schedule showing anticipated starting and completion dates for the project. Include the statement in **bold letters**, that “the installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land-disturbing activities.”
- g. Stormwater and sedimentation management systems-storage capacity, hydrologic study, and calculations, including off-site drainage areas.
- h. Vegetative plan for all temporary and permanent vegetative measures, including species, planting dates, and seeding, fertilizer, lime, and mulching rates. The vegetative plan should show options for year-round seeding.
- i. Detail drawings for all structural practices. Specifications may follow guidelines set forth in the *Manual for Erosion and Sediment Control in Georgia*.
- j. Maintenance statement - “Erosion and sedimentation control measures will be maintained at all times. **If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source.**”

C. Maps, drawings, and supportive computations shall bear the signature /seal of a registered certified professional in engineering, architecture, landscape architecture, land surveying, or erosion and sedimentation control. The certified plans shall contain:

- a. Graphic scale and north point or arrow indicating magnetic north.
- b. Vicinity maps showing location of project and existing streets.
- c. Boundary line survey.
- d. Delineation of disturbed areas within project boundary.
- e. Existing and planned contours, with an interval in accordance with the following:

Map Scale	Ground Slope	Contour Interval, ft.
1 inch = 100 ft. or larger scale	Flat 0-2% Rolling 2-8% Steep 8% +	0.5 or 1 1 or 2 2, 5 or 10

- f. Adjacent areas and features areas such as streams, lakes, residential areas, etc. which might be affected should be indicated on the plan.
 - g. Proposed structures or additions to existing structures and paved areas.
 - h. Delineate the 25-foot horizontal buffer adjacent to state waters and the specified width in MRPA areas.
 - i. Delineate the specified horizontal buffer along designated trout streams, where applicable.
 - j. Location of erosion and sedimentation control measures and practices using coding symbols from the *Manual for Erosion and Sediment Control in Georgia*, Chapter 6.
- D. Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

705.3 Permits:

- A. Permits shall be issued or denied as soon as practicable but, in any event, not later than forty-five (45) days after receipt by the City of Villa Rica of a completed application, providing variances and bonding are obtained, where necessary.
- B. No permit shall be issued by the City of Villa Rica unless the erosion and sedimentation control plan has been approved by the District and the City of Villa Rica has affirmatively determined that the plan is in compliance with this ordinance, any variances required by Section 704 B. & C. are obtained, bonding requirements, if necessary, as per Section 705.1 F. are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the City of Villa Rica are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
- C. If the tract is to be developed in phases, then a separate permit shall be required for each phase.

- D. The permit may be suspended, revoked, or modified by the City of Villa Rica, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

706. **Inspection and Enforcement**

- A. The City of Villa Rica Community Development Director, City Manager, or their designee will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the City of Villa Rica shall regulate both primary and secondary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible of installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land - disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance.
- B. The City of Villa Rica Community Development Director, City Manager, or their designee shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.
- C. No person shall refuse entry or access to any authorized representative or agent of the City of Villa Rica, the Commission, the District, or Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

- D. The Districts or the Commission or both shall periodically review the actions of counties and municipalities that have been certified as Issuing Authorities pursuant to O.C.G.A. 12-7-8 (a). The Districts or the Commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county or municipality's erosion and sedimentation control program. The Districts or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.
- E. The Board, on or before December 31, 2003, shall promulgate rules and regulations setting forth the requirements and standards for certification and the procedures for decertification of a Local Issuing Authority. The Division may periodically review the actions of municipalities which have been certified as Local Issuing Authorities pursuant to Code Section 12-7-8 (a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's ordinance and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any municipality certified pursuant to O.C.G.A. 12-7-8 (a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7, the Division shall notify the governing authority of the municipality in writing. The governing authority of any municipality so notified shall have 30 days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the municipality does not take necessary corrective action within 30 days after notification by the division, the division may revoke the certification of the municipality as a Local Issuing Authority.

707. **Penalties and Incentives**

- A. Failure to Obtain a Permit for Land-Disturbing Activities: If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the City of Villa Rica.
- B. Stop-Work Orders:
 - a. For the first and second violations of the provisions of this ordinance, the Director or the City of Villa Rica shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the Director or the City of Villa Rica shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if

the land-disturbing activities are conducted without obtaining the necessary permit, the Director or City of Villa Rica shall issue an immediate stop-work order in lieu of a warning;

- b. For a third and each subsequent violation, the Director or the City of Villa Rica shall issue an immediate stop-work order; and;
- c. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
- d. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the City of Villa Rica or by the director or his or her designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by the City of Villa Rica or by the director or his or her designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

C. Bond Forfeiture:

If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of Section 705.1 F. The City of Villa Rica may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

D. Monetary Penalties:

- a. Any person who violates any provisions of this ordinance, or any permit condition or limitation established pursuant to this ordinance or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director issued as provided in this

ordinance shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this ordinance, notwithstanding any provisions in any City charter to the contrary, municipal courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations or any other court of competent jurisdiction trying cases brought as violations of this ordinance under city ordinances approved under this ordinance shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

- b. Any person who violates any provision of this ordinance, the rules and regulations adopted or who negligently or intentionally fails to comply with any final or emergency order issued as provided in the ordinance, may be held liable for a sentence of imprisonment not to exceed 60 days in jail or monetary penalty of \$2,500 per day or both.

708. **Education and Certification**

After December 31, 2006, all persons involved in land development design, review, permitting, construction, monitoring, or inspection of any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the Commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A 12-7-20.

709. **Administrative Appeal Judicial Review**

709.1 **Administrative Remedies:** The suspension, revocation, modification or grant with condition of a permit by the City of Villa Rica upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Mayor and City Council within thirty (30) days after receipt by the City of Villa Rica of written notice of appeal.

709.2 **Judicial Review:** Any person, aggrieved by a decision or order of the City of Villa Rica, after exhausting his administrative remedies, shall have the right to appeal denovo to the appropriate Magistrate Court.

709.3 **Validity:** If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this ordinance.

709.4 Liability:

- A. Neither the approval of a plan under the provisions of this ordinance, nor the compliance with provisions of this ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the City of Villa Rica or District for damage to any person or property.
- B. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.
- C. No provision of this ordinance shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved there under or pollute any Waters of the State as defined thereby.

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**800. POST-DEVELOPMENT STORMWATER MANAGEMENT FOR NEW
DEVELOPMENT AND REDEVELOPMENT**

Introduction

It is hereby determined that:

Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;

Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas. The preservation and protection of natural area and greenspace for stormwater management benefits is encouraged through the use of incentives or “credits.” The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;

Localities in the State of Georgia are required to comply with a number of both State and Federal laws, regulations and permits which require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution;

Therefore, the City of Villa Rica has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.

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801. **General Provisions**

801.1 **Purpose and Intent**

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. It has been determined that proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This ordinance seeks to meet that purpose through the following objectives:

1. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
2. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;
3. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
4. Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
5. Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable. Coordinate site design plans, which include greenspace, with the county's greenspace protection plan;
6. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and,

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7. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

801.2 Applicability

1. This ordinance shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to Subsection 2 below. These standards apply to any new development or redevelopment site that meets one or more of the following criteria:
 - a. New development that involves the creation of 5,000 square feet or more of impervious cover, or that involves other land development activities of 1 acre or more;
 - b. Redevelopment that includes the creation, addition or replacement of 5,000 square feet or more of impervious cover, or that involves other land development activity of one (1) acre or more;
 - c. Any new development or redevelopment, regardless of size, that is defined by the Ordinance Administrator to be a hotspot land use; or,
 - d. Land development activities that are smaller than the minimum applicability criteria set forth in items (a.) and (b.) above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.
2. The following activities are exempt from this ordinance:
 - a. Individual single-family or duplex residential lots that are not part of a subdivision or phased development project;
 - b. Additions or modifications to existing single-family or duplex residential structures;
 - c. Agricultural or silvicultural land management activities within areas zoned for these activities; and,

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- d. Repairs to any stormwater management facility or practice deemed necessary by the Ordinance Administrator.

801.3 Designation of Ordinance Administrator

The Villa Rica City Engineer, the Public Works Director, or their designee are hereby appointed to administer and implement the provisions of this ordinance.

801.4 Compatibility with Other Regulations

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

801.5 Severability

If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

801.6 Stormwater Design Manual

The City of Villa Rica will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual and any relevant local addenda, for the proper implementation of the requirements of this ordinance. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

802. Definitions

Applicant means a person submitting a post-development stormwater management application and plan for approval.

Channel means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

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Conservation Easement means an agreement between a land owner and the City of Villa Rica or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Detention means the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention Facility means a detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Developer means a person who undertakes land development activities.

Development means a land development or land development project.

Drainage Easement means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Erosion and Sedimentation Control Plan means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Extended Detention means the detention of stormwater runoff for an extended period, typically 24 hours or greater.

Extreme Flood Protection means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

Greenspace or Open Space means permanently protected areas of the site that are preserved in a natural state.

Hotspot means an area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

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Hydrologic Soil Group (HSG) means a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group “A” soils, with high permeability and little runoff produced, to group “D” soils, which have low permeability rates and produce much more runoff.

Impervious Cover means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

Industrial Stormwater Permit means a National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration means the process of percolating stormwater runoff into the subsoil.

Jurisdictional Wetland means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Land Development means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land Development Activities means those actions or activities which comprise, facilitate or result in land development.

Land Development Project means a discrete land development undertaking.

Inspection and Maintenance Agreement means a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

New Development means a land development activity on a previously undeveloped site.

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Nonpoint Source Pollution means a form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstructural Stormwater Management Practice or Nonstructural Practice means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Off-Site Facility means a stormwater management facility located outside the boundaries of the site.

On-Site Facility means a stormwater management facility located within the boundaries of the site.

Overbank Flood Protection means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City of Villa Rica to the applicant which is required for undertaking any land development activity.

Person means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Post-development refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

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Pre-development refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Project means a land development project.

Redevelopment means a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Regional Stormwater Management Facility or Regional Facility means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Runoff means stormwater runoff.

Site means the parcel of land being developed, or the portion thereof on which the land development project is located.

Stormwater Better Site Design means nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater Management means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater Management Facility means any infrastructure that controls or conveys stormwater runoff.

Stormwater Management Measure means any stormwater management facility or nonstructural stormwater practice.

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Stormwater Management Plan means a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.

Stormwater Management System means the entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

Stormwater Retrofit means a stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater Runoff means the flow of surface water resulting from precipitation.

Structural Stormwater Control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

803. **Permit Procedures and Requirements**

803.1 **Permit Application Requirements**

No owner or developer shall perform any land development activities without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically exempted by this ordinance, any owner or developer proposing a land development activity shall submit to the City of Villa Rica a permit application on a form provided by the City of Villa Rica for that purpose.

Unless otherwise exempted by this ordinance, a permit application shall be accompanied by the following items in order to be considered:

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1. Stormwater concept plan and consultation meeting certification in accordance with Section 803.2;
2. Stormwater management plan in accordance with Section 803.3;
3. Inspection and maintenance agreement in accordance with Section 803.4, if applicable;
4. Performance bond in accordance with Section 803.5, if applicable; and,
5. Permit application and plan review fees in accordance with Section 803.6.

803.2 Stormwater Concept Plan and Consultation Meeting

Before any stormwater management permit application is submitted, it is required that the land owner or developer shall meet with the City of Villa Rica for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting [shall] take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

To accomplish this goal the following information shall be included in the concept plan which shall be submitted in advance of the meeting:

A. Existing Conditions / Proposed Site Plans

Existing conditions and proposed site layout sketch plans, which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.

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B. Natural Resources Inventory

A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.

C. Stormwater Management System Concept Plan

A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.

Local watershed plans, the Carroll and/or Douglas County greenspace projection plan (if applicable) and any relevant resource protection plans will be consulted in the discussion of the concept plan.

803.3 Stormwater Management Plan Requirements

The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in Section 7.5-225 below.

This plan shall be in accordance with the criteria established in this section and must be submitted with the stamp and signature of a Professional Engineer (PE) licensed in the state of Georgia, who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the submittal checklist(s) found in the stormwater design manual.

The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities

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are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the Stormwater Management Site Plan checklist found in the stormwater design manual. This includes:

A. Common address and legal description of site

B. Vicinity Map

C. Existing Conditions Hydrologic Analysis

The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each sub basin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities.

D. Post-Development Hydrologic Analysis

The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each sub basin affected by the project; calculations for determining the runoff volumes that need to be addressed for each sub basin for the development project to meet the post-development stormwater management performance criteria in Section 804; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the

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performance criteria in Section 804 must be met for the stormwater runoff from the entire site.

E. Stormwater Management System

The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 804; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.

F. Post-Development Downstream Analysis

A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the

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drainage basin where the project area is 10 percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the stormwater design manual.

G. Construction-Phase Erosion and Sedimentation Control Plan

An erosion and sedimentation control plan in accordance with the Georgia Erosion and Sedimentation Control Act or NPDES Permit for Construction Activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.

H. Landscaping and Open Space Plan

A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.

I. Operations and Maintenance Plan

Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for

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maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

J. Maintenance Access Easements

The applicant must ensure access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property.

K. Inspection and Maintenance Agreements

Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Villa Rica as provided in Section 802.4 below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance Section 803.4.

L. Evidence of Acquisition of Applicable Local and Non-local Permits

The applicant shall certify and provide documentation to the City of Villa Rica that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

803.4 Stormwater Management Inspection and Maintenance Agreements

Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which the City of Villa Rica requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Villa Rica, execute an inspection and maintenance agreement, and/or a conservation

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easement, if applicable, that shall be binding on all subsequent owners of the site.

The inspection and maintenance agreement, if applicable, must be approved by the City of Villa Rica prior to plan approval, and recorded in the deed records upon final plat approval.

The inspection and maintenance agreement shall identify by name or official title the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.

As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.

In addition to enforcing the terms of the inspection and maintenance agreement, the City of Villa Rica may also enforce all of the provisions for ongoing inspection and maintenance in Section 7.5-227 of this ordinance.

The City of Villa Rica, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this ordinance and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

803.5 Performance and Maintenance Bonds

803.6 Application Procedure

1. Applications for land development permits shall be filed with the City of Villa Rica.

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2. Permit applications shall include the items set forth in Section 803.1 above (two copies of the stormwater management plan and the inspection maintenance agreement, if applicable, shall be included).
3. The City of Villa Rica shall inform the applicant whether the application, stormwater management plan and inspection and maintenance agreement are approved or disapproved.
4. If either the permit application, stormwater management plan or inspection and maintenance agreement are disapproved, the City of Villa Rica shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same, in which event subparagraph 3 above and this subparagraph shall apply to such re-submittal.
5. Upon a finding by the City of Villa Rica that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this ordinance, the City of Villa Rica may issue a permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.
6. Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:
 - a. The applicant shall comply with all applicable requirements of the approved plan and this ordinance and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;
 - b. The land development project shall be conducted only within the area specified in the approved plan;
 - c. The City of Villa Rica shall be allowed to conduct periodic inspections of the project;
 - d. No changes may be made to an approved plan without review and written approval by the City of Villa Rica; and,
 - e. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by Section 805.2.

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803.7 Application Review Fees

The fee for review of any stormwater management application shall be based on the fee structure established by the City of Villa Rica and shall be made prior to the issuance of any building permit for the development.

803.8 Modifications for Off-Site Facilities

The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

A stormwater management plan must be submitted to the City of Villa Rica which shows the adequacy of the off-site or regional facility.

To be eligible for a modification, the applicant must demonstrate to the satisfaction of the City of Villa Rica that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:

1. Increased threat of flood damage to public health, life, and property;
2. Deterioration of existing culverts, bridges, dams, and other structures;
3. Accelerated streambank or streambed erosion or siltation;
4. Degradation of in-stream biological functions or habitat; or
5. Water quality impairment in violation of State water quality standards, and/or violation of any state or federal regulations.

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804. Post-Development Stormwater Management Performance Criteria

The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this ordinance:

804.1 Water Quality

All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:

1. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;
2. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and,
3. Runoff from hotspot land uses and activities identified by the City of Villa Rica are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.

804.2 Stream Channel Protection

Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:

1. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
2. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;
3. Erosion prevention measures such as energy dissipation and velocity control.

804.3 Overbank Flooding Protection

Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm

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event. If control of the 1-year, 24-hour storm under Section 9.4, B is exempted, then peak discharge rate attenuation of the 2-year through the 25-year return frequency storm event must be provided.

804.4 Extreme Flooding Protection

Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

804.5 Structural Stormwater Controls

All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from City of Villa Rica before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the City of Villa Rica may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.

Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

804.6 Stormwater Credits for Nonstructural Measures

The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 804.1. The applicant may, if approved by the City of Villa Rica, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design

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practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.

804.7 Drainage System Guidelines

Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public right-of-ways. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

1. Methods to calculate stormwater flows shall be in accordance with the stormwater design manual;
2. All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the stormwater design manual; and,
3. Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the stormwater design manual.

804.8 Dam Design Guidelines

Any land disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

805. Construction Inspections of Post-Development Stormwater Management System

805.1 Inspections to Ensure Plan Compliance During Construction

Periodic inspections of the stormwater management system construction shall be conducted by the staff of the City of Villa Rica or conducted and certified by a professional engineer who has been approved by the City of Villa Rica. Construction inspections shall utilize the approved stormwater management plan for establishing compliance.

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All inspections shall be documented with written reports that contain the following information:

1. The date and location of the inspection;
2. Whether construction is in compliance with the approved stormwater management plan;
3. Variations from the approved construction specifications; and,
4. Any other variations or violations of the conditions of the approved stormwater management plan.

If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions.

805.2 Final Inspection and As Built Plans

Upon completion of a project, and before a certificate of occupancy shall be granted, the applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual “as built” plans for any stormwater management facilities or practices after final construction are completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a Professional Engineer. A final inspection by the City of Villa Rica is required before the release of any performance securities can occur.

806. Ongoing Inspection and Maintenance of Stormwater Facilities and Practices

806.1 Long-Term Maintenance Inspection of Stormwater Facilities and Practices

Stormwater management facilities and practices included in a stormwater management plan which is subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this ordinance.

A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved

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inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the City of Villa Rica shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the City of Villa Rica, may correct the violation as provided in Subsection 806.4 hereof.

Inspection programs by the City of Villa Rica may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

806.2 Right-of-Entry for Inspection

The terms of the inspection and maintenance agreement shall provide for the City of Villa Rica to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.

806.3 Records of Maintenance Activities

Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the City of Villa Rica.

806.4 Failure to Maintain

If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the City of Villa Rica, after thirty

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(30) days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The City of Villa Rica may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.

807. Violations, Enforcement and Penalties

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

807.1 Notice of Violation

If the City of Villa Rica determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

1. The name and address of the owner or the applicant or the responsible person;
2. The address or other description of the site upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management

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plan or this ordinance and the date for the completion of such remedial action;

5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
6. A statement that the determination of violation may be appealed to the City of Villa Rica) by filing a written notice of appeal within thirty (30) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

807.2 Penalties

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Villa Rica shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City of Villa Rica may take any one or more of the following actions or impose any one or more of the following penalties.

1. **Stop Work Order** -The City of Villa Rica may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
2. **Withhold Certificate of Occupancy** - The City of Villa Rica may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures

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set forth in the notice of violation or has otherwise cured the violations described therein.

3. **Suspension, Revocation or Modification of Permit** - The City of Villa Rica may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated upon such conditions as the City of Villa Rica may deem necessary to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. **Civil Penalties** - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the City of Villa Rica shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the City of Villa Rica has taken one or more of the actions described above, the City of Villa Rica may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains un-remedied after receipt of the notice of violation. If said penalty is not paid within the time presented by the City, the City has the right to enforce said claim in a Court of Competent Jurisdiction and/or in the alternative to pursue the criminal penalties detailed in (5) below. Additionally, the penalty shall become a special assessment against the property and shall constitute a lien on the property in the amount of the assessment.
5. **Criminal Penalties** - For intentional and flagrant violations of this ordinance, the City of Villa Rica may issue a citation to the applicant or other responsible person, requiring such person to appear in municipal court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

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900. STREAM BUFFER PROTECTION

901. Title

This ordinance shall be known as the “City of Villa Rica Stream Buffer Protection Ordinance.”

902. Findings and Purposes

902.1 Findings

Whereas, the City of Villa Rica finds that buffers adjacent to streams provide numerous benefits including:

1. Protecting, restoring, and maintaining the chemical, physical and biological integrity of streams and their water resources
2. Removing pollutants delivered in urban stormwater
3. Reducing erosion and controlling sedimentation
4. Protecting and stabilizing stream banks
5. Providing for infiltration of stormwater runoff
6. Maintaining base flow of streams
7. Contributing organic matter that is a source of food and energy for the aquatic ecosystem
8. Providing tree canopy to shade streams and promote desirable aquatic habitat
9. Providing riparian wildlife habitat
10. Furnishing scenic value and recreational opportunity
11. Providing opportunities for the protection and restoration of greenspace

902.2 Purposes

It is the purpose of this Ordinance to protect the public health, safety, environment, and general welfare; to minimize public and private losses

due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:

1. Create buffer zones along the streams of City of Villa Rica for the protection of water resources; and,
2. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

903. **Definitions**

Buffer means, with respect to a stream, a natural or enhanced vegetated area (established by Section 905.1(1) below), lying adjacent to the stream.

Impervious Cover means any manmade paved, hardened or structural surface regardless of material. Impervious cover includes but is not limited to rooftops, buildings, streets, roads, decks, swimming pools and any concrete or asphalt.

Land Development means any land change, including but not limited to clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land Development Activity means those actions or activities which comprise, facilitate or result in land development.

Land Disturbance means any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or any other installation of impervious cover.

Land Disturbance Activity means those actions or activities which comprise, facilitate or result in land disturbance.

Floodplain means any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.

Parcel means any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Permit means the permit issued by the City of Villa Rica required for undertaking any land development activity.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Protection Area, or Stream Protection Area means, with respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Riparian means belonging or related to the bank of a river, stream, lake, pond or impoundment.

Setback means, with respect to a stream, the area established by Section 905.1 (2) extending beyond any buffer applicable to the stream.

Stream means any stream, beginning at:

1. The location of a spring, seep, or groundwater outflow that sustains stream flow; or
2. A point in the stream channel with a drainage area of 25 acres or more; or
3. Where evidence indicates the presence of a stream in a drainage area of other than 25 acres, the City of Villa Rica may require field studies to verify the existence of a stream.

Stream Bank means the sloping land that contains the stream channel and the normal flows of the stream.

Stream Channel means the portion of a watercourse that contains the base flow of the stream.

Watershed means the land area that drains into a particular stream.

904. **Applicability**

This ordinance shall apply to all land development activity on property containing a stream protection area as defined in Section 903 of this ordinance. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

904.1 **Provisions relating to pre-existing activities, permits or developments**

This ordinance shall not apply to the following activities:

1. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this ordinance.
2. Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.
3. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this ordinance.
4. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two years of the effective date of this ordinance.

904.2 Exemptions

The following specific activities are exempt from this ordinance. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

1. Activities for the purpose of building one of the following:
 - a stream crossing by a driveway, transportation route or utility line;
 - public water supply intake or public wastewater outfall structures;
 - intrusions necessary to provide access to a property;
 - public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
 - unpaved foot trails and paths;
 - activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.
2. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should not be within the 25-foot State waters buffer or within 100 feet from designated trout streams. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless

of paving material, except for access for the uses specifically cited in Item 904.2 (1) above.

3. Land development activities within a right-of-way existing at the time this ordinance takes effect or approved under the terms of this ordinance.
4. Within an easement of any utility existing at the time this ordinance takes effect or approved under the terms of this ordinance, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
5. Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the City of Villa Rica on the next business day after commencement of the work. Within 10 days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the City of Villa Rica to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.
6. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land disturbing activity other than normal forest management practices will be allowed on the entire property for three years after the end of the activities that intruded on the buffer.

After the effective date of this ordinance, it shall apply to new subdividing and platting activities.

Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Section 905.2 below.

905. Land Development Requirements

905.1 Buffer and Setback Requirements

All land development activity subject to this ordinance shall meet the following requirements:

1. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank for non-trout streams.
2. An undisturbed natural vegetative buffer shall be maintained for 75 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank for designated trout streams.
3. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
 - For warm water streams: Buffers total 25-foot State buffer, 25-foot City of Villa Rica Buffer, 25-foot impervious buffer, 75-foot total.
 - For Designated Trout streams: Buffers total 50-foot State buffer, 25-foot City of Villa Rica buffer, 25-foot impervious buffer, 100-foot total.
4. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

905.2 Variance Procedures

Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to the effective date of this ordinance, and its shape, topography or other existing physical condition prevents land development consistent with this ordinance, and the City of Villa Rica finds and determines that the requirements of this ordinance prohibit the otherwise lawful use of the property by the owner, the City of Villa Rica may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.
2. Except as provided above, the City of Villa Rica shall grant no variance from any provision of this ordinance without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the Villa Rica City Council. The City of Villa Rica shall give public notice of each such public hearing in a newspaper of general circulation within the City of

Villa Rica. The City of Villa Rica shall require that the applicant post a sign giving notice of the proposed variance and the public hearing. The sign shall be of a size and posted in such a location on the property as to be clearly visible from the primary adjacent road right-of-way.

Variances will be considered only in the following cases:

- a. When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.
- b. Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when, following adoption of this ordinance, actions of any property owner of a given property have created conditions of a hardship on that property.

3. At a minimum, a variance request shall include the following information:
 - a. A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
 - b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
 - d. Documentation of unusual hardship should the buffer be maintained;
 - e. At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 - f. A calculation of the total area and length of the proposed intrusion;
 - g. A stormwater management site plan, if applicable; and,
 - h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.
4. The following factors will be considered in determining whether to issue a variance:
 - a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - b. The locations of all streams on the property, including along property boundaries;

- c. The location and extent of the proposed buffer or setback intrusion; and,
- d. Whether alternative designs are possible which require less intrusion or no intrusion;
- e. The long-term and construction water-quality impacts of the proposed variance;
- f. Whether issuance of the variance is at least as protective of natural resources and the environment.

906. **Compatibility with Other Buffer Regulations and Requirements**

This ordinance is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

907. **Additional Information Requirements for Development on Buffer Zone Properties**

Any permit applications for property requiring buffers and setbacks hereunder must include the following:

- 1. A site plan showing:
 - a. The location of all streams on the property;
 - b. Limits of required stream buffers and setbacks on the property;
 - c. Buffer zone topography with contour lines at no greater than five (5)-foot contour intervals;
 - d. Delineation of forested and open areas in the buffer zone; and,
 - e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;
- 2. A description of all proposed land development within the buffer and setback; and,
- 3. Any other documentation that the City of Villa Rica may reasonably deem necessary for review of the application and to insure that the buffer zone ordinance is addressed in the approval process.

All buffer and setback areas must be recorded on the final plat of the property following plan approval.

908. **Responsibility**

Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this ordinance shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon the City of Villa Rica, its officers or employees, for injury or damage to persons or property.

909. **Inspection**

The City of Villa Rica may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the City of Villa Rica in making such inspections. The City of Villa Rica shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

910. **Violations, Enforcement and Penalties**

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved site plan or permit may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

910.1 **Notice of Violation**

If the City of Villa Rica determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured the appropriate permit therefore, the notice of

violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

1. The name and address of the owner or the applicant or the responsible person;
2. The address or other description of the site upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this ordinance and the date for the completion of such remedial action;
5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
6. A statement that the determination of violation may be appealed to the City of Villa Rica by filing a written notice of appeal within thirty (30) days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

910.2 Penalties

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Villa Rica shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City of Villa Rica may take any one or more of the following actions or impose any one or more of the following penalties.

1. **Stop Work Order** - The City of Villa Rica may issue a stop work order which shall be served on the applicant or other responsible

person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.

2. **Withhold Certificate of Occupancy** - The City of Villa Rica may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. **Suspension, Revocation or Modification of Permit** - The City of Villa Rica may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the City of Villa Rica may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. **Civil Penalties** - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the City of Villa Rica shall deem appropriate) (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the City of Villa Rica has taken one or more of the actions described above, the City may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
5. **Criminal Penalties** - For intentional and flagrant violations of this ordinance, the City of Villa Rica may issue a citation to the applicant or other responsible person, requiring such person to appear in Magistrate Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

911. **Administrative Appeal and Judicial Review**

911.1 **Administrative Appeal**

Any person aggrieved by a decision or order of the City of Villa Rica, may appeal in writing within 30 days after the issuance of such decision or order to the City of Villa Rica and shall be entitled to a hearing before the Villa Rica City Council within 30 days of receipt of the written appeal.

911.2 **Judicial Review**

Any person aggrieved by a decision or order of the City of Villa Rica, after exhausting all administrative remedies, shall have the right to appeal de novo to the Magistrate Court.

912. **Severability**

If any article, section, subsection, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

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1000. **ILLICIT DISCHARGE AND ILLEGAL CONNECTION ORDINANCE**

Introduction

It is hereby determined that:

Discharges to the City of Villa Rica separate storm sewer system that are not composed entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the City of Villa Rica separate storm sewer system from residential, industrial, commercial or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the City of Villa Rica separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of State and Federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the City of Villa Rica separate storm sewer system;

Therefore, the City of Villa Rica adopts this ordinance to prohibit such non-stormwater discharges to the City of Villa Rica separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the City of Villa Rica separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.

1001. **General Provisions**

1001.1 **Purpose and Intent**

The purpose of this ordinance is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the City of Villa Rica separate storm sewer system to the maximum extent practicable as required by Federal law.

This ordinance establishes methods for controlling the introduction of pollutants into the City of Villa Rica separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are to:

1. Regulate the contribution of pollutants to the City of Villa Rica separate storm sewer system by any person;
2. Prohibit illicit discharges and illegal connections to the City of Villa Rica separate storm sewer system;
3. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the City of Villa Rica separate storm sewer system; and,
4. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance.

1001.2 **Applicability**

The provisions of this ordinance shall apply throughout the corporate limits of the City of Villa Rica.

1001.3 **Compatibility with Other Regulations**

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

1001.4 **Severability**

If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

1001.5 Responsibility for Administration

The City of Villa Rica shall administer, implement, and enforce the provisions of this ordinance.

1002. Definitions

Accidental Discharge means a discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.

Clean Water Act means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity means activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Illicit Discharge means any direct or indirect non-stormwater discharge to the City of Villa Rica separate storm sewer system, except as exempted in Section 1003 of this ordinance.

Illegal Connection means either of the following:

- a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- b) Any pipe, open channel, drain or conveyance connected to the City of Villa Rica separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity means activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit means a permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

City of Villa Rica Separate Storm Sewer System (MS4) means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, City of Villa Rica streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

- a) Owned or maintained by the City of Villa Rica;
- b) Not a combined sewer; and
- c) Not part of a publicly-owned treatment works.

Non-Stormwater Discharge means any discharge to the storm drain system that is not composed entirely of stormwater.

Person means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution means the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Premises mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

State Waters means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the

boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

Stormwater Runoff or Stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Structural Stormwater Control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

1003. **Prohibitions**

1003.1 **Prohibition of Illicit Discharges**

No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the City of Villa Rica separate storm sewer system any pollutants or waters containing any pollutants, other than stormwater.

The following discharges are exempt from the prohibition provision above:

1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
2. Discharges or flows from fire fighting, and other discharges specified in writing by the City of Villa Rica as being necessary to protect public health and safety;
3. The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the City of Villa Rica separate storm sewer system.

1003.2 Prohibition of Illegal Connections

The construction, connection, use, maintenance, or continued existence of any illegal connection to the City of Villa Rica separate storm sewer system is prohibited.

1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
2. A person violates this ordinance if the person connects a line conveying sewage to the City of Villa Rica separate storm sewer system, or allows such a connection to continue.
3. Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the City of Villa Rica Sewer Department.
4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City of Villa Rica requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the City of Villa Rica.

1004. Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City of Villa Rica prior to allowing discharges to the City of Villa Rica separate storm sewer system.

1005. **Access and Inspection of Properties and Facilities**

The City of Villa Rica shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.

1. If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City of Villa Rica.
2. The owner or operator shall allow the City of Villa Rica ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.
3. The City of Villa Rica shall have the right to set up on any property or facility such devices as are necessary in the opinion of the City of Villa Rica to conduct monitoring and/or sampling of flow discharges.
4. The City of Villa Rica may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to the City of Villa Rica. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
5. Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the City of Villa Rica and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
6. Unreasonable delays in allowing the City of Villa Rica access to a facility is a violation of this ordinance.
7. If the City of Villa Rica has been refused access to any part of the premises from which stormwater is discharged, and the City of Villa Rica is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the City of Villa Rica may seek issuance of a search warrant from any court of competent jurisdiction.

1006. Notification of Accidental Discharges and Spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City of Villa Rica separate storm sewer system, State Waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge. .

Said person shall notify the authorized enforcement agency in person or by phone, facsimile or in person no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Villa Rica within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

Failure to provide notification of a release as provided above is a violation of this ordinance.

1007. Violations, Enforcement and Penalties

1007.1 Violations

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, the City of Villa Rica is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City of Villa Rica is authorized to seek costs of the abatement as outlined in Section 7.5-248, E.

1007.2 Notice of Violation

Whenever the City of Villa Rica finds that a violation of this ordinance has occurred, the City of Villa Rica may order compliance by written notice of violation.

A. The notice of violation shall contain:

- (1) The name and address of the alleged violator;
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
- (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the City of Villa Rica by filing a written notice of appeal within thirty (30) days of service of notice of violation.

B. Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit discharges and illegal connections;
- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of costs to cover administrative and abatement costs; and,
- (6) The implementation of pollution prevention practices.

1007.3 Appeal of Notice of Violation

Any person receiving a Notice of Violation may appeal the determination of the City of Villa Rica. The notice of appeal must be received within thirty (30) days from the date of the Notice of Violation. Hearing on the appeal before the City Manager or his/her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or their designee shall be final.

1007.4 Enforcement Measures After Appeal

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 5 days of the decision of the City Manager or his/her designee of the City of Villa Rica, then representatives of the City of Villa Rica may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

1007.5 Costs of Abatement of the Violation

Within 10 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 5 days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within thirty (30) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City of Villa Rica by reason of such violation.

1007.6 Civil Penalties - In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the City of Villa Rica shall deem appropriate, after the City of Villa Rica has taken one or more of the actions described above, the City

of Villa Rica may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

1007.7 **Criminal Penalties** - For intentional and flagrant violations of this ordinance, the City of Villa Rica may issue a citation to the alleged violator requiring such person to appear in Magistrate Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

1007.8 **Violations Deemed a Public Nuisance**
In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.

1007.9 **Remedies Not Exclusive**
The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Villa Rica may seek cumulative remedies.

The City of Villa Rica may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

SECTION 1100 CONSERVATION SUBDIVISION / OPEN SPACE
DEVELOPMENT ORDINANCE

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1100. **CONSERVATION SUBDIVISION / OPEN SPACE
DEVELOPMENT ORDINANCE**

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1100. CONSERVATION SUBDIVISION / OPEN SPACE DEVELOPMENT

1101. Purposes

- a. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
- b. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
- c. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- d. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- e. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- f. To promote interconnected greenways and corridors throughout the community.
- g. To promote contiguous greenspace with adjacent jurisdictions.
- h. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- i. To encourage street designs that reduce traffic speeds and reliance on main arteries.
- j. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- k. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.

1. To preserve important historic and archaeological sites.

1102. **General Regulations**

- A. Applicability of Regulations. This Conservation Subdivision option is available within the City of Villa Rica as a use by right. Applicant shall comply with all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.
- B. Ownership of Development Site. The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
- C. Housing Density Determination. The maximum number of lots in the Conservation Subdivision shall be determined by either of the following two methods, at the discretion of the local jurisdiction:
 1. Calculation: The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:
 - a. slopes over 25 percent of at least 5,000 square feet contiguous area;
 - b. the 100-year floodplain;
 - c. bodies of open water over 5,000 square feet contiguous area;
 - d. wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act; or,
 - e. anticipated right-of-way needs for roads and utilities.
 2. Yield Plan: The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

1103. **Application Requirements**

- A. Site Analysis Map Required. Concurrent with the submission of a site concept plan, Applicant shall prepare and submit a site analysis map. The

SECTION 1100 CONSERVATION SUBDIVISION / OPEN SPACE
DEVELOPMENT ORDINANCE

purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed Open Space will meet the requirements of this article. The preliminary site plan shall include the following features:

1. Property boundaries;
 2. All streams, rivers, lakes, wetlands and other hydrologic features;
 3. Topographic contours of no less than 10-foot intervals;
 4. All Primary and Secondary Conservation Areas labeled by type, as described in Section 1104 of this Article;
 5. General vegetation characteristics;
 6. General soil types;
 7. The planned location of protected Open Space;
 8. Existing roads and structures; and,
 9. Potential connections with existing greenspace and trails.
- B. Open Space Management Plan Required. An open space management plan, as described in Section 1104, shall be prepared and submitted prior to the issuance of a land disturbance permit.
- C. Instrument of Permanent Protection Required. An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Section 1104, shall be placed on the Open Space concurrent with the issuance of a land disturbance permit.
- D. Other Requirements. The Applicant shall adhere to all other applicable requirements of the underlying zoning and the Code of Ordinances of the City of Villa Rica.

1104. **Open Space**

- A. **Definition.** Open Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.
- B. Standards to Determine Open Space.

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1. The minimum restricted Open Space shall comprise at least 40% of the gross tract area.
2. The following are considered Primary Conservation Areas and are required to be included within the Open Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
 - a. The regulatory 100-year floodplain;
 - b. Buffer zones of at least 75 ft width along all perennial and intermittent streams;
 - c. Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - d. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
 - e. Populations of endangered or threatened species, or habitat for such species; and,
 - f. Archaeological sites, cemeteries and burial grounds
3. The following are considered Secondary Conservation Areas and should be included within the Open Space to the maximum extent feasible.
 - a. Important historic sites;
 - b. Existing healthy, native forests of at least one acre contiguous area;
 - c. Individual existing healthy trees greater than 8 inches caliper, as measured from their outermost drip line;
 - d. Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - e. Prime agricultural lands of at least five acres contiguous area; and,
 - f. Existing trails that connect the tract to neighboring areas.
4. Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
5. At least 75 percent of the Open Space shall be in a contiguous tract. The Open Space should adjoin any neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.

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6. The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.
- C. Permitted Uses of Open Space. Uses of Open Space may include the following:
1. Conservation of natural, archeological or historical resources;
 2. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
 3. Walking or bicycle trails, provided they are constructed of porous paving materials;
 4. Passive recreation areas;
 5. Active recreation areas, provided that they are limited to no more than 10 percent of the total Open Space and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space;
 6. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;
 7. Nonstructural stormwater management practices;
 8. Easements for drainage, access, and underground utility lines; or
 9. Other conservation-oriented uses compatible with the purposes of this ordinance.
- D. Prohibited uses of Open Space
1. Golf courses;
 2. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
 3. Agricultural and forestry activities not conducted according to accepted Best Management Practices; and,
 4. Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

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E. Ownership and Management of Open Space.

1. Ownership of Open Space. The applicant must identify the owner of the Open Space who is responsible for maintaining the Open Space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
2. Management Plan. Applicant shall submit a Plan for Management of Open Space and Common Facilities ("Plan") that:
 - a. allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - b. estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided;
 - c. provides that any changes to the Plan be approved by the City of Villa Rica; and,
 - d. provides for enforcement of the Plan.
3. In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the City of Villa Rica may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

F. Legal Instrument for Permanent Protection

1. The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - a. A permanent conservation easement in favor of either:
 - (i) a land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence

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- and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - (ii) a governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance. If the entity accepting the easement is not the City of Villa Rica, then a third right of enforcement favoring the City of Villa Rica shall be included in the easement;
 - b. A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or,
 - c. An equivalent legal tool that provides permanent protection, if approved by the City of Villa Rica.
2. The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the Applicant chooses to place on the use of the Open Space.

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1200. LITTER CONTROL ORDINANCE

1201. General Provisions

1201.1 Purpose and Intent

The purpose of this ordinance is to protect the public health, safety, environment, and general welfare through the regulation and prevention of litter. The objectives of this ordinance are:

1. Provide for uniform prohibition throughout the City of Villa Rica of any and all littering on public or private property; and,
2. Prevent the desecration of the beauty and quality of life of the City of Villa Rica and prevent harm to the public health, safety, environment, and general welfare, including the degradation of water and aquatic resources caused by litter.

1201.2 Applicability

This ordinance shall apply to all public and private property within the City of Villa Rica.

1201.3 Compatibility with Other Regulations

This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

1201.4 Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this ordinance.

1202. **Definitions**

Litter means any organic or inorganic waste material, rubbish, refuse, garbage, trash, hulls, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic, and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description which are not "waste" as such term is defined in O.C.G.A., §16-7-51, paragraph 6.

Public or private property means the right of way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge, or conservation or recreation area; timberlands or forests; and residential, commercial, industrial, or farm properties.

1203. **Prohibition Against Littering Public or Private Property or Waters**

It shall be unlawful for any person or persons to dump, deposit, throw or leave or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in the City of Villa Rica or any waters in this City unless:

1. The property is designated by the State or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property;
2. The litter is placed into a receptacle or container installed on such property;
or,
3. The person is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of the owner or tenant, all in a manner consistent with the public welfare.

Construction site operators shall put measures in place to control waste such as truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

1204. **Vehicle Loads Causing Litter**

No person shall operate any motor vehicle with a load on or in such vehicle unless the load on or in such vehicle is adequately secured to prevent the dropping or shifting of materials from such load onto the roadway.

1205. Violations, Enforcement and Penalties

1205.1 Violations

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise sentenced in a manner provided by law.

1205.2 Evidence

1. Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of this ordinance, it shall be prima facie evidence that the operator of the conveyance has violated this ordinance.
2. Except as provided in subsection (1), whenever any litter which is dumped, deposited, thrown or left on public or private property in violation of this ordinance is discovered to contain any article or articles, including but not limited to letters, bills, publications or other writing which display the name of the person thereon in such a manner as to indicate that the article belongs or belonged to such person, it shall be a rebuttable presumption that such person has violated this ordinance.

1205.3 Penalties

Any person who violates this ordinance shall be guilty of a violation and, upon conviction thereof, shall be punished as follows:

1. By a fine of not less than \$200 and not more than \$1,000; and
2. In addition to the fine set out in subsection 1 above, the violator shall reimburse the City of Villa Rica for the reasonable cost of removing the litter when the litter is or is ordered removed by the City; and
3. a. In the sound discretion of the court, the person may be directed to pick up and remove from any public street or highway or public right-of way for a distance not to exceed one mile any litter he has deposited and any and all litter deposited thereon by anyone else prior to the date of execution of sentence; or

- b. In the sound discretion of the court, the person may be directed to pick up and remove any and all litter from any public property, private right-of-way, or with prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it can be established by competent evidence that he has deposited litter. Pick up and removal shall include any and all litter deposited thereon by anyone prior to the date of execution of sentence; and,
- 4. The court may publish the names of persons convicted of violating this ordinance.

1205.4 Enforcement

All Code Enforcement Officers of the City of Villa Rica, law enforcement agencies, officers and officials of this state or any political subdivision thereof, or any enforcement agency, officer or any official of any commission of this state or any political subdivision thereof, are hereby authorized, empowered and directed to enforce compliance with this article.



CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Holt-Bishop Justice Center ADA Improvements

AGENDA DATE: October 3, 2023

DATE PREPARED: September 18, 2023

PREPARED BY: Bobby C. Elliott, P.E.

AMOUNT: \$38,155.00

GL ACCOUNT #:

FUNDING SOURCE: General Fund

BUDGETED ITEM? No

PURPOSE: Currently, The Holt-Bishop Justice Center needs to have improvements to handicap accessibility. The wheel chair ramp needs to be re-configured.

BACKGROUND: The wheelchair ramp to the front of the building needs to be turned away from North Carroll Street with a new railing to protect citizens from vehicular traffic.

The City has received two bids on the construction work. There is a price included to shift the statue away from the new ramp if necessary. These bid prices include a not to exceed price quote.

Caliber 1 Construction: \$38,155.00

HNC Construction: \$41,519.62

STAFF RECOMMENDATION: Staff recommends approval of the bid price from Caliber 1 Construction in the amount of \$38,155.00.

IMPACT:

MOTION: I move to approve the bid price from Caliber 1 Construction for the Holt-Bishop Justice Center ADA Improvements in the amount of \$38,155.00.

GIL McDOUGAL, MAYOR
CITY COUNCIL:
MAYOR PRO TEM
SHIRLEY MARCHMAN
MATTHEW MONTAHAN
DANNY CARTER
ANNA McCOY

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: THERESA
CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

Holt-Bishop Justice Center ADA Improvements

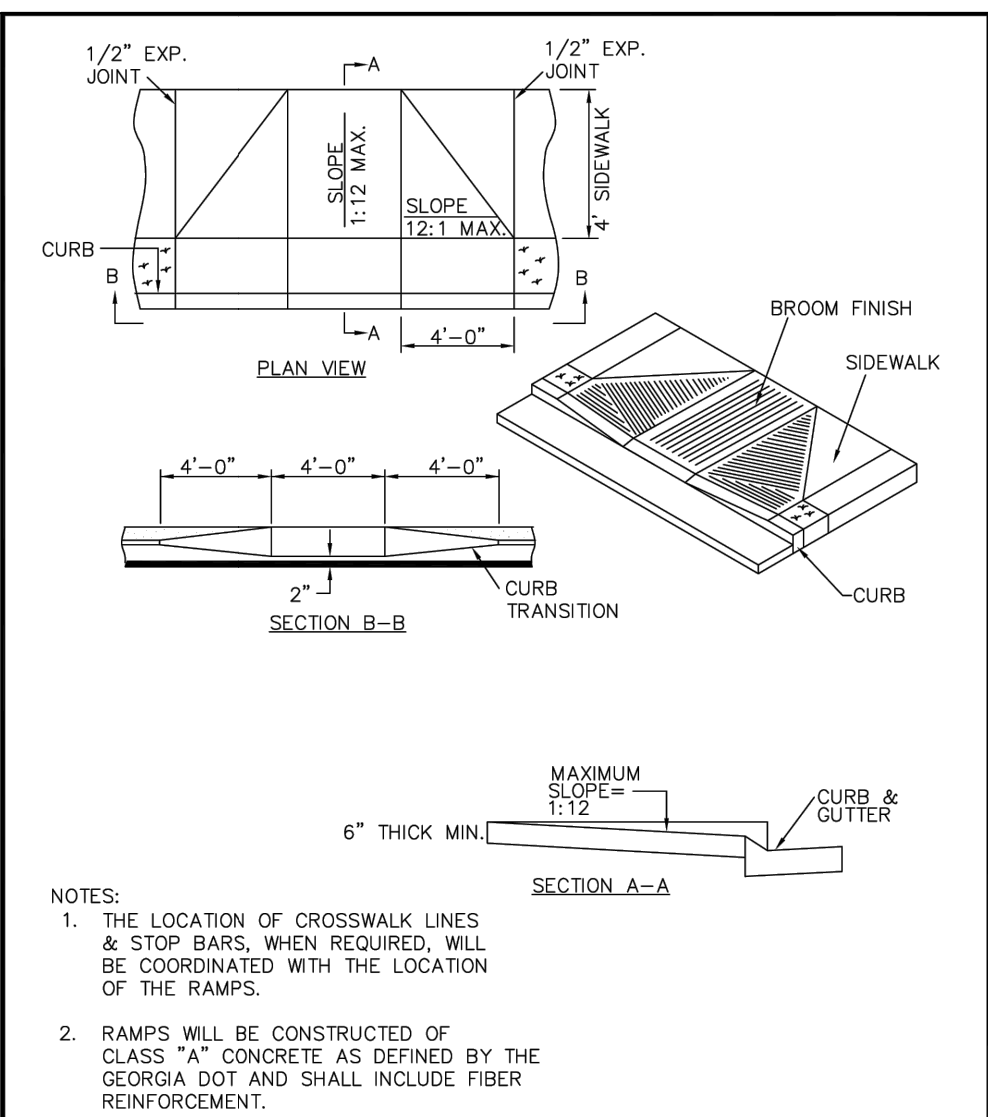
BID#: 2023-001

Bid Opening

September 15, 2023, at 2:00 PM

Contracting Company	Bid Totals
Caliber 1 Construction	Base Bid: \$28,155.00
	Addendum #1: \$10,000.00
	Addendum #2:
HNC Construction	Base Bid: \$37,019.62
	Addendum #1: \$4,500.00
	Addendum #2:

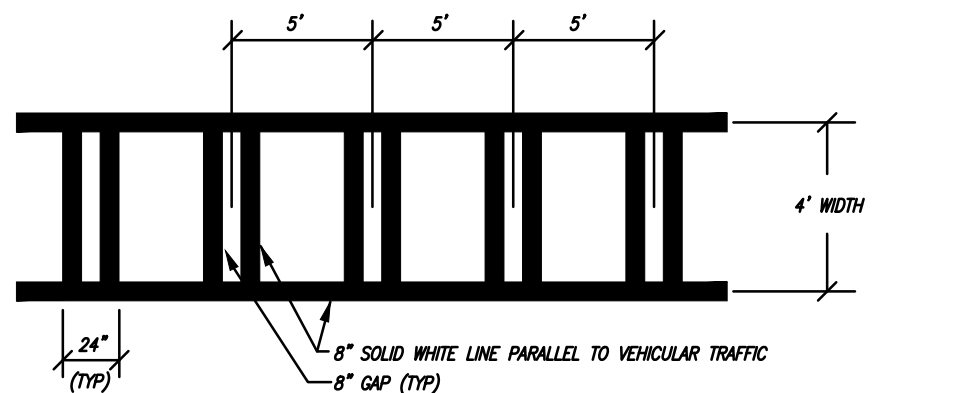
On Behalf of the City of Villa Rica
Bobby C. Elliott, P.E.
City Engineer



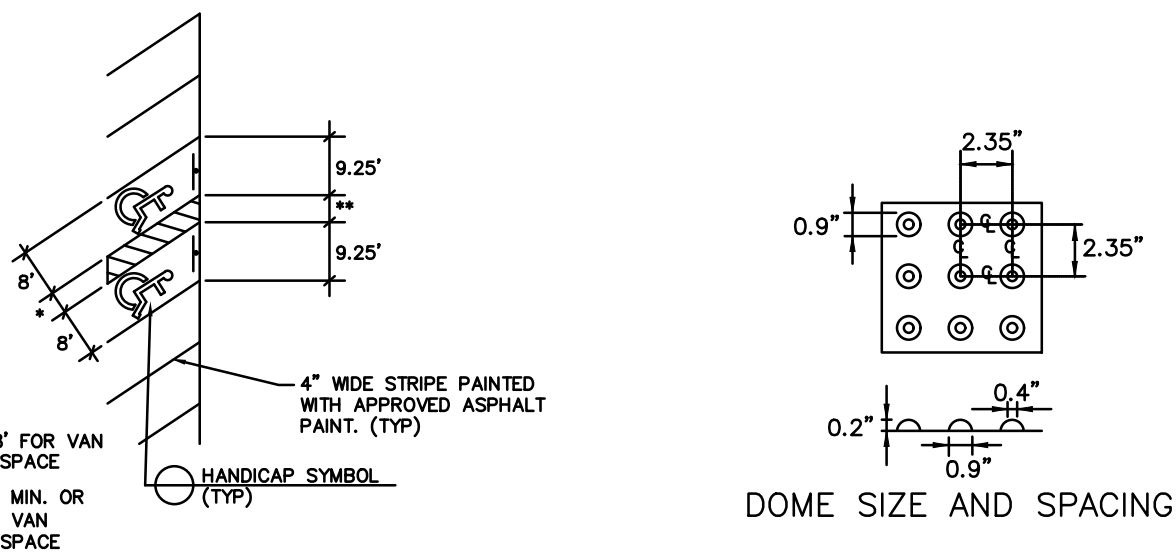
CITY OF VILLA RICA
DEPARTMENT OF PUBLIC WORKS

WHEELCHAIR RAMP
CONSTRUCTION STANDARD

DATE: JAN. 2019
APPROVED: 3.8.16



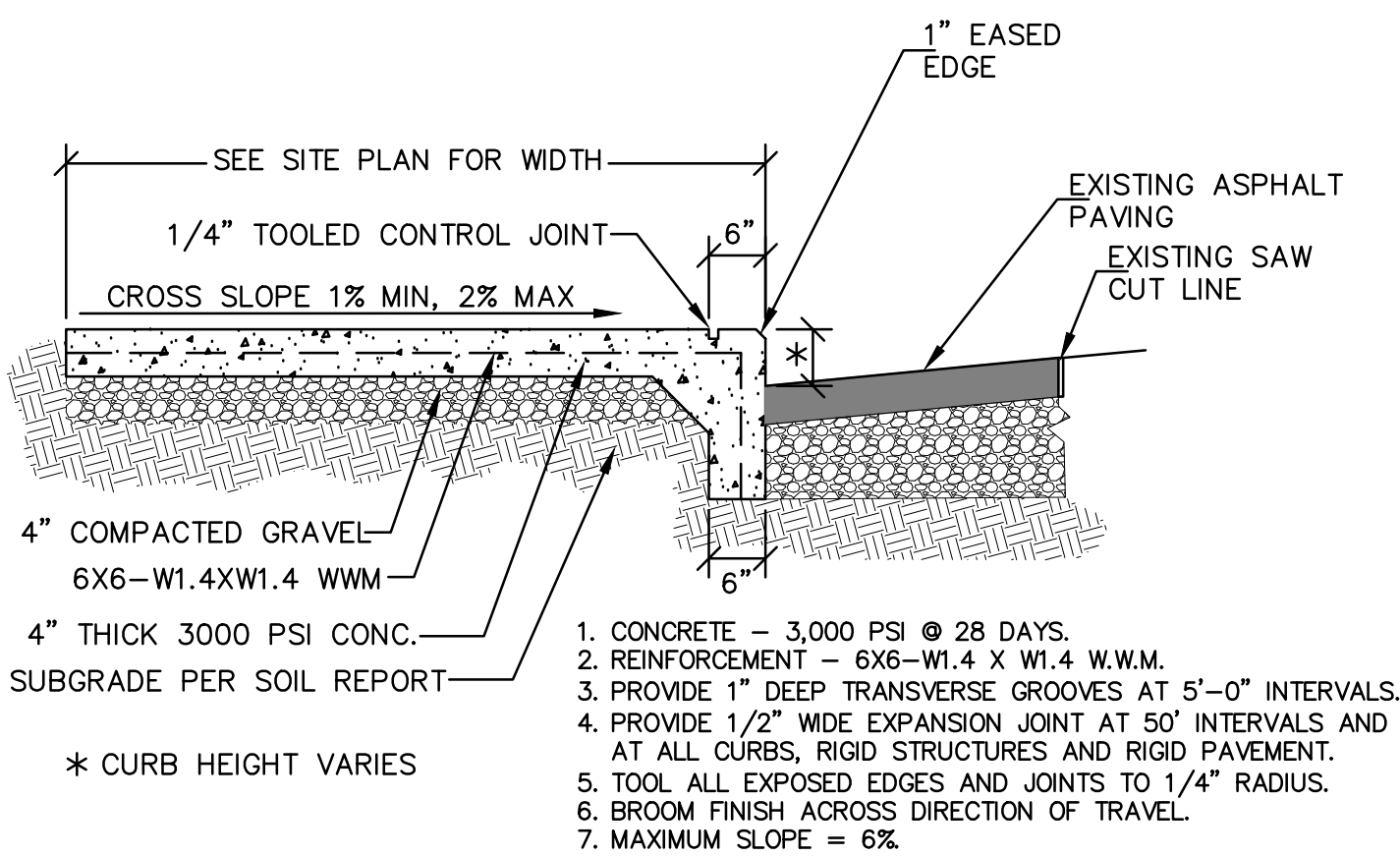
CROSSWALK DETAIL
N.T.S. S-DTL-390



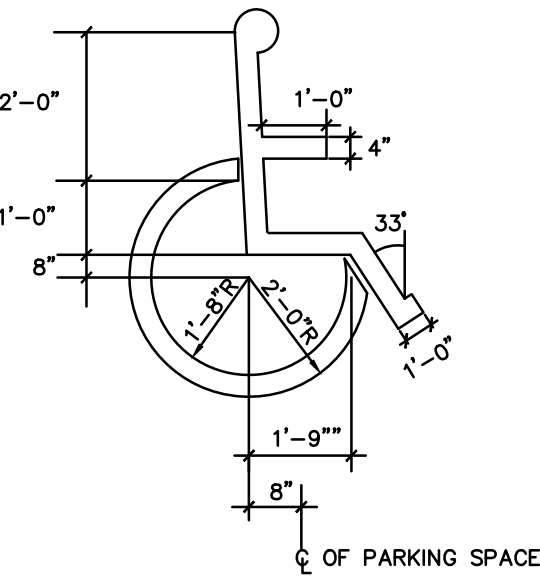
DOME SIZE AND SPACING

60' PARKING 1 WAY
SCALE: NONE S-DTL-028

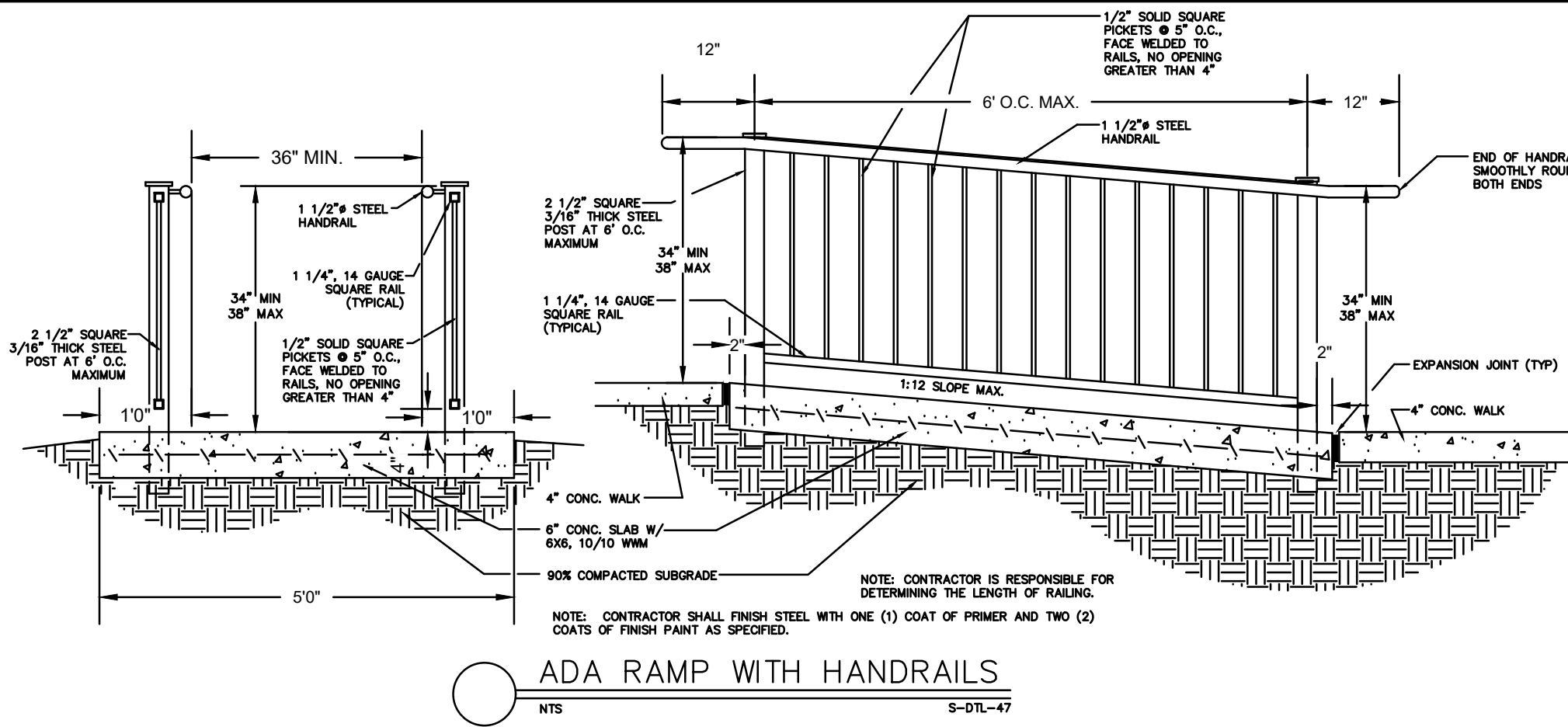
DOME DETECTABLE WARNING SURFACE
SCALE: NONE



CONCRETE WALK WITH TURN DOWN CURB EDGE
N.T.S. S-DTL-57b

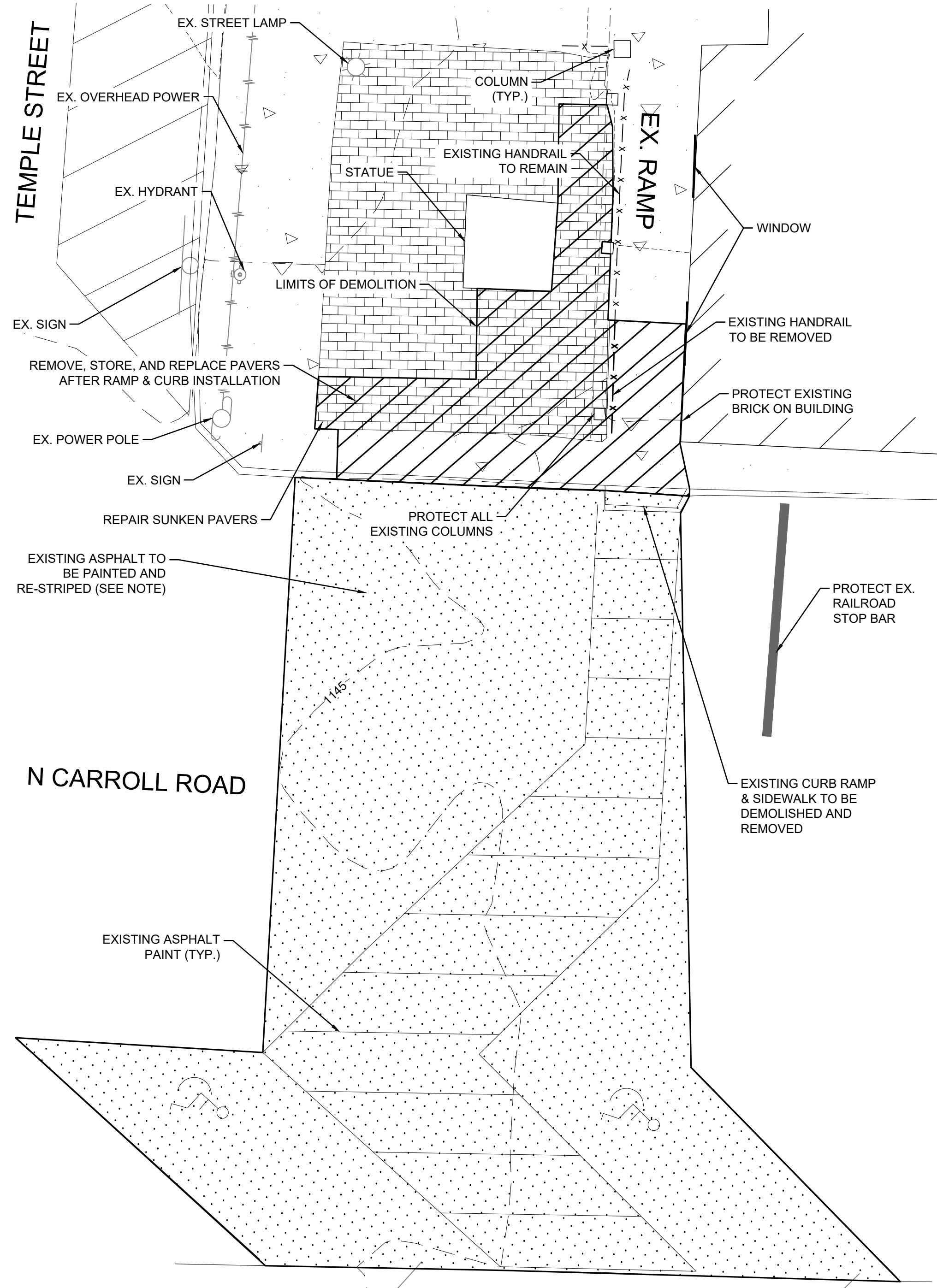


PAINTED HANDICAP SYMBOL
SCALE: NONE S-DTL-18

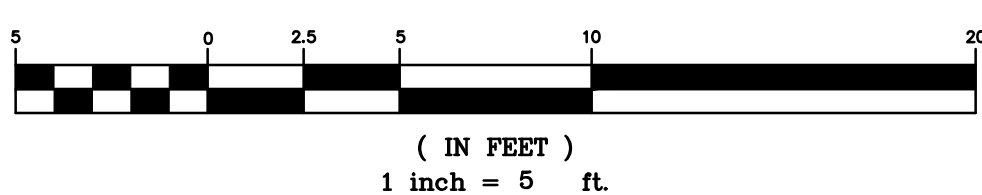


ADA RAMP WITH HANDRAILS
N.T.S. S-DTL-47

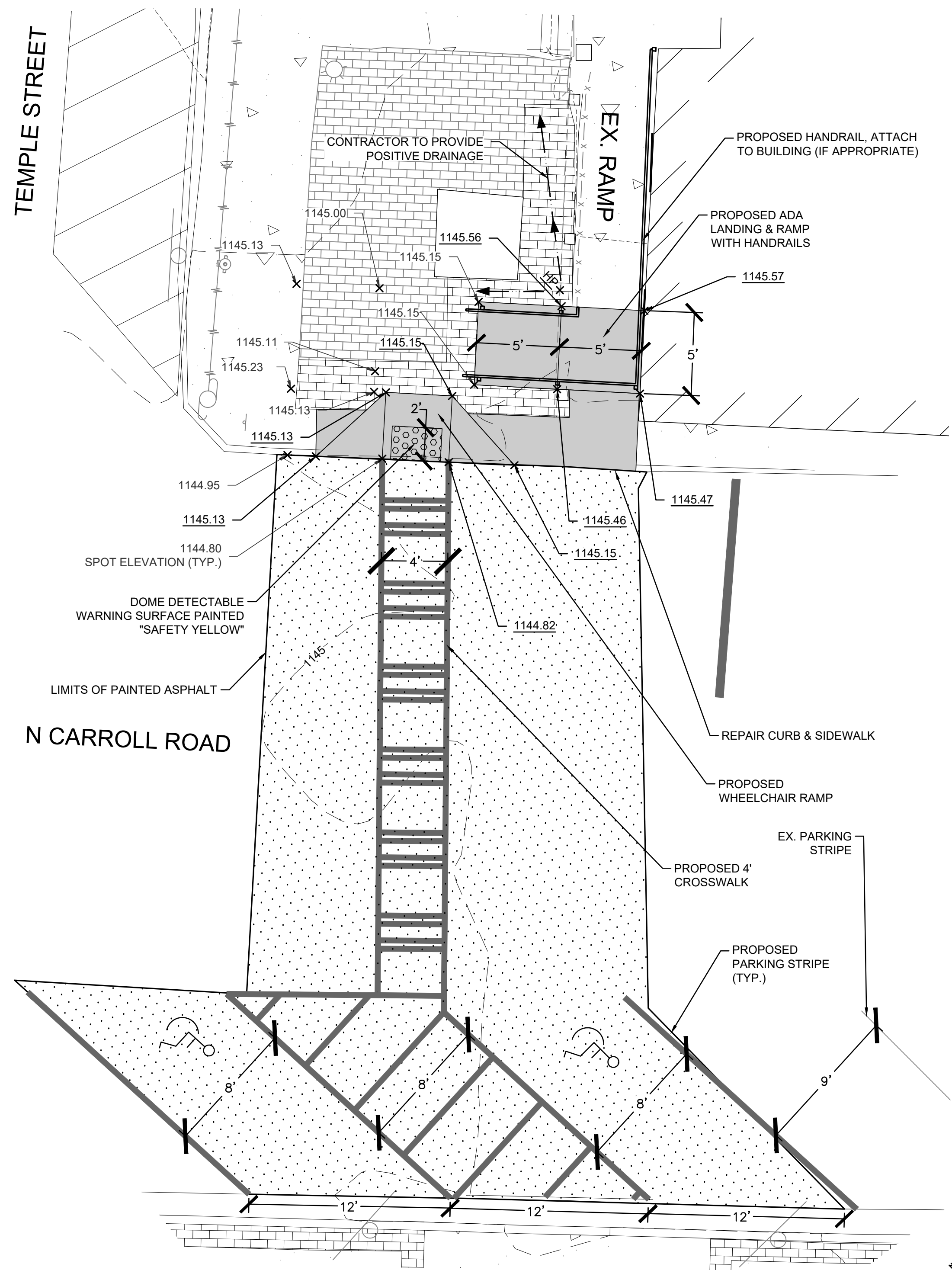
EXISTING CONDITIONS



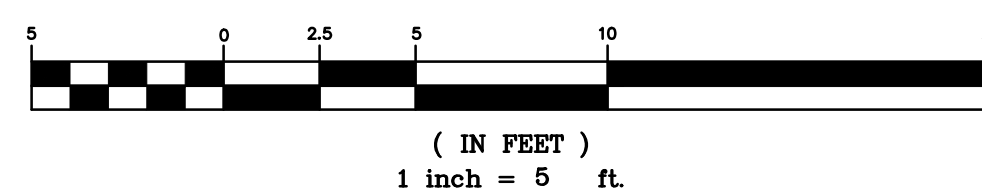
GRAPHIC SCALE



PROPOSED CONDITIONS

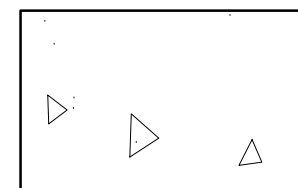


GRAPHIC SCALE



HATCH LEGEND

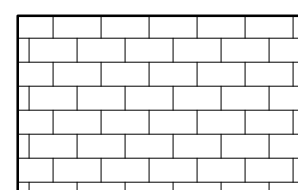
EX. CONCRETE



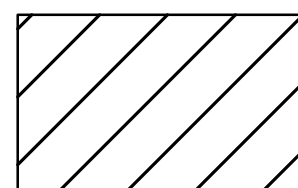
PROPOSED CONCRETE



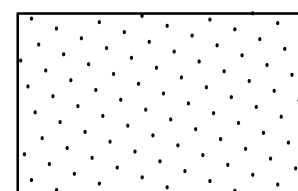
EX. PAVERS



DEMOLITION HATCH



EX. ASPHALT TO BE PAINTED & RE-STRIPED



EXISTING ASPHALT TO BE PAINTED & RE-STRIPED NOTE:

- BLOW-OUT & CAP SEAL ALL CRACKS IN EXISTING PAVEMENT TO REMAIN. FILL ALL CRACKS 100% FULL & FLUSH W/ EXISTING ASPHALT. APPROVED CAP SEAL SHALL BE SPECIFICALLY DESIGNED FOR PARKING LOT USE WITH A MINIMUM 200°F SOFTENING POINT.
- ALL EXISTING PARKING STRIPING THAT IS TO BE REMOVED SHALL BE PAINTED WITH LINE BLOCK-OUT PAINT (BLACK LATEX TRAFFIC PAINT) MANUFACTURED BY:

THORWORKS INDUSTRIES, INC.
2520 S. CAMPBELL ST.
SANDUSKY, OH 44870
PHONE: 800-326-1994
FAX: 419-626-5477
WWW.THORWORKS.COM

OR EQUAL

- TWO COATS OF PREMIUM PRE-MIXED COLD-TAR MULCH SEAL COAT SHALL BE APPLIED TO ALL AREAS OF EXISTING PAVEMENT TO REMAIN.



REVISION

DATE:

No.

SITE PLAN OF

HOLT-BISHOP JUSTICE CENTER ADA RAMP & CROSSWALK IMPROVEMENTS

VILLA RICA, CARROLL COUNTY, GEORGIA

OWNER:
CITY OF VILLA RICA
571 W BANKHEAD HWY
VILLA RICA, GA 30180

DEVELOPER:
SAME AS ABOVE

24 HR. CONTACT:
BOBBY ELLIOTT
404.314.1726



DATE: 08/21/23

DRAWN BY: NRT

CHECKED BY: HBR

JOB#: H23183

SP1



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Proposal from Falcon Design to Survey the VPlex

AGENDA DATE: October 3, 2023

DATE PREPARED: September 21, 2023

PREPARED BY: Tom Barber

AMOUNT: \$30,500

GL ACCOUNT #: 100-1320-521200

FUNDING SOURCE: Water & Sewer

BUDGETED ITEM? Yes

PURPOSE: To approve a proposal from Falcon Design & Engineering to take the first step toward the implementation of the Recreation Master Plan at the Villa Rica Sports Complex.

BACKGROUND: The Recreation Master Plan calls for some major improvements to the ballfields and parking at the VPlex. Falcon has been asked to propose on the boundary survey, survey, and utility relocation. The findings from these tasks will allow us to determine the practicality and estimated cost of the proposed construction.

STAFF RECOMMENDATION: Staff recommends approval.

IMPACT: The proposed tasks will move us forward in our evaluation of the recommended concept for the VPlex.

MOTION: I move to authorize the Mayor to approve the proposal from Falcon Design for an amount not to exceed \$30,500.



September 12, 2023

Mr. Tom Barber
City of Villa Rica
571 W. Bankhead Highway
Villa Rica, GA 30181

RE: Villa Rica Sports Complex, City of Villa Rica, GA

Dear Mr. Barber:

Falcon Design Consultants is pleased to submit this proposal for your consideration for the referenced project. The scope of work for this project will contain the following:

Project Scope & Fees

1. Boundary Survey: \$13,000.00

- Work to include field work and office time to complete boundary survey.
- Work to be performed using Georgia Plat Standards.

2. Topographic Drone Survey: \$8,000.00

- Work to include topographic survey using LIDAR Drone Technology.

**Client should notify the consultant if there are rock croppings, debris fields, stockpiles, or above ground structures that would need to be surveyed by a field survey crew. LiDAR scans will be referenced to State Plane Coordinate System (Georgia West NAD83 2011 Adjustment) and NAVD88 using eGPS Network. Scan data will be collected from approximately 170 feet above ground level and classified to generate a bare earth model. Deliverables include CAD file with 2-foot contours and surface produced by Civil 3D 2018 (Pointcloud data in LAZ format available, if requested). FDC is not responsible for the information or lack of information (including, but not limited to infrastructure, easements, buffers, flood, wetlands, and etc. locations) shown in CAD files, final plats, as-builts, or other files/documents provided by client or obtained through government websites. Client shall review prior to purchase or construction and notify FDC of any discrepancies.*

3. Underground Utility Locate: \$6,000.00

- Underground utility performed by Utilisurvey, LLC.
- Survey crew will survey locate the painted underground utilities.

4. Concept Plan: \$3,500.00

- Concept plan is based on FDC boundary and topographic survey and the "2023 Villa Rica Parks and Recreation Master Plan" provided by client.

Reimbursable Expenses:

In addition to the Professional Fees described above, we will invoice for Reimbursable Expenses. This is usually referred to "Out-of-Pocket" expenses. The following items will be considered Reimbursable Expenses:

- Blue Printing – Reproduction of Drawings or Documents
- U.S. Mail Messenger, Messenger and Overnight Delivery Services

Additional Services

Only those services specifically described above, are included within the scope of this proposal. Additional Services are further explained in each consultant's contract and shall be made a part of the Standard Agreement between

Owner and Design Firm. Examples of Additional Services, which may be required as the project develops, includes but is not limited to the following:

- Modifications to previously approved work "Change of Scope"
- Submittal Fees (Review/Recording)
- Color Renderings
- Lighting Design
- Wall Design
- Irrigation Design
- Environmental Permitting

All work will be performed in accordance with the Contract Conditions.

Contract Conditions

If, during the course of work, the Client finds it necessary to terminate the work, the work will stop by the Consultant upon written notification from the Client. The Client will pay for the services and expenses incurred to the point of termination based on the Consultant's estimate of the percentage of work complete.

Invoices for work completed will be submitted at the beginning of each month for work performed the previous month. All invoices are net due in 30 days. In the event that an invoice is not paid within 30 days the Consultant reserves the right to stop work after notifying the client in writing, until such outstanding invoices are paid in full.

The Consultant reserves the right to terminate or suspend all work for the Client with verbal or written notice if unpaid undisputed invoices are greater than 30 days past due.

Additional services, which are not included in this task order as defined by the scope of work, will be treated as extra work. The Owner will be given notice of any additional services requested by the Owner's Staff to complete the project. All additional services provided by the Consultant directly will be paid based upon the hourly rate schedule attached to this agreement without additional contract modifications. The Owner must approve additional Subcontractor/Subconsultant work in writing before the work is begun.

It is agreed that the Consultant's professional services do not extend to or include the review or site observation of the Construction Contractor's work or performance. To the extent allowed by law, it is further agreed that the Client will defend, indemnify, and hold harmless the Consultant from any claim or suit whatsoever, including but not limited to all payments and expenses, including all attorney fees and costs of defense or other costs involved arising from or alleged to have arisen from the Contractor's performance or the failure of the Contractor's work to conform to the design intent and the Contract Documents. The Consultant agrees to be responsible for the negligent acts, error or omissions of the Consultant's own employees. The Client agrees that the liability of Falcon Design Consultants, LLC resulting from any negligent acts, errors and/or omissions of Falcon Design Consultants, LLC is limited to the total fees actually paid by the Client to Falcon Design Consultants, LLC for services rendered.

While all work will be performed with professional care, the Consultant cannot guarantee the actions of government officials and agencies to grant the desired approvals.

This agreement shall be null and void if not executed within 60 days from the date of preparation unless otherwise indicated by the Consultant.

If you are in agreement with the terms of this proposal, please execute the agreement by signing below and returning one copy for our files.

Sincerely,
Falcon Design Consultants, LLC



Adam L. Price, P.E.
Managing Partner



John Palmer
President

Accepted and Agreed:

Signature

Title

Date



CITY OF VILLA RICA

City Council Packet

SUBJECT: Presentation on Zoning Ordinance Changes

CITY COUNCIL AGENDA DATE: September 12th, 2023

DATE: August 28th, 2023

PREPARED BY: Ronald Johnson; Planning and Zoning Administrator

FISCAL IMPACT: \$0.00

ANNUAL –

CAPITAL –

OTHER –

PUBLIC HEARING: NO

PURPOSE: To present an assortment of staff proposed changes to the City's Zoning Ordinance (Chapters 1, 2, 3, 6, 7, & 13). Staff has prepared a presentation to aid in understanding the proposed changes.

BACKGROUND: Staff periodically reviews and updates sections of the zoning ordinance as required in an effort to adapt the current ordinance to the best operating procedures and development standards as they arise. Staff has embarked on an update of the ordinance that will feature at least one section revision per month in order to review and revise all thirteen sections of the zoning ordinance within the 2023 calendar year.

This update covers a substantial variety of topics, including changes of use, revision of PUD language, applicability of the ordinance, revisions to hearing procedures, development regulations and adds several definitions.

STAFF RECOMMENDATION: NO ACTION NECESSARY

IMPACT: N/A

MOTION: N/A. NO ACTION NECESSARY

CHAPTER I – IN GENERAL**Sec. 1.01 - TITLE**

- 1) This Ordinance shall be known and may be cited and referred to as the “Zoning Ordinance of the City of Villa Rica, Georgia,” and shall be referred to as “this Ordinance.”

Sec. 1.02 - PURPOSE

- 1) This Ordinance is hereby enacted by the City of Villa Rica, Georgia, for the purpose of:
 - a) Promoting the public health, safety, comfort, and general welfare;
 - b) To conserve and protect property and property values;
 - c) To secure the most adequate and economical provisions for public improvement, paying due regard to with the Comprehensive Plan and any changes made thereto as reflected in the Zoning Map and documents and records of The City of Villa Rica for the desirable future development of the City; and
 - d) To provide a method of administration and to prescribe penalties for the violations of the provisions hereafter described: all as authorized by the provisions of the Chapters and the Sections applicable under the Georgia Code.

Sec. 1.03 - TERRITORY UNDER THE ZONING ORDINANCE

- 1) This Ordinance shall be effective in the incorporated areas of the City of Villa Rica, Georgia. Upon annexation of territory into the City of Villa Rica, the County zoning regulations then in effect on that territory shall become null and void.

Sec. 1.04 - APPLICABILITY AND COMPLIANCE

- 1) All buildings erected hereafter, all uses of land or buildings established hereafter, all structural alterations, changes in site or site flow, and relocation of existing buildings occurring hereafter, and all enlargements of or additions to existing legally conforming uses exceeding thirty-five percent (35%) of the existing site or structure occurring hereafter as determined by the Community Development Director (“Director”) shall be subject to all the regulations of this Zoning Ordinance as they apply to the zoning districts in which such buildings or uses of land shall be located.
 - a) **All changes of use proposed within existing structures on developed parcels shall be exempt from all supplementary regulations within this ordinance except parking requirements.**
 - b) **All changes of use proposed within new structures or structures expanded beyond 35% of the existing structure’s square footage on developed parcels shall be subject to all applicable regulations within this ordinance as set forth herein.**
 - c) **All changes of use proposed within existing buildings, new buildings, or buildings expanded beyond thirty-five percent (35%) of the existing structure’s square footage, and located on underdeveloped or undeveloped lots shall be subject to all applicable regulations within this ordinance as set forth herein.**
- 2) This Ordinance shall not be construed as abating any action now pending under, or by virtue of, the prior existing zoning ordinance; or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue; or as affecting the liability of any person, firm, or corporation; or as waiving any right of the City of Villa Rica under any section or provision existing at the time of the effective date of this Ordinance; or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City, except as shall be expressly provided for in this Ordinance.

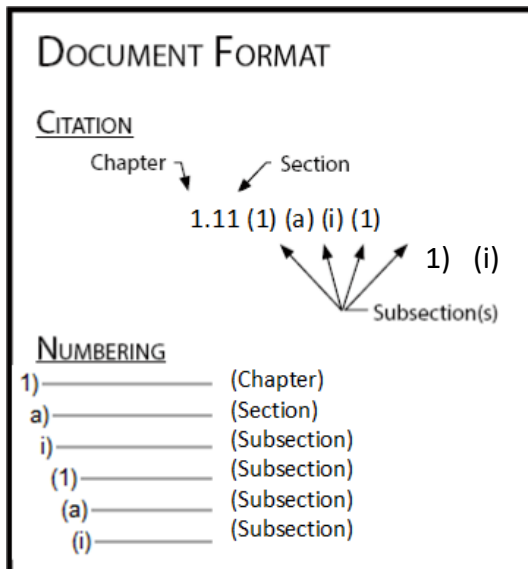
- 3) See also *Chapter III: Nonconformities*.
- 4) **Municipal, county, and state owned properties shall be exempt from all use and use district regulations set forth within this ordinance. This section shall not be construed to exempt such uses and structures from following development or supplemental regulations found herein. Utility providers are subject to all regulations found within this ordinance unless otherwise indicated.**

Sec. 1.05 - TRANSITION RULES

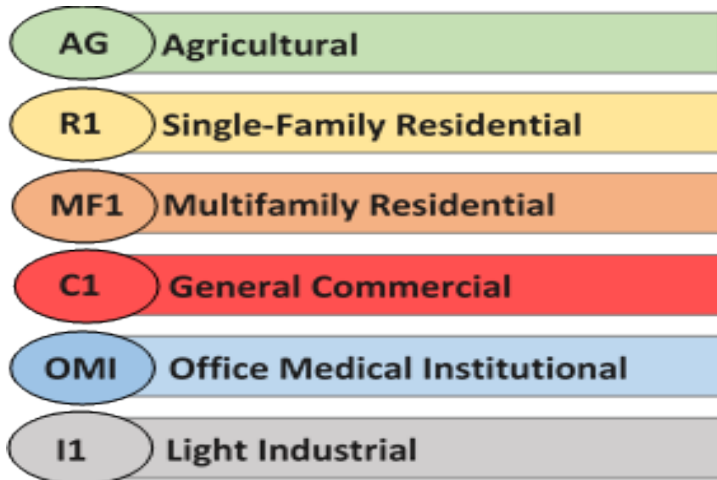
- 1) Any application that has been filed with the Planning & Zoning Commission or its designees and is full and complete, prior to the effective date of this Zoning Ordinance, shall be regulated by the terms and conditions of the Zoning Ordinance that was in place at the time of filing. However, all administrative procedures shall follow those set forth by this Zoning Ordinance.

Sec. 1.06 - HOW TO USE THIS DOCUMENT

- 1) **STRUCTURE.** The structure of the text of this Ordinance is as follows: Chapter (indicated by 1, etc.), Section (indicated by 1.1, etc.), and subsequent Subsections (indicated by a, i, etc.). Below is an example of this format:



- 2) **APPLICABLE DISTRICTS.** Zoning district designation identifiers are located in various places throughout the document. If one of these identifiers appears within a section, then that section will apply to the corresponding zoning district. Samples of district identifiers follow:



Sec. 1.07 – INTERPRETATIONS

- 1) In their interpretation and application, the provisions of this Ordinance shall be held to be minimum or maximum requirements, adopted for the promotion of the public health, safety, and the general welfare.

Sec. 1.08 - INTERPRETATION OF TERMS OR WORDS

- 1) For the purpose of this Ordinance, certain terms or words are defined, and the words or terms used shall be interpreted as follows:
- The word “person” includes a firm, association, organization, partnership, trust, company, corporation or other legal entity, as well as an individual;
 - The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular;
 - The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
 - The words “used” or “occupied” include the words “intended, designed, constructed, converted, altered or arranged to be used or occupied”; and
 - The word “lot” includes the words “plot, tract, or parcel.”

Sec. 1.09 - ZONING MAP

- 1) **OFFICIAL ZONING MAP.** The city is divided into zones or districts as shown on the Official Zoning Map as amended, which, together with all explanatory matter, is adopted by reference and declared to be a part of this Ordinance. See also *Section 11.05 – Zoning Map and Text Amendments*.
- 2) **LOCATION AND MAINTENANCE OF THE OFFICIAL ZONING MAP.**
- Regardless of the existence of copies of the official Zoning Map which, from time to time may be published, the Official Zoning Map shall be located in the office of the Community Development department. It shall be the final authority as to the current zoning status of land and water areas in the city. Current copies may be obtained from the Community Development department.

- b) The official Zoning Map may be maintained in electronic form, and depicted in various formats and scales as appropriate to the need, under the direction of the Community Development Director.
 - c) No changes of any nature shall be made on the Official Zoning Map or shown except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of any kind by a person or persons shall be considered a violation of this Ordinance and punishable as provided under *Chapter XII – Violations and Enforcement*.
- 3) REPLACEMENT OF THE OFFICIAL ZONING MAP. In the event that the official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions or loss of electronic information, the Villa Rica City Council may, by Resolution, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment.
- 4) RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
- a) Boundaries indicated as approximately following the center lines of thoroughfares or highways, street lines or highway right-of-way lines, or alleys shall be construed to follow the centerlines;
 - b) Boundaries indicated as approximately following platted lot lines shall be construed as following the lot line;
 - c) Boundaries indicated as approximately following city limits shall be construed as following the City Limits;
 - d) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
 - e) Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow the centerlines;
 - f) Boundaries indicated as approximately following floodplain lines shall be construed to follow the floodplain lines;
 - g) Boundaries indicated as parallel to or extensions of features indicated in the subsections above shall be so controlled. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map by the Community Development Director;
 - h) Where physical features existing on the ground are at variance with those shown as the Official Zoning Map, or in other circumstances not covered by the subsections above, the Community Development Director shall interpret the boundaries. The Villa Rica City Council shall hear appeals to the decision of the Community Development Director; and
 - i) When a zoning district boundary line divides a lot or parcel, the Director shall determine the applicable zoning district. The Director may require a rezone or replat of the site if any portion of a construction or development proposal overlaps two (2) or more zoning districts. The petitioner shall be responsible for filing the appropriate forms and for paying the appropriate filing fees to rezone or replat the lot or parcel. If a portion of a lot or parcel is in an overlay district, the entire lot or parcel shall be deemed as being within the overlay district.

Sec. 1.10 - CONFLICT OF LAW

- 1) Whenever the regulations of this Ordinance require a greater width or size of setbacks or other open space, a lower height limit, greater percentage of lot to be left unoccupied, a lower density of

development, a more restrictive use of land, or impose other higher standards than are required in any other lawfully adopted rules, regulations, ordinances, private deed restrictions or private covenants, these regulations shall govern.

Sec. 1.11 - SEVERABILITY CLAUSE

- 1) Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, that decision shall not affect the validity of the Zoning Ordinance as a whole, or any part other than the part declared to be unconstitutional or invalid.

Sec. 1.12 - REPEAL OF CONFLICTING ORDINANCE

- 1) All ordinances or parts of ordinances in conflict with this Zoning Ordinance or inconsistent with the provisions of this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

Sec. 1.13 - EFFECTIVE DATE

- 1) This Ordinance shall become effective from and after the date of its approval and adoption.

CHAPTER II - ADMINISTRATION**Sec. 2.01 – ENFORCEMENT**

- 1) The Director of the Community Development department, or his/her designee, shall effect proper administration and enforcement of this Zoning Ordinance. *See also Chapter XII: Violations and Enforcement.*

Sec. 2.02 – JOINT CITY/SCHOOL BOARD COMMITTEE**1) ESTABLISHMENT OF THE JOINT CITY/SCHOOL BOARD COMMITTEE OF THE CITY OF VILLA RICA AND THE CARROLL COUNTY SCHOOL DISTRICT (THE “JOINT COMMITTEE”).**

a) The Joint Committee of Villa Rica shall be established in conformance with the Intergovernmental Agreements relating to Eastside Tax Allocation District TAD Agreement. The Community Development Director, or his/her designee, shall serve as staff to the Joint Committee.

i) Responsibilities. The Joint Committee shall act in an advisory capacity to the City Council in zoning and annexation questions. In addition to any duties, responsibilities, or powers enumerated by the Council by resolution, ordinance, or the Municipal Code, the responsibilities of the Joint Committee shall include:

(1) Conduct public hearings and makes recommendations on annexation requests, plan amendments, planned unit development, subdivisions, and zoning amendments;

(2) Recommend changes and amendments to the Zoning Map and the Code text;

(3) Make recommendations upon all other items referred to it by the City Council and the School District.

ii) Public Hearing Procedures.

(1) Rules of Procedure. The Joint Committee may adopt rules of procedure consistent with the provisions of this Code.

2) NOTICE OF MEETINGS.

a) Publication of the notice of any public hearing shall be done in conformance with Article 2 of this Code. The meeting agenda shall be posted in the City Clerk's Office prior to the scheduled meeting.

b) The posting of a written notice for at least 24 hours at the place of regular meetings and giving of written or oral notice at least 24 hours in advance of the meeting to the legal organ in which notices of sheriff's sales are published in the county where regular meetings are held.

Alternative notice may be provided to a newspaper having a general circulation. O.C.G.A. § 50-14-1(d).

c) The Agenda must provide for all matters expected to be considered O.C.G.A. § 50-14-1(e)(1).

d) Agenda shall be available upon request and posted at the meeting site, as far in advance of the meeting as reasonably possible, but not more than two weeks (14 days) prior. O.C.G.A. § 50-14-1(e)(1).

3) CONDUCT OF MEETINGS.

a) All meetings of the Joint Committee shall be open to the public.

b) The Joint Committee shall have meetings as needed for the transaction of business.

4) MINUTES.

a) The Joint Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its deliberations and other official actions.

b) The minutes shall be filed in the office of the Community Development Director.

5) CONFLICT OF INTEREST.

a) A member of the Joint Committee shall inform the Joint Committee before the commencement of the public hearing, of any interest in the proposed action being reviewed by the Joint Committee. The Joint Committee Member shall not participate in any discussion or voting on any item for which the Joint Committee Member or Joint Committee Member's spouse, mother, father, children, siblings or in-laws has an interest.

6) QUORUM.

a) The Joint Committee shall have a quorum present before considering any business. A quorum shall constitute a majority of the qualified members of the Joint Committee. The affirmative vote of the majority of the members present shall be required before the Joint Committee shall approve a recommendation or advisory opinion.

7) INVALIDITY OF A VOTE.

a) If a Joint Committee member votes on a recommendation in which the Joint Committee member has a conflict of interest, the member's vote shall be voided.

8) MEMBERSHIP.

a) The Joint Committee of the City of Villa Rica shall be comprised of five (5) members. The members shall be appointed for two (2) year terms, as shown below and every two (2) years

thereafter. If a member is appointed to fill a vacancy during a term, the replacement member shall serve the remaining balance of that term.

- Position 1 – Appointed by Carroll County School Board for term beginning on the date of appointment and continuing until December 31, 2024, then every two years thereafter.
- Position 2 – Appointed by Carroll County School Board for term beginning on the date of appointment and continuing until December 31, 2023, then every two years thereafter.
- Position 3 – Appointed by City Council of Villa Rica beginning on the date of appointment and continuing until December 31, 2024 and then every two years thereafter.
- Position 4 – Appointed by City Council of Villa Rica beginning on the date of appointment and continuing until December 31, 2023 and then every two years thereafter.
- Position 5 - Appointed by Chair of Board of Commissioners of Carroll County beginning on the date of appointment and continuing until December 31, 2024 and then every two years thereafter.
- If the Joint Review Committee is expanded, then the County shall have one representative for every two added for the City and School District.

Any and all other provisions of the City of Villa Rica Zoning Ordinance shall remain unchanged.

b) Failure to attend three (3) out of four consecutive meetings or more shall be considered automatic resignation from the Joint Committee. Upon resignation by other means, or other vacancies occurring in office, the Chairman or Secretary (Zoning Administrator) shall inform the City Council, County School Board or County of such occurrence as promptly as possible, so that the appointing authority may appoint a replacement to fill the unexpired term.

c) Each year the Joint Committee shall select a member to serve as Chair and Co-Chair to preside over meetings of the Joint Committee.

9) AUTHORITY.

a) The Joint Committee is hereby authorized to perform those duties and functions specified in the Intergovernmental Agreement related to the Eastside Tax Allocation District. For the purposes of this Zoning Ordinance, the duties of the Joint Committee include:

- i) Rules of Procedure . The Joint Committee may adopt written rules of procedure for the administration of the affairs of the Joint Committee and its staff for filing, noticing and hearings.
- ii) Record Keeping . Maintain a complete record of all proceedings;
- iii) Meeting Time and Records . Fix the time for holding regular meetings each month, or as necessary, keep minutes of all meetings, and maintain all minutes and records in the office of the Joint Committee;

iv) Whenever possible, the Joint Review Committee shall conduct its review of applicants no earlier than five (5) days after the public hearings conducted or the application by the Villa Rica Planning and Zoning Commission.

v) Recommendations . Make recommendations to the City Council of Villa Rica concerning the following:

- a) The Joint Committee shall review and make recommendations for all annexation requests into the City that involve land south of I-20 in the City.**
- b) The Joint Committee shall review and make recommendations for any zoning requests for residential development that involve land south of I-20 in the City.**
- c) The Joint Committee shall review and make recommendations for any zoning requests to rezone land for multi-family residential use or high density residential use anywhere in the Carroll County portion of the City.**

vi) Surety . Assume responsibility for the custody and preservation of all Joint Committee documents and papers.

(Ord. of 3-8-2023)

Sec. 2.03 – PLANNING & ZONING COMMISSION

1) ESTABLISHMENT OF THE PLANNING & ZONING COMMISSION.

- a) The Planning & Zoning Commission of Villa Rica shall be reconstituted and re-established in conformance with the Municipal Code. The Community Development Director, or his/her designee, shall serve as staff to the Commission.**
 - i) Responsibilities.** The Planning & Zoning Commission shall act in an advisory capacity to the City Council. In addition to any duties, responsibilities, or powers enumerated by the Council by resolution, ordinance, or the Municipal Code, the responsibilities of the Planning & Zoning Commission shall include:
 - (1) Conduct public hearings and makes recommendations on plan amendments, planned unit development, subdivisions, site plans as applicable, and zoning amendments;**
 - (2) Recommend changes and amendments to the Zoning Map and the Code text;**
 - (3) Conduct hearings and make recommendations on comprehensive plan amendments; and**
 - (4) Make recommendations upon all other items referred to it by the City Council.**
 - ii) Public Hearing Procedures**
 - (1) Rules of Procedure.** The Planning & Zoning Commission may adopt rules of procedure consistent with the provisions of this Code.

2) NOTICE OF MEETINGS.

- a) Publication of the notice of public hearing and notification of affected property owners shall be done in conformance with Article 2 of this Code. The meeting agenda shall be posted in the City Clerk's Office prior to the scheduled meeting.**
- b) The posting of a written notice for at least 24 hours at the place of regular meetings and giving of written or oral notice at least 24 hours in advance of the meeting to the legal organ in which notices of sheriff's sales are published in the county where regular meetings are held. Alternative notice may be provided to a newspaper having a general circulation. O.C.G.A. § 50-14-1(d).**
- c) The Agenda must provide for all matters expected to be considered O.C.G.A. § 50-14-1(e)(1).**

- d) Agenda shall be available upon request and posted at the meeting site, as far in advance of the meeting as reasonably possible, but not more than two weeks (14 days) prior. O.C.G.A. § 50-14-1(e)(1).
- 3) CONDUCT OF MEETINGS.
 - a) All meetings of the Planning & Zoning Commission shall be open to the public.
 - b) The Planning & Zoning Commission shall have a regularly scheduled meeting at least once a month, and more often if necessary, for the transaction of business.
- 4) MINUTES.
 - a) The Planning & Zoning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its deliberations and other official actions.
 - b) The minutes shall be filed in the office of the Community Development Director.
- 5) CONFLICT OF INTEREST.
 - a) A member of the Commission shall inform the Commission before the commencement of the public hearing, of any interest in the proposed action being reviewed by the Commission. The Commission Member shall not participate in any discussion or voting on any item for which the Commission Member or Commission Member's spouse, mother, father, children, siblings or in-laws has an interest.
- 6) QUORUM.
 - a) The Planning & Zoning Commission shall have a quorum present before considering any business. A quorum shall constitute a majority of the qualified members of the Commission. The affirmative vote of the majority of the members present shall be required before the Commission shall approve a recommendation, action or development request.
- 7) INVALIDITY OF A VOTE.
 - a) If a Commission member votes on a recommendation in which the Commission member has a conflict of interest, the member's vote shall be voided.
- 8) MEMBERSHIP.
 - a) ~~The Planning & Zoning Commission of the City of Villa Rica shall be comprised of five (5) members who reside in, own property within, or operate and manage businesses within the city limits of Villa Rica, Georgia. The members shall be appointed for two (2) year terms, as shown below and every two (2) years thereafter. If a member is appointed to fill a vacancy during a term, the replacement member shall serve the remaining balance of that term. Each member of the Planning & Zoning Commission shall be denominated as a member for one of the five voting wards within the City. The City Council member representing that particular ward shall nominate candidates to fill the vacancy for that ward when they become available. Once nominated, the full Mayor and Council may approve that nomination or select an alternate candidate to fill the Planning & Zoning Commission position. All members shall continue to serve until their successor has been approved by the City Council.~~ The Planning & Zoning Commission of the City of Villa Rica shall be comprised of five (5) members who reside in the city limits of Villa Rica, Georgia. The members shall be appointed as shown below and every two (2) years thereafter. If a member is appointed to fill a vacancy during a term, the replacement member shall serve the remaining balance of that term. Each member of the Planning & Zoning Commission shall be nominated as a member for one of the five voting wards within the City. The City Council member representing that particular ward shall nominate candidates to fill the vacancy for that ward when they become available. Once nominated, the full Mayor and Council may approve that nomination or select an alternate candidate to fill the Planning

& Zoning Commission position. All members shall continue to serve until their successor has been sworn in.

- i) The current terms for the wards within the City are as follows:
 - (1) Ward 1 – ~~01/01/2020–12/31/2022~~ 01/01/2020-12/31/2023
 - (2) Ward 2 – ~~12/01/2019–12/31/2021~~ 01/01/2022-12/31/2022
 - (3) Ward 3 – ~~01/01/2021–12/31/2023~~ 01/01/2021-12/31/2022
 - (4) Ward 4 – ~~01/01/2021–12/31/2023~~ 01/01/2021-12/31/2022
 - (5) Ward 5 – ~~01/01/2021–12/31/2022~~ 01/01/2023-12/31/2023
 - b) No member shall hold any elective public office within the City of Villa Rica. Unexpired terms shall be filled by the City Council. Members are removable for cause by the City Council upon written notice and after a public hearing.
 - c) Failure to attend three (3) out of four consecutive meetings or more shall be considered automatic resignation from the Planning & Zoning Commission. Upon resignation by other means, or other vacancies occurring in office, the Chairman or Secretary (Zoning Administrator) shall inform the City Council of such occurrence as promptly as possible, so that the Council may appoint a replacement to fill the unexpired term.
- 9) AUTHORITY.
- a) The Planning & Zoning Commission (“Commission”) is hereby authorized to perform those duties and functions specified in Georgia Planning Act (O.C.G.A. 45-12-200, et seq., and 50-8-1, et seq.) and other applicable sections of Georgia law and such other responsibilities as may be assigned to it from time to time by the Villa Rica City Council. For the purposes of this Zoning Ordinance, the duties of the Planning & Zoning Commission include:
 - i) Rules of Procedure. The Commission shall adopt written rules of procedure for the administration of the affairs of the Commission and its staff for filing, noticing and hearings. Refer to the Villa Rica Planning & Zoning Commission Rules of Procedures, as amended;
 - ii) Record Keeping. Maintain a complete record of all proceedings;
 - iii) Meeting Time and Records. Fix the time for holding regular meetings each month, or as necessary, keep minutes of all meetings, and maintain all minutes and records in the office of the Commission;
 - iv) Certification. Adopt a seal and certify all official acts;
 - v) Recommendations. Make recommendations to the participating legislative bodies concerning the adoption and amendment of the Comprehensive Plan, the Zoning Ordinance (including the Zoning Map), the Villa Rica Development Regulations, and Planned Unit Development district ordinances;
 - ~~vi) Decisions. Approve or deny plats, re-plats, and amendments to plats consistent with the Georgia Planning Act (O.C.G.A. 45-12-200, et seq., and 50-8-1, et seq.);~~
 - vii) Surety. Assume responsibility for the custody and preservation of all Commission documents and papers;
 - viii) Publications. Prepare, publish, and distribute reports, ordinances, and other material relating to the activities authorized by the Georgia Code;
 - ix) Modification. The Planning & Zoning Commission may initiate modifications to the standards of this Zoning Ordinance.
 - (1) Modifications recommended by the Planning & Zoning Commission shall be subject to the approval of the City Council as a text amendment to the Zoning Ordinance.

- x) Other Duties. All additional duties as established by Georgia Code.

Sec. 2.04 - COMMUNITY DEVELOPMENT DIRECTOR

- 1) **ENFORCEMENT.** The Director of the Community Development department (referred to as the “Director” for the purposes of this Ordinance), including his/her designee(s), will have the principal responsibility for the administration and enforcement of this Ordinance within the Planning & Zoning Commission’s planning jurisdiction. The authority to perform inspections, review applications, and issue permits may be delegated to other officials by the Director. In the performance of these functions, the Director and his/her appointed officials shall be responsible to the Planning & Zoning Commission and the Villa Rica City Council. The duties delegated by the Planning & Zoning Commission to the Director, or his/her designee shall include, but not be limited to the following.
- 2) **BASIC DUTIES**
 - a) Interpretation. Provide interpretation of the “City of Villa Rica Zoning Ordinance” when necessary and provide such technical and clerical assistance as the Planning & Zoning Commission and Villa Rica City Council may require.
 - b) Maintenance. Provide and maintain a public information service relative to all matters of the Planning & Zoning Commission and arising out of the “City of Villa Rica Zoning Ordinance.”
 - c) Land Disturbance Permits. Reviewing, approving, or disapproving all Land Disturbance Permits and keeping permanent records of applications made and actions taken;
 - d) Inspections. Conducting inspections of structures and properties to determine compliance with the requirements of this Ordinance and all approvals granted by the Planning & Zoning Commission, Villa Rica City Council, or other body (i.e. HPC) in the execution of its duties as established by this Ordinance and the Georgia Code;
 - e) Record Keeping. Maintaining permanent and current records documenting the application of this Ordinance including, but not limited to, all maps, amendments, Special Exceptions, variances, and appeals;
 - f) Planning & Zoning Commission Applications. Receiving, processing, docketing, and referring to the Planning & Zoning Commission all appropriate applications and other matters upon which it is authorized to act under this Ordinance and Georgia Code;
 - g) Villa Rica City Council Applications. Receiving, processing, docketing, and referring to the Villa Rica City Council all appeals, variances, and Special Exceptions;
 - h) ~~Administrative and Plat Committee.~~ **Technical Advisory Committee (TAC).** Receiving, processing, docketing, and referring all appropriate applications;
 - i) Clerical & Technical Assistance. Providing all such clerical and technical assistance as may be required by the Villa Rica City Council, Planning & Zoning Commission, Legislative Bodies, or other body in the execution of its duties as established by this Ordinance and Georgia Code.
 - j) Provide Information. Provide information to the Planning & Zoning Commission and the Villa Rica City Council and maintain permanent and current records arising from the administration of the “City of Villa Rica Zoning Ordinance,” including but not limited to, all maps, amendments, Improvement Land Disturbance Permits, Certificates of Occupancy, Certificates of Completion, Variances, Special Exceptions and appeals, and applications thereof, and records of hearings thereon.

- k) Planning and Zoning Commission Recommendations. The Director, or his designee, shall report the actions and recommendations of the Planning and Zoning Commission to the City Council at the time those recommendations are made to the council.
- l) Research and Analysis. Conduct research and collect and analyze, on a continuing basis, all pertinent data on the growth and development of the city in order to provide a foundation for a planning program.
- m) Fee Schedule. The Director shall maintain a schedule of fees for all applications, permits, and other processes outlined in this Ordinance.
 - i) Fee Basis. All fees shall be intended to reimburse the City for the time and cost of processing the required materials. In no instance shall a fee be used as a means of discouraging or encouraging any particular types of applications.
 - ii) Public Access. The fee schedule shall be made available to the public by the Director.
 - iii) Establishment and Revisions. The fee schedule shall be prepared by the Director and adopted by the Villa Rica City Council as applicable.
 - iv) Payment Required. Until all applicable fees have been paid in full, no action shall be taken on any application or petition.
 - v) Fines for Failing to Obtain a Permit. The Director may require any person who initiates construction of a structure or the alteration of land prior to obtaining any required permit to pay up to three (3) times the amount of the normal permit fee listed on the fee schedule as a penalty. In addition to any other enforcement action, the Director may recover a reasonable attorney fee incurred in the enforcement of any provision of this Ordinance.
- n) Schedule of Meeting and Filing Dates. The Director shall maintain an annual Calendar of Meeting and Filing Dates for the Planning & Zoning Commission, Villa Rica City Council, and other established advisory/review committees. The existence of this calendar shall not be interpreted as prohibiting special meetings of the Committees, Commission, or Council.
 - i) Coordination of Calendars. The calendars of the ~~Administrative and Plat Committee~~ **Technical Review Committee**, other established advisory/review committees, and Planning & Zoning Commission shall be coordinated to ensure the efficient processing of applications.
 - ii) Conformance with Georgia Code. All meeting and filing dates shall be based on the requirements of this Ordinance and the laws of the State of Georgia.
 - iii) Approval of Dates. The Calendar of Meeting and Filing Dates shall be prepared by the Director and approved by the Planning & Zoning Commission and Villa Rica City Council ~~(the Planning & Zoning Commission shall be responsible for approving a coordinated calendar for the Administrative and Plat Committee or other advisory/review committees)~~. The calendar of meeting and filing dates shall be reviewed and updated annually by the Director.
- 3) APPEALING A DECISION OF THE DIRECTOR. Recourse from the decision of the Director shall be to the Villa Rica City Council on matters pertaining to zoning and shall be made in accordance with *Section 11.11 – Administrative Appeals Procedure* and the Villa Rica City Council Rules of Procedure. Recourse from the decision of the Villa Rica City Council shall be to the courts as provided by law.
 - a) ~~Exception. Recourse from the decision of the Director regarding administrative review of Development Plans shall be appealed to the Planning & Zoning Commission.~~

Sec. 2.05 - VILLA RICA CITY COUNCIL

- 1) VILLA RICA CITY COUNCIL ESTABLISHMENT AND PROCEDURES
 - a) Refer to O.C.G.A. 45-12-200, et seq. and the City of Villa Rica City Council Rules of Procedure, as amended, for regulations and rules. The intent of this Section is not to establish the validity of the City Council, but to empower the City Council as the body of adjudication on appeals of the Zoning Ordinance, zoning processes, and/or decisions of the Community Development Director on matters of zoning appeal.
- 2) DUTIES OF THE VILLA RICA CITY COUNCIL
 - a) For the purpose of this Ordinance the Council has the following specific responsibilities:
 - i) Development Standards Variances.
 - (1) The Villa Rica City Council shall approve or deny variances from ~~the development standards (such as height, bulk, or area)~~ **all individual standards found within** of the Zoning Ordinance in accordance with the Georgia Planning Act (O.C.G.A. 36-66-1, et seq.; 36-67-1, et seq.; and, 36-67A-1, et seq.). **Variances shall not be granted from standardized procedural or administrative policies found within the Zoning Ordinance.** A variance may be approved only upon a determination in writing that:
 - (a) the approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - (b) the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
 - (c) the strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
 - (2) Variance procedures can be found in *Chapter XI: Petitions, Permits, and Procedures* and the Villa Rica City Council Rules of Procedure.
 - ii) Appeals. The Villa Rica City Council shall hear and determine all appeals from any decision or action in the administration or enforcement of the Zoning Ordinance. The Villa Rica City Council shall hear and determine all appeals from the refusal to issue permits. The Council may decide appeals by reversing or affirming, wholly or in part, or by modifying such decision, action or refusal.
 - iii) Special Exceptions. To grant, approve or deny all Special Exception permits as specified in each zoning district and under the procedures per *Section 11.09 – Special Exception Procedure* and the Villa Rica City Council Rules of Procedure.
 - iv) Rezoning. To grant, approve or deny all petitions for rezoning as specified in each zoning district and under the procedures per Chapter XI: Petitions, Permits, and Procedures and the Villa Rica City Council Rules of Procedure.
 - v) Annexation. Georgia's Zoning Procedures Act (ZPA), O.C.G.A. 36-66, defines a "zoning decision" as, among other things, "The adoption of an amendment to a zoning ordinance by a municipal local government which zones property to be annexed into the municipality." Thus, adopting any zoning on an annexed property is subject to the ZPA.
 - vi) Comprehensive Plan Amendments. Amendments to the Comprehensive Plan can be initiated by the City Council as an annual update or for specific purposes, including the annexation of property into the city and modifications to the Future Development Map, under the procedures per Chapter XI: Petitions, Permits, and Procedures.

- vii) Zoning Text Amendments. City staff, the Planning Commission, and the City Council can initiate a text amendment in whole or in part of the Villa Rica Zoning Ordinance. Procedures are subject to the requirements outlined in Chapter XI: Petitions, Permits, and subject the requirements of Georgia's Zoning Procedures Act. O.C.G.A. 36-66, and are subject to the final approval of the City Council.
 - viii) Final Plat. The City Council shall have the authority approve, approve with conditions, or deny a Final Plat that includes the dedication of public streets and infrastructure, and on matters associated with Written Commitments or the satisfaction of Conditions of Zoning adopted by the City Council.
 - ~~ix) Rezoning. To grant, approve or deny all petitions for rezoning as specified in each zoning district and under the procedures per Chapter XI: Petitions, Permits, and Procedures and the Villa Rica City Council Rules of Procedure.~~
 - ~~x) Annexation. The Zoning Procedures Law defines a "zoning decision" as, among other things, "The adoption of an amendment to a zoning ordinance by a municipal local government which zones property to be annexed into the municipality." Thus, adopting any zoning on an annexed property is subject to the ZPL.~~
 - ~~xi) Comprehensive Plan Amendments. Amendments to the Comprehensive Plan can be initiated by the City Council as an annual update or for specific purposes, including the annexation of property into the city and modifications to the Future Development Map, under the procedures per Chapter XI: Petitions, Permits, and Procedures.~~
 - ~~xii) Text Amendments. City staff, the Planning Commission, and the City Council can initiate a text amendment in whole or in part of the Villa Rica Zoning Ordinance. Procedures are subject to the requirements outlined in Chapter XI: Petitions, Permits, and subject the requirements of Georgia Zoning Procedures Act (O.C.G.A 36-66), and are subject to the final approval of the City Council.~~
 - ~~xiii) Final Plat. The City Council shall have the authority approve, approve with conditions, or deny a Final Plat that includes the dedication of public streets and infrastructure.~~
- 3) SUPPLEMENTARY CONDITIONS OF APPROVAL
- a) In granting any appeal or variance, the Villa Rica City Council may prescribe appropriate conditions of approval in conformity with this Ordinance. Violation of the conditions, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Ordinance and punishable under *Chapter XII: Violations and Enforcement*.

Sec. 2.06 – PROCEDURES FOR CALLING AND CONDUCTING PUBLIC HEARINGS

- 1) **Applicability**. Public hearings held by the City Council as required by this ordinance with regard to rezoning requests (amendments to the official zoning map), applications for conditional uses, applications for variances, and appeals of any administrative decision shall be called and conducted in accordance with the procedures of this section. The City Clerk shall print and make available for distribution to the general public the procedures for the conduct of public hearings as well as the standards to be applied by the Council in making zoning decisions.
- 2) **Presiding officer**. The presiding officer shall preside over the public hearing. In the case of the City Council, the Mayor shall preside, or in the absence of the Mayor the Mayor Pro Tempore shall preside,

or in the absence of both the Mayor and Mayor Pro Tempore another member of the City Council shall be designated to preside, over the public hearing.

- 3) *Opening of public hearing.* The presiding officer shall indicate that a public hearing has been called on one or more applications made pursuant to this ordinance shall summarize the processes required by this article (or call on the Zoning Administrator to summarize), and shall open the public hearing. Thereupon, the presiding officer shall call the first case and the City Council shall consider each application on an individual basis in succession as printed on the published agenda or as otherwise approved by the City Council; provided, however, that the presiding officer may at his discretion call and consider more than one application simultaneously when more than one application involves the same piece of property, and/or when proceedings would be efficiently completed by combining separately required public hearings and discussing more than one scheduled matter as a single group of applications.
- 4) *Report of Zoning Administrator.* Upon opening the public hearing, the presiding officer may recognize the Zoning Administrator, who may provide a summary of the application and present any recommendations or results of investigations. Any member of the City Council upon recognition by the presiding officer may ask questions of the Zoning Administrator or designee or other city or planning commission representative providing a report or recommendations. The Zoning Administrator may be represented at the public hearing by written report in lieu of oral testimony.
- 5) *Identification of speakers.* Prior to speaking, each speaker (including applicant, agent of applicant, and all others) must identify himself and state his current address for the record. The presiding officer may require a speaker to complete an information card supplying such information, prior to testifying.
- 6) *Applicant and those in favor of the application.* When an individual application comes up for hearing, the presiding officer may ask for a show of hands of those persons who wish to appear in support of the application. If it appears that the number of persons wishing to appear in support of the application is in excess of those who may reasonably be heard, the presiding officer may request that a spokesperson for the group be chosen to make presentations. Following the report of the Zoning Administrator or designee, or planning commission spokesperson, if any, the presiding officer shall recognize the applicant or his agent, spokesperson, or each of them, who shall present and explain the application, followed by any other persons wishing to speak in favor of the application. It shall be the duty of the applicant to carry the burden of proof that approval of the proposed application will promote the public health, safety, or general welfare. There shall be a minimum time period of ten minutes per application at the public hearing for the applicant and/or agent and anyone in favor of the application to present data, evidence, and opinions. The City Council shall not be obligated to provide the full ten-minute period to the proponents if they elect not to use that much time, nor shall there be an obligation to provide a minimum of ten minutes per application in the event that more than one application involving the same property is heard simultaneously. An applicant or agent may reserve any remaining unused time from the allotted time period for rebuttal. Upon the completion of testimony or remarks by the applicant and/or applicant's agent and those speaking in favor of the application, any member of the City Council upon recognition by the presiding officer may ask

questions of the applicant or agent of the applicant, or both, or any person speaking in favor of the application.

- 7) *Questions and opposing public comments on the application.* At the conclusion of the applicant's presentation and any testimony by others in favor of the application, the presiding officer shall call for public comments from those who wish to ask questions, make comments or oppose the application. The presiding officer may ask for a show of hands of those persons who wish to ask questions, make comments, and/or speak in opposition to the application. If it appears that the number of persons wishing to ask questions, make comments, and/or speak in opposition to the application is in excess of those who may reasonably be heard, the presiding officer may request that a spokesperson for the group be chosen to make presentations, ask questions, or speak in opposition. There shall be a minimum time period of ten minutes per application at the public hearing for the opponents to present data, evidence, and opinions and ask questions. The City Council shall not be obligated to provide the full ten minutes per application to the opponents if they elect not to use that much time, nor shall there be an obligation to provide a minimum of ten minutes per application in the event that more than one application involving the same property is heard simultaneously. Upon the completion of testimony or remarks by those asking questions and/or speaking in opposition to the application, any member of the City Council upon recognition by the presiding officer may ask questions of those speakers.
- 8) *Response to questions.* Upon the completion of testimony or remarks by those asking questions and/or speaking in opposition to the application, the presiding officer may ask the Zoning Administrator, if present, to answer questions posed by speakers; answer such questions himself; recognize a member of the City Council to make remarks or answer questions in response to such questions; or defer questions to the applicant to be answered during rebuttal.
- 9) *Content of remarks.* Each speaker shall speak only to the merits of the proposed application under consideration and shall address his remarks only to the City Council and not directly to the audience. Each speaker shall refrain from personal attacks on any other speaker or the discussion of facts or opinions irrelevant to the proposed application under consideration. The presiding officer may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this procedure.
- 10) *Applicant's rebuttal.* Upon the conclusion of public testimony, if the ten minutes allotted to the applicant and those speaking in favor of the application has not been exhausted, the applicant or his agent, or both, shall be allowed the remaining time from the total ten minutes allotted to answer questions, rebut the testimony of speakers, and/or provide final comments and remarks. The time devoted to any such rebuttal shall be counted toward the total ten minutes allotted to the applicant if such a time limit is set by the presiding officer. Any member of the City Council upon recognition by the presiding officer may then ask questions of the applicant, his agent, or both.
- 11) *Equal time.* In no event shall this section be interpreted to, and in no case shall the presiding officer allow or permit, an unequal amount of time to proponents and opponents with respect to testimony regarding an individual application.

- 12) *Close of hearing.* After the foregoing procedures have been completed, the presiding officer will close the public hearing and indicate that the public hearing is closed. Upon the closing of the public hearing, the applicant or his agent and any member of the public shall no longer be permitted to address the City Council in any way, including hand waving or motions for attention; provided, however, that at any time considered appropriate the presiding officer may reopen the public hearing for a limited time and purpose.
- 13) *Decision.* After the public hearing is closed, the City Council may either vote upon the application or may delay its vote to a subsequent meeting, subject to the limitations of this article, provided that notice of the time, date and location when such application will be further considered shall be announced at the meeting during which the public hearing is held. After hearing evidence, in making a decision, the City Council will apply the evidence to the criteria specified in this article for the application in question and other considerations and recommendations as may be considered appropriate. If the City Council determines from the evidence presented by the applicant has shown that the proposed application promotes the health, safety, and general welfare under applicable criteria, then the application shall be granted, subject to those reasonable conditions as may be imposed by the City Council on its own initiative or as recommended by the Zoning Administrator. Otherwise, such application shall be denied.
- 14) *Judicial review.* Decisions by the City Council with regard to variances are final; provided, however, any person or persons, jointly or severally, aggrieved by any decision of the City Council with regard to a decision on a variance application under the terms of this section may take an appeal to or seek judicial review by the County Superior Court. Any person, persons or entities jointly or severally may appeal in accord with O.C.G.A. § 36-66-5.1(1). The City Clerk, on behalf of the Mayor and Council, shall have the authority to approve or issue any form or certificate necessary to perfect the petition for review of any lower judicatory bodies and shall have the authority to accept service of such petition on behalf of the lower judicatory board or agency. Any such certificate, form or service shall be delivered to Villa Rica City Hall during normal business hours.

CHAPTER III - NONCONFORMITIES**Sec. 3.01- INTENT**

- 1) This Ordinance allows legally established nonconforming uses based on the fact that within the districts established by this Ordinance or amendments that may later be adopted there exist lots, uses of land, structures, and uses of structures and land in combination which were lawful before this Ordinance was passed and amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendments; and
- 2) It is the intent of this Ordinance to permit legally established nonconforming uses, buildings, sites, and structures to continue until they are removed, abandoned, or fully conform with this Ordinance, but not to encourage their survival in nonconforming status. It is further the intent of this Ordinance that legal nonconforming uses shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district without approval from the Villa Rica City Council in accordance with *Section 2.04 – Villa Rica City Council*, in this Article.

Sec. 3.02 - NONCONFORMING STATUS

- 1) The determination of status of Illegal Nonconforming and Legal Nonconforming (“Grandfathered”) uses, buildings, structures, or lots shall be based on the definition for each type of nonconforming use as they appear in *Chapter XIII: Definitions*.
 - a) **Illegal Nonconforming.** An illegal nonconforming use, structure, or lot shall be subject to actions and penalties allowed by this Ordinance and shall be altered to conform with all applicable standards and regulations of this Ordinance and all other applicable City ordinances.
 - b) **Legal Nonconforming (“Grandfathered”).** Legal nonconforming differs from illegal nonconforming in that the reason for the nonconformance is caused by the enactment of a Zoning Ordinance or a change to a Zoning Ordinance (including the official Zoning Map). Legally established nonconforming use of structures and/or land may continue operation or use in conformance with this Chapter.

Sec. 3.03 - INCOMPATIBILITY OF A NONCONFORMING USE

- 1) Legally established nonconforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts in which the use is located. A legally established nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended, expanded or enlarged after passage of this Ordinance.

Sec. 3.04 AVOIDANCE OF UNDUE HARDSHIP

- 1) Nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been carried on diligently.

Sec. 3.05 - NONCONFORMING LOT OF RECORD

- 1) Any legally established lot, as defined by this Ordinance, having less than the required minimum lot area or minimum lot width and frontage required by the applicable zoning district regulations of this Ordinance, may be deemed to be an exception to such minimum lot area or minimum lot width and frontage. This provision may apply even though such lots fail to meet the requirements for area, width, frontage, or any combination required by the applicable zoning district regulations of this Ordinance.
- 2) All other development standards for the applicable zoning district must be met unless property is determined to be an infill development.

Sec. 3.06 - NONCONFORMING USE OF LAND

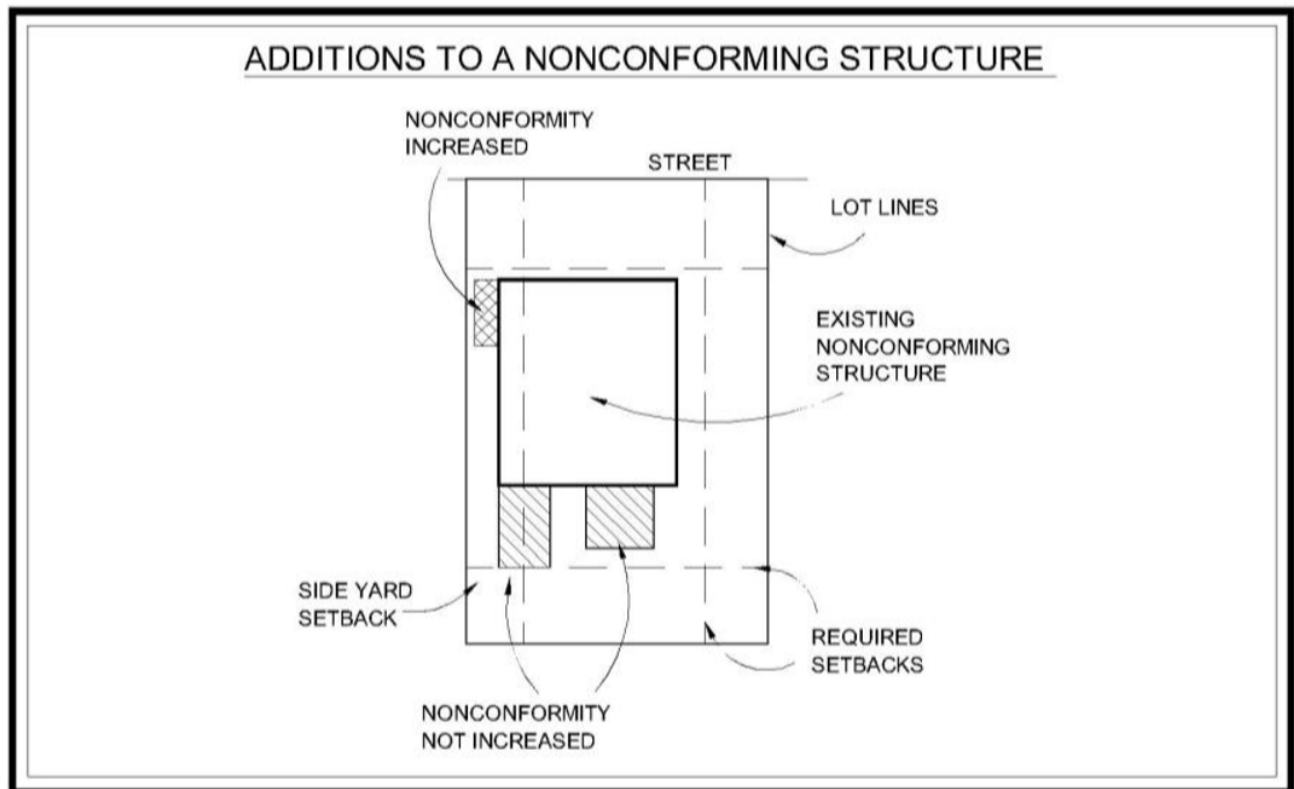
- 1) Where, at the time of adoption of this Ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this Ordinance, the uses may be continued so long as they remain otherwise lawful, provided:
 - a) a nonconforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance;
 - b) a nonconforming use shall not be moved in whole or in part to any portion of the lot other than that occupied by the uses at the effective date of adoption or amendment of this Ordinance;
 - c) a nonconforming use may be extended throughout any parts of an existing structure which was plainly arranged or designed for such use at the effective date of this Ordinance or its subsequent amendments, but no such use shall be extended to occupy land outside of the structure;
 - d) if a nonconforming use of land is discontinued or abandoned for more than one (1) year, the subsequent use of the land shall conform to the regulations specified by this Ordinance for the zoning district in which the land is located; and
 - e) no additional building or structure not conforming to the requirements of this Ordinance shall be erected in connection with a nonconforming use of land.

Sec. 3.07 - NONCONFORMING BUILDING OR STRUCTURE

- 1) CONTINUANCE OF LEGAL NONCONFORMING USE/STRUCTURE. Where a lawful building or structure exists, at the effective date of adoption or amendment of this Ordinance, that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, location on the lot, bulk, or other requirements concerning the building or structure, the building or structure may remain so long as it remains otherwise lawful, subject to the following provisions:
 - a) A nonconforming building or structure may not be enlarged or altered in a way which increases its nonconformity, but any building or structure may be altered to decrease its nonconformity;
 - b) Any nonconforming building or use which is damaged or destroyed, by fire, explosion, or Act of God, may be restored or replaced to the extent of its existence immediately prior to such damage or destruction, provided that required permits for such restoration or replacement are secured, work on restoration or replacement is initiated within a period of one year (12 months) from the date of the damage or destruction, and such restoration or replacement complies with any nuisance abatement requirements. In addition, with the exception of single-family detached dwellings, such restoration or replacement shall comply with current building, architectural, and zoning code structural and dimensional requirements; and

- c) If a nonconforming building or structure is altered or moved for any reason for any distance or replaced, it shall thereafter conform to the regulations for the zoning district in which it is located and the discontinued legal nonconforming features shall not be resumed.
- 2) EXCEPTION. A legal nonconforming single-family or two-family residence and/or its accessory structures which are located in a non-residential zoning district, but within an area that has developed primarily as a residential neighborhood, may be expanded and the expansion shall be for the purpose of continuing the residential use of the property. The residential structure shall comply with the current setbacks required in the zoning district which most resembles the existing residential development in the area.
 - a) Any nonconforming structure or portion of a non-conforming structure may be altered to decrease its non-conformity, or in a way that neither increases nor decreases the non-conformity.

Figure 3.1: Additions to a Nonconforming Structure



Sec. 3.08 - REPAIR AND MAINTENANCE

- 1) On any legally established building or structure, or portion of a building or structure, or a building or structure containing a legally established nonconforming use, work may be done on ordinary repairs, or on repair or replacement of bearing and non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic area existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or structure or portion of any building or structure declared to be unsafe by any official charged with protecting the public safety, upon order of such official.
- 2) If a legally established building or structure or portion of a building or structure or a building or structure containing a legally established nonconforming use becomes unsafe or unlawful by reason of physical condition and is razed, such building or structure shall not thereafter be rebuilt or used except in conformity with the regulations of the zoning district in which it is located.

Sec. 3.09 – RESTORATION OF A DESTROYED NONCONFORMING USE

- 1) A non-conforming building which has been damaged by accidental fire, explosion, or act of God to the extent of more than fifty percent (50%) of its reproduction value shall not be restored except in conformity with the regulations of the district in which it is located. When damaged by less than fifty percent (50%) of its reproduction value, a non-conforming building may be repaired or reconstructed and used as before the time of damage, provided that all portions of the structure being restored are not and were not on or over the property line, the non-conformity is not increased, and a Certificate of Occupancy is issued within one year of the date of the damage.

Sec. 3.10 - DETERMINATION OF A NONCONFORMING USE

- 1) In circumstances where there is question whether or not a legal nonconforming use exists, it shall be decided by the Community Development Director.

Sec. 3.11 – TRANSITIONAL USES IN MIXED-USE DISTRICTS

- 1) In the Commercial Mixed Use (CMU) zoning district, existing single-family residential structures may continue to function as legally nonconforming uses under *Chapter III - Nonconformities* of this ordinance, except where said structures have not been occupied or established as a vested right at the adoption of this ordinance.
 - a) At no time shall an established single-family residential structure be subdivided so as to increase the number of residential units in said structure.
- 2) Structures originally constructed for single-family residential use, may be converted to a neighborhood commercial use in *Table 4.3: Permitted and Conditional Uses*, subject to commercial building codes and off-street parking requirements for specific development types.
- 3) Structures originally developed as single-family residential uses, and converted to a commercial use, may be restored to a single-family residential use so long as applicable residential building codes have been met.
- 4) Structures developed for commercial use shall not be converted to a residential use, except for a commercial/residential mixed-use conversion, where residential living space is located above a commercial use at street-level.

CHAPTER V – INFILL DEVELOPMENT STANDARDS**Sec. 5.01 – INFILL DEVELOPMENT STANDARDS**

1) INTENT

- a) Infill development shall be considered to be new development, redevelopment, or expansion of existing legally conforming uses that occurs in an area where at least sixty-six percent (66%) of all lots on both sides of the same street block as the subject lot have been developed into residential or commercial uses, and where infrastructure is already in place. It is the general intent of this Section to:
 - i) Accommodate growth in Villa Rica by encouraging and facilitating new development on vacant, bypassed and underutilized land.
 - ii) Accommodate development in older established residential neighborhoods.
 - iii) Encourage efficient use of land and public services in the context of existing communities.
 - iv) Stimulate economic investment and development in older established communities.
 - v) Provide developers and property owners flexibility so that they can achieve high quality design and develop infill projects that strengthen existing communities.
 - vi) Create a high quality community environment that is enhanced by a balanced compact mix of development and building types that is pedestrian-scaled and, if applicable, transit-oriented.
 - vii) Improve approval certainty for infill development by providing clear development standards.
- b) This section shall not apply to lots zoned Planned Unit Developments (PUDs).
- c) Any relief granted under this section from bulk regulations or supplementary regulations, as permitted herein, shall be applied for via an Administrative Variance application and follow the procedures for such a request as set forth in *Section 11.08 – Administrative Adjustments*.

2) GENERAL REQUIREMENTS

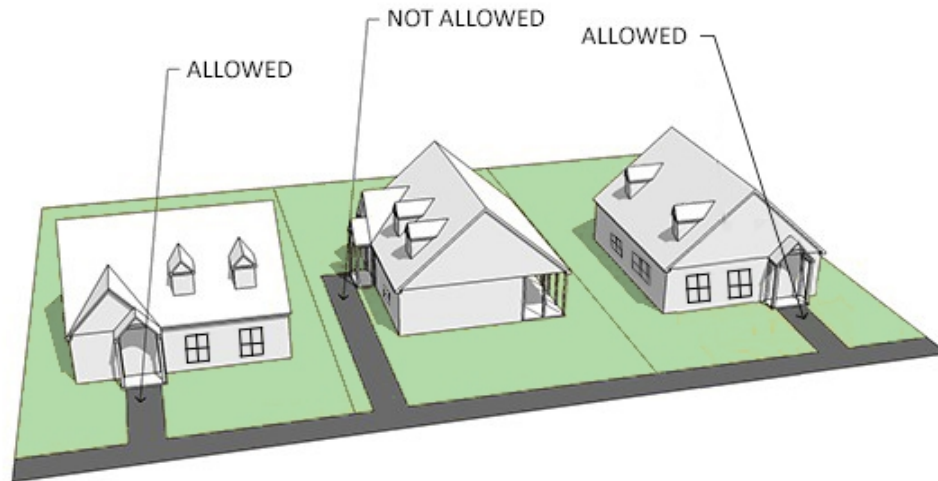
- a) A Development Plan, plat, or certified plot plan shall be required for infill/redevelopment where applicable.
- b) The Development Plan / plat shall incorporate the following elements to enhance compatibility with the surrounding community:
 - i) Sidewalks that connect to the adjacent sidewalk system;
 - ii) Public streets that connect to the adjacent street pattern;
 - iii) Preservation of architecturally significant structures whenever feasible; and
 - iv) Setbacks, building envelopes, use and parking compatible with surrounding community.
- c) All new buildings (except accessory structures) shall have the primary entrance oriented to the street or public walkway, with direct, accessible, and convenient pedestrian connections.

3) PERMITTED USES. Permitted uses shall be determined by the following subsections:

- a) Residential Areas. Areas that are made up of predominantly residential uses but no longer permit residential uses may fall under the provisions of *Subsection 3.06(2)*.
 - i) One accessory apartment dwelling unit per lot may be allowed in addition to the principal dwelling unit. Accessory apartment dwelling standards can be found in *Section 8.02 – Accessory Use and Structure Standards*.
 - ii) Home occupations and home-based businesses are allowed in accordance with *Section 8.11 – Home-Based Business*.
 - b) Commercial and Mixed-Use Areas. Areas that are made up of predominantly commercial or commercial/residential mixed uses may include uses other than what is permitted in the underlying zoning district by right, subject to consistency with uses that are identified as permitted or Special Exception within the Commercial Mixed Use (CMU) zoning district, or the Central Business District (CBD).
 - i) Commercial uses may be mixed vertically or horizontally with residential uses. First floor space shall be restricted to non-residential use in areas of predominantly commercial or mixed-use.
 - ii) Mixed-use should be planned for in the context of existing walkable amenities in the neighborhood or set the standard for future redevelopment.
- 4) **LOT AND DEVELOPMENT STANDARDS**. Density, design, materials, use and scale should reflect local style, heritage and materials unique to those existing in the surrounding area.
- a) Lot Size. Lot areas shall be dependent on proposed densities, floor area ratios, setbacks, building heights and community compatibility.
 - i) Existing Small Lot Amnesty. A legal lot of record that existed prior to the date of record of this Ordinance, and is being used for infill or redevelopment may use the minimum lot standards that follow.
 - b) Building Height.
 - i) Buildings shall conform to:
 - (1) maximum heights allowed in the zoning district in accordance with *Table 4.4: Residential Lot Standards* or *Table 4.5: Non-Residential Lot Standards*; or
 - (2) a height that is equal to or the average of adjacent building heights.
 - ii) If the proposed building height(s) is greater than the allowed maximum, the proposed building or structure must meet the following criteria for community compatibility:
 - (1) Neighborhood scale
 - (2) Privacy
 - (3) Light and shadow
 - (4) Views
 - (5) Architectural compatibility
 - c) Setbacks. Minimum setbacks shall be:

- i) as required in the zoning district; or
 - ii) the average of the established front and side setbacks on properties within the block or six-hundred (600) feet on both sides of the lot parallel to its side lot lines.
 - b) Bulk and Scale. Bulk and scale shall be similar to and consistent with the surrounding neighborhood as evaluated by the bulk of buildings adjacent, abutting and surrounding the proposed development. Larger buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.
 - d) Flexible Standards. Flexible development standards to reduce lot area, width, setbacks, height, and other standards may be permitted for infill and redevelopment at the discretion of the Director, subject to proof of good cause and benefit to the development and community, to encourage a variety of land uses, and to address difficult sites which incorporate infill and redevelopment or rehabilitation. Building height and coverage may vary so long as the project average height is consistent with the neighborhood scale and architectural rhythm and does not constitute a disruptive condition in the identity of the area as described here or in *Subsection 5.01(5)*.
- 5) **COMPATIBILITY STANDARDS**. Infill and redevelopment should provide exemplary site design, architectural design and high quality materials that are compatible with, and does not negatively alter the character of, the existing neighborhood. The applicant should refer to *Chapter IX: Design Standards*.
- a) All infill and redevelopment uses shall meet the intent of this chapter and shall be compatible with existing or proposed uses, as identified in the Comprehensive Plan, in the general vicinity of the proposed development. The following requirements shall apply:
 - i) **Building Size, Height, Bulk, Mass, Scale**. Similar in height and size or articulated and subdivided into massing that is more or less proportional to other structures in the area, and maintains the existing architectural rhythm.
 - ii) **Building Orientation**. Primary facades and entries face the adjacent street with a connecting walkway that does not require pedestrians to walk through parking lots or across driveways.
 - iii) **Privacy**. Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses by considering the placement of windows and door entrances. Create opportunities for interactions among neighbors in common pedestrian circulation areas of the project.
 - iv) **Building Materials** shall be similar to materials of the surrounding neighborhood or use other characteristics such as scale, form, architectural detailing, etc. to establish compatibility.
 - b) All planned uses, building types, and landscaping shall be included on the Development Plan or plat and shall demonstrate the relationship of the proposed development with existing off-site development in the context of the adjacent community. Compliance with these requirements shall in and of itself be deemed to create a presumption of compatibility.

Figure 5.1: Infill Scale and Orientation Example

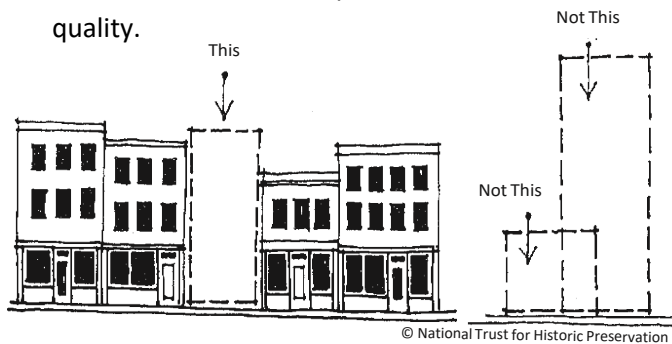


- 6) **OPEN SPACE AND LANDSCAPING.** All open space, recreational amenities, and landscaped areas shall meet the requirements of *Section 7.05 – Landscaping Standards* and *Section 7.13 – Open Space Requirements* unless modified per this subsection, and shall be shown on the Development Plan / Plat.
- Open Space.** Non-residential infill development shall provide common public open space, if planned. An open space credit may be granted if a project is connected to, and located within one-fourth (1/4) mile of, an improved public park or common area by a continuous public sidewalk.
 - Landscaping.** Natural vegetative features and existing trees shall be incorporated into the site design if practicable. Landscaping, buffering, and other plant material requirements may be reduced at the discretion of the Director and approval of the Planning & Zoning Commission. However, the intent of the landscaping to enhance and create a hierarchy of space shall remain. Buffering and screening of incompatible uses shall be maintained.
- 7) **PUBLIC FACILITIES AND UTILITIES.** Existing and planned public facilities should be shown on the Development Plan / Plat.
- All public streets, walkways and alleyways shall be shown on the Development Plan / plat. All through streets and walkways shall be public. The local street and walkway system shall be safe, efficient, convenient, attractive and shall accommodate use by all segments of the population.
 - The street and walkway system shall provide multiple, direct and continuous intra- and inter-neighborhood connections between destinations.
 - The street network shall include sidewalks on both sides of the street.
- 8) **PARKING.** Flexibility for the number of parking spaces required by *Section 7.02 – Off-Street Parking and Loading* may be considered if the project is pedestrian-oriented and serviced within six-hundred (600) feet by public parking.

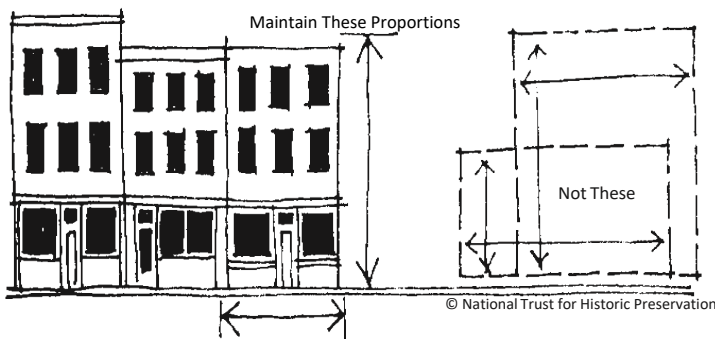
- a) The parking plan may provide a combination of off-street and on-street spaces. On-street parking is encouraged.
- b) Shared parking is encouraged and shall comply with *Subsection 7.02(20)*.
- c) As is practicable, at-grade off-street parking areas should be located at the rear of dwellings in mixed-use or residential areas, with alley access.
- d) Bicycle spaces shall be provided per *Subsection 7.2(23)*.
- e) Infill development on properties zoned CBD shall be exempt from *Section 7.02 – Off-Street Parking and Loading Requirements*.

Sec. 5.02 – INFILL COMPATIBILITY EXAMPLES

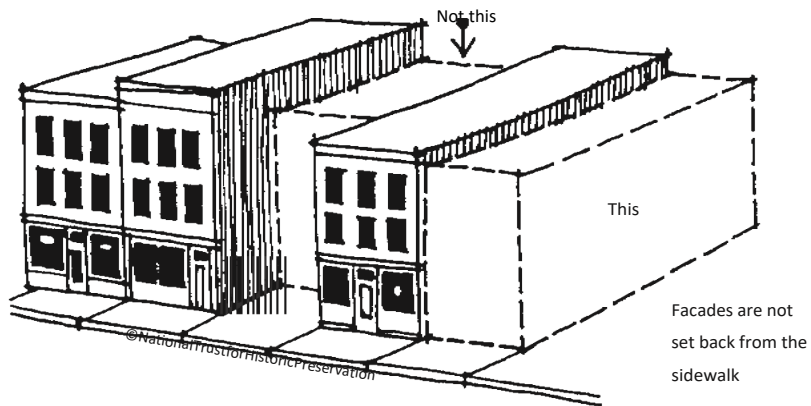
- 1) **HEIGHT.** Buildings in town centers or established neighborhoods share a similar height. Infill construction should respect this. A new facade that is too high or low can interrupt this consistent quality.



- 2) **PROPORTION.** The characteristic proportion (the relationship between height and width) of existing facades should be respected.



- 3) **RELATIONSHIP TO STREET.** The new facade's relationship to the street (setback) should be consistent with that of its neighboring buildings.



- 4) RESIDENTIAL NEIGHBORHOOD COMPATIBILITY. Infill development should be compatible with the established character of the existing neighborhood by utilizing a similar setback and building orientation

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CHAPTER VI: PLANNED UNIT DEVELOPMENT**Sec. 6.01 – PURPOSE**

- 1) This chapter is intended to permit the creation of Planned Unit Development (PUD) Districts in accordance with Georgia Code. PUD districts are intended for a parcel of land planned as a single unit which allows for mixed uses and mixed densities under one zoning classification. This Ordinance allows any zoning district to be rezoned for the creation of a PUD district. PUD Districts create neighborhoods that can benefit from innovations in community development, provide greater efficiency in public utilities and services, and preserve open space. All Planned Unit Developments shall be served by centralized sewer and water.

Sec. 6.02 – PUD USES AND STANDARDS

- 1) USES. All land use classifications that are allowed in this Ordinance may be permitted within a PUD, unless otherwise omitted. All uses are subject to the discretion and approval of the City Council. Once uses are approved by the Council, they are granted by right. All land uses proposed in a Planned Unit Development must be compatible with the intent of the Comprehensive Plan and the characteristics of surrounding land uses and zoning districts.
- 2) STANDARDS. The development and design standards established in this Ordinance or applicable design guideline documents shall apply unless alternate development or design standards are proposed by the petitioner. The alternate development standards deemed appropriate by the Planning & Zoning Commission in order to accomplish the intent of the Planned Unit Development shall be specified in the PUD District Ordinance that is certified by the Planning & Zoning Commission and adopted by the City Council. Any lessening of the required development and design standards of this Ordinance or applicable design guideline documents shall be directly linked to the intent of the Planned Unit Development to:
 - a) Provide a mixed-use development; or
 - b) Provide a creative and unique design; or
 - c) Address unusual physical conditions on site.

Sec. 6.03 – PROCEDURE SUMMARY

- 1) The section establishes procedures for the review, approval and development of a Planned Unit Development District. There are four basic steps in the PUD process which are illustrated in sequence in the flow charts on the following pages and which are described below:
 - a) Pre-Submittal Conference. The applicant is encouraged to engage in informal consultations with the Villa Rica Community Development staff prior to preparing plans. The purpose of this meeting is to discuss expectations, schedule, concept and standards contained herein. It shall be understood that no statement or representations by a member of **either** Staff shall be binding upon either the Council or upon any zoning body.
 - b) PUD District Ordinance and Concept Plan. The PUD District Ordinance and Concept Plan is the second step in the process for establishing a Planned Unit Development. During this step, the

petitioner's proposed development requirements for the Planned Unit Development are reviewed by the Planning & Zoning Commission and the City Council. The approved standards are codified in a PUD District Ordinance that has the effect of rezoning the subject property to a Planned Unit Development zoning district, and establishing the development requirements that will be applied in all subsequent reviews. A Concept Plan which accompanies the ordinance provides the Planning & Zoning Commission and City Council with a general vision for the development of the site.

c) **Plat Approval. The third step in the process is to submit either a Development Plan or a Preliminary Plat.**

i) **Development Plan. Preliminary Plat.** ~~The Detailed Development Plan is the third step in the process. In this step,~~ The applicant prepares an overall plan for the site which will be reviewed by staff, the Technical Advisory Committee ~~and approved by the Planning & Zoning Commission. For a Planned Unit Development that is going to be subdivided, this step also serves as the Preliminary Plat.~~ **A Development Plan should be submitted only for those PUDs that are not proposed to be subdivided further or consists of a mix of commercial/industrial and residential uses.**

ii) **Preliminary Plat.** Submission of a Preliminary Plat, processed in the manner described in this Chapter, and the subsequent submission of a Final Plat for any portion of the approved Preliminary Plat the applicant wishes to develop. The Final Plat submitted according to this option shall be processed in the manner described in this Chapter. **A Preliminary and Final Plat should only be submitted for PUDs that are detached residential single-family as the primary use of all structures.**

d) **Final Plat.** The Final Plat is the final step in establishing a Planned Unit Development. During this step, the petitioner's specific plan for the entire site or a portion of the site is reviewed by the **City Council**. ~~members of the Technical Advisory Committee. For a Planned Unit Development that is going to be subdivided, this step also serves as the Final Plat.~~

~~i) Options:~~

~~(1) Submission of a Preliminary Plat, processed in the manner described in this Chapter, and the subsequent submission of a Final Plat for any portion of the approved Preliminary Plat the applicant wishes to develop. The Final Plat submitted according to this option shall be processed in the manner described in this Chapter.~~

~~(2) Submission of a Final Plat without a Preliminary Plat, processed in the manner described in this Chapter.~~

Sec. 6.04 – PRE-SUBMITTAL CONFERENCE

- 1) Prior to submitting a Planned Unit Development application, the petitioner shall meet with the Villa Rica Community Development staff to review the zoning classification of the site, review the regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property. Department staff shall aid and advise the applicant in preparing the application and supportive documents as necessary.

Sec. 6.05 – PUD DISTRICT ORDINANCE AND CONCEPT PLAN

- 1) ORIGATION OF PROPOSALS.** Any applicant may propose a Planned Unit Development district in accordance with the procedures established in this chapter. The applicant shall submit an application and fee for a Planned Unit Development in accordance with this section, *Section 6.03 –Procedure Summary*, and the established procedure of the Community Development department. The applicant shall refer to the application packet to determine the format and number of copies of the plans to be delivered.
- 2) AREA REQUIREMENTS.** The minimum land area required for a Planned Unit Development shall be five (5) acres. However, a development of less than five (5) acres may be considered by the Planning & Zoning Commission for infill projects.
- 3) PROJECT OWNERSHIP.** The project may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals, or homeowner’s association. Such ownership may be a public or private corporation. However, if not under single ownership, the multiple owners must have a contractual agreement (1) not to develop the parcels separately, but in accordance with a single, unified plan, and (2) in which the separate owners have given their express intentions to enter into such private agreements and to assure its completion as planned and to the satisfaction of the Planning & Zoning Commission. The City Council may grant an extension of such time for such a period as it deems in the public interest.
- 4) DEVELOPMENT STANDARDS.** In addition to the applicable provisions of this Ordinance, the PUD Ordinance must comply with the following requirements unless specifically waived by the Planning & Zoning Commission:
 - a) The Planned Unit Development must be substantially completed within the period of time specified in the schedule of development submitted by the developer.
 - b) The Planned Unit Development will address the public health, safety, and general welfare.
 - c) All uses are subject to the discretion and approval of the City Council.
 - d) The PUD Ordinance shall address the impact on traffic and public services and facilities, such as schools, fire and police protection. A Fiscal Impact Analysis shall be required for developments of one-hundred fifty (150) or more residential units. The Planning & Zoning Commission may also request a Fiscal Impact Analysis or a traffic study for projects under one-hundred fifty (150) units at their discretion. These studies shall address the impact of the proposed Planned Unit Development on all adjacent streets and intersections.
 - e) The PUD Ordinance shall contain such proposed covenants, easements and other provisions relating to the proposed development standards, as reasonably are required for public health, safety and general welfare.
 - f) Gross residential density shall be calculated by dividing the gross acreage of the total development area by the size of the recommended lots to determine total dwelling units per acre in the proposed project.
 - g) Open Space shall be required in accordance with *Section 7.13 –Open Space Requirements*.

5) PUD ORDINANCE REQUIREMENTS

- a) The PUD Ordinance shall address all of the development standards contained within, and may defer to, the City of Villa Rica Zoning Ordinance. At a minimum, the following requirements should be addressed:

- | | |
|--|--|
| i) Location, size, orientation and shape of buildings; | xi) Outdoor lighting; |
| ii) Building materials and appurtenances; | xii) Minimum lot area; |
| iii) Parking; | xiii) Minimum lot frontage; |
| iv) Signage; | xiv) Minimum lot width; |
| v) Exterior renovation or altering of existing structures; | xv) Minimum front setback; |
| vi) Demolition of existing structures; | xvi) Minimum side setback; |
| vii) Landscaping; | xvii) Minimum rear setback; |
| viii) Environmental and natural resource protection; | xviii) Maximum height of structures (principal and accessory); |
| ix) Erosion and sedimentation control; | xix) Maximum lot coverage; |
| x) Vehicular and pedestrian circulation; | xx) Minimum floor area; |
| | xxi) Site access; |
| | xxii) Site screening and buffering; |
| | xxiii) Location of dumpsters; and |
| | xxiv) Location of open spaces. |

- b) **Should the PUD ordinance not address specific development standards and subsections as set forth within Section 7 and Section 9 of this chapter, then those standards shall apply.**

6) REVIEW

- a) The Community Development department shall determine that the PUD District Ordinance and Concept Plan application are a complete submittal. The Department shall:
- i) Docket Number. Assign the item a docket number;
 - ii) Planning & Zoning Commission. Place the item on an agenda of the Planning & Zoning Commission for public hearing; and
 - iii) Notification. Inform the petitioner of the time, date, and place of the hearing.
 - iv) Record. The Department shall maintain records of all applications, plans, and permits filed for a PUD District Ordinance and Concept Plan.

7) PLANNING & ZONING COMMISSION

- a) **Public Notice.** The Community Development department shall be responsible for posting public notice pursuant to the Planning & Zoning Commission Rules of Procedure.
- b) **Public Hearing.** A public hearing shall be held in accordance with the Planning & Zoning Commission Rules of Procedure and the Ordinance draft, concept plan and testimony of the applicant and other attendees shall be considered.

- c) Decision. The Planning & Zoning Commission shall:
 - i) Certify and forward the petition to the City Council with:
 - (1) A favorable recommendation;
 - (2) A negative recommendation;
 - (3) No recommendation; or
 - (4) Continue the petition to a definite future meeting date.
- d) Commitments. In conjunction with its recommendation to the City Council regarding a PUD District Ordinance and Concept Plan, the Planning & Zoning Commission may recommend that the City Council permit the petitioner to make written commitments and may recommend that the Council impose conditions of approval concerning the use or development of the parcel.
- e) Revisions. Following Planning & Zoning Commission approval, the petitioner ~~shall~~ **may** submit revised copies of the PUD District Ordinance and the Concept Plan that address the comments and concerns of the Planning & Zoning Commission.

8) CITY COUNCIL

- a) Decision. The City Council shall:
 - i) Adopt the PUD District Ordinance and Concept Plan;
 - ii) Adopt the PUD District Ordinance and Concept Plan with conditions and/or commitments;
 - iii) Return the PUD District Ordinance and Concept Plan to the Planning & Zoning Commission with proposed amendments; or
 - iv) Deny the PUD District Ordinance and Concept Plan.
 - b) Meaning of Approval. Approval of the PUD District Ordinance by the City Council shall act as a zoning map amendment and an overall guide for the Planned Unit Development, setting forth concepts that shall be consistent in the Preliminary Plat (preliminary plat) and Final Plat (final plat).
 - c) Commitments. The applicant shall prepare the commitment instrument in a form approved by the City Attorney. The petitioner and the Mayor and City Council shall sign the commitment instrument.
- 9) Recording**. The petitioner shall record the commitment instrument in the County Recorder's office within thirty (30) days of the approval of the PUD District Ordinance and Concept Plan. The petitioner shall deliver a copy of the recorded commitment instrument to the Community Development department before filing a Preliminary Plat petition.
- 10) Modification or Termination**. A commitment or conditions of approval made under this section may be modified or terminated only by a decision of the City Council at a public hearing.
- 11) Enforcement**. The City may enforce any commitment or condition of approval as if the commitment were a standard of the Villa Rica Zoning Ordinance.

Sec. 6.06 – PRELIMINARY PLAT PROCEDURE

- 1) **PURPOSE.** The purpose of a **Preliminary Plat or** Detailed Development Plan is to divide land into lots, blocks and common area.
- 2) **APPLICATION.** An application for Preliminary Plat shall be filed with the Secretary of the Planning & Zoning Commission by the owner, or his/her designee, of property for which the Planned Unit Development is proposed. The applicant shall refer to the application packet to determine the format and number of copies of the plans to be delivered and the application shall be in accordance with the established procedures of the Community Development department and shall contain, at a minimum, the following information:
 - a) Name, address, and phone number of applicant;
 - b) Name, address, and phone number of registered surveyor or registered engineer assisting in the preparation of the Preliminary Plat;
 - c) A survey of the tract that is to be developed;
 - d) Description of existing use;
 - e) Identification of the existing zoning district;
 - f) A vicinity map at a scale approved by the **Technical Advisory Committee Planning & Zoning Commission**, showing existing property lines, streets, existing and proposed zoning, and such other items as the **Technical Advisory Committee Planning & Zoning Commission** may require to show the relationship of the Planned Unit Development to the Comprehensive Plan and to existing developments, schools and other community facilities and services;
 - g) A Preliminary Plat **or Development Plan** at a scale approved by the **Technical Advisory Committee Planning & Zoning Commission** showing topography at two (2) foot intervals; the approximate location and type of residential, commercial and industrial land uses; layout, dimensions, and names of existing and proposed streets, rights-of-way, utility easements, parks and open spaces; layout and dimensions of lots and building setback lines, areas of proposed buffering; preliminary improvement drawings showing: points of ingress/egress, water, sewer, drainage, electricity, telephone, and such other characteristics as the Planning & Zoning Commission deems necessary;
 - h) Proposed schedule for the development of the site, identifying phasing where applicable;
 - i) Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within five (5) years; including a statement of all the ownership and beneficial interests in the tract of land and the proposed development;
 - j) In the case of a residential planned unit development, the proposed density to which the Development shall be limited; and
 - k) In the case of office, commercial, industrial, or mixed-use planned unit development, a statement identifying the principal type of office, business, industrial, and/or other uses that are to be included in the proposed development.
- 3) **TECHNICAL ADVISORY COMMITTEE.** Once the Department has determined that it has received a submittal that is sufficiently complete for Technical Advisory Committee (TAC) review, the Department shall inform the petitioner of the time, date, and place of the meeting. Following TAC review, the applicant shall submit revised copies of the plans that address the comments and concerns of the TAC. ~~The Department shall inform the petitioner of the time, date, and place of the~~

~~Planning & Zoning Commission meeting. The public hearing procedures shall be as established in the Villa Rica Planning & Zoning Commission Rules of Procedure.~~

4) **NOTICE**

~~a) —Notice of Public Hearing. The notice of public hearing shall occur as established in O.C.G.A. § 36-36-36 et seq. As a minimum, the secretary shall, at least ten (10) days prior to the date set for the public hearing at the applicant's expense, publish a notice one (1) time in the City's Legal Organ. The notice shall set forth the time and place of the public hearing and a general description of the Planned Unit Development.~~

5) **~~PUBLIC HEARING/PLANNING & ZONING COMMISSION~~ TECHNICAL ADVISORY COMMITTEE REVIEW AND APPROVAL**

- a) After receipt of the Preliminary Plat **or Development Plan**, the Planning & Zoning Commission shall hold a public hearing within a reasonable period of time.
 - b) The ~~Planning & Zoning Commission~~ **Technical Advisory Committee** shall review the ~~preliminary~~ plan to determine if the Proposed Planned Unit Development is:
 - i) Consistent with the intent and purpose of this Ordinance;
 - ii) Whether the proposed development advances the general welfare of the community and neighborhood; and
 - iii) Whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations.
 - c) The ~~Planning & Zoning Commission's~~ **Technical Advisory Committee** approval in principle of the primary development shall be necessary before an applicant may submit a Final Plat.
 - d) Approval in principle shall not be construed to endorse the following:
 - i) A precise location of uses;
 - ii) Configuration of parcels;
 - iii) Engineering feasibility.
- 6) EXPIRATION. The Preliminary Plat/**Development Plan** approval shall expire in five (5) years unless final approval of all or part of the development is complete.

Sec. 6.07 – FINAL PLAT

- 1) **PURPOSE.** The purpose of a Final Plat is to provide the details for the construction of individual portions of the PUD. Typical construction plans are submitted and final plats are recorded.
- 2) **SUBMISSION.** After approval of the Preliminary Plat/**Development Plan**, the developer shall submit a Final Plat in accordance with established procedures of the Community Development department. The Final Plat shall be in general conformance with the Preliminary Plat/**Development Plan** as approved by the City Council. The Final Plat shall be certified by a registered engineer or land surveyor.
- 3) **APPLICATION.** An application for approval of the Final Plat shall be filed with the Secretary of the Planning & Zoning Commission by all owners, or their designee, of the property for which the Planned Unit Development is proposed. Each application shall be signed by the owner, attesting to the truth and exactness of all information supplied on the application for Final Plat. Approval shall

expire and may be revoked if construction on the project has not begun within two (2) years from the date of issuance of the approval and such requirement shall be clearly stated on the application. At a minimum, the application shall contain the following information:

- a) Any changes necessary to the survey of the proposed development site, showing the dimensions and bearing of the property lines, area in acres, topography, existing features of the development site, including major wooded areas, structures, streets, easements, utility lines and land uses;
- b) All information required on the Preliminary Plat, the location and sizes of lots, location and proposed density of dwelling units, nonresidential building intensity, and land use considered suitable for adjacent properties;
- c) A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes, tabulation of the number of acres in the proposed project for various uses, the number of housing units proposed by the type, estimated residential population by type housing. Estimated nonresidential population, anticipated timing for each unit, and standards for height, open space, building density, parking areas, population density and public improvements proposed for each unit of the development, whenever the applicant proposes an exception from standard zoning districts or other Ordinances governing development;
- d) Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, and telephone, waste disposal facilities, street improvements, and nature and extent of earth work required for site preparation and development;
- e) Development plan, showing buildings, various functional use areas, circulation, and their relationship;
- f) Preliminary building plans, including floor plans and exterior elevations; Landscaping plans;
- g) When a Planned Unit Development is to be constructed in stages or units, a schedule for the development of such stages or units shall be submitted. When a Planned Unit Development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire Planned Unit Development as the stages or units completed or under development bear to the entire Planned Unit Development;
- h) A traffic impact study to determine the off-site impacts on the existing thoroughfare system;
- i) When a Planned Unit Development includes provisions for common open space or recreational facilities, a statement describing the provision that shall be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed Chapters of incorporation and bylaws of such entity shall be submitted;
- j) Deed restrictions, and restrictive/protective covenants, and other legal statements or devises to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained;

- k) Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within five (5) years; including a statement of all the ownership and beneficial interests in the tract of land and the proposed development; and
- l) One (1) copy of the Preliminary Plat/Development Plan.

4) REVIEW

- a) Review. The Technical Advisory Committee shall review Final Plats at a regular meeting. This shall not be a public hearing.
- b) ~~TAC Review Criteria~~. **City Council Review Criteria**. Before taking action, ~~TAC~~ **City Council** shall find that the facts submitted with the application and presented at the public hearing establish that:
 - i) The proposed development can be initiated within two (2) years of the date of approval;
 - ii) Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained, the uses proposed will not be detrimental to present and potential surrounding uses, but will have a trespass
 - iii) Beneficial effect which could not be achieved under standard district regulations;
 - iv) The streets as proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the Planned Unit Development;
 - v) Any proposed commercial development can be justified at the locations proposed;
 - vi) Any exception from standard district requirements is warranted by the design and other amenities incorporated in the Final Plat, in accordance with the Planned Unit Development;
 - vii) The area surrounding the development can be planned and zoned in coordination and substantial compatibility with the proposed development;
 - viii) The Planned Unit Development is in general conformance with the Comprehensive Plan of the City;
 - ix) The existing and proposed utility services are adequate for the commercial uses provided; and
 - x) The proposed open spaces are adequate and appropriate as identified in this Chapter.
- c) Action.
 - i) The ~~Technical Advisory Committee~~ **City Council** shall take action to:
 - (1) approve as presented;
 - (2) approve with supplementary conditions; or
 - (3) disapprove at a public hearing.
 - ii) Following ~~Technical Advisory Committee~~ **City Council** review, the applicant shall submit revised copies of the plans that address the comments and concerns of the **City Council** ~~Technical Advisory Committee~~. The applicant shall refer to the application packet to determine the format and number of copies of the plans to be delivered.

- 5) **APPEAL OF A DECISION OF THE DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT.** The decision of the Community Development Director can be appealed by the Villa Rica City Council in accordance with *Section. 11.11 - Administrative Appeals Procedure*.
- 6) **COMMERCIAL PROJECTS.** For a Planned Unit Development that is being subdivided, approval of the Final Plat shall be considered to be the Secondary Plat for recording purposes. Subdivision plat procedures/approval may coincide with, and be approved at the same time as, the Preliminary Plat/**Development Plan** and the Final Plat.
- 7) **COMMENCEMENT OF CONSTRUCTION.** No construction or site grading shall begin prior to the issuance of a Land Disturbance Permit. No Zoning Certificate shall be issued for any property for which a Planned Unit Development classification is requested and no construction shall begin until an approved Final Plat is in effect for that phase or property, whichever of the above options is chosen by the applicant. No improvement location permit shall be issued for any structure in any portion of a Planned Unit Development unless and until the final subdivision plat for that portion has been approved by the proper planning authority and recorded in the public record of the City. This requirement may be waived by the Director when it is deemed that a subdivision plat is not required.

Sec. 6.08 – ALTERNATIVE SUBMISSION FOR FINAL PLAT

- 1) APPLICATION.** The applicant need not file a Preliminary Plat if filing a Final Plat for the entire site, incorporating all requirements of both the Preliminary and Final Plats as described in this Section. The Final Plat shall be filed with the Secretary of the Planning & Zoning Commission by at least one (1) owner, or his/her designee, of the property for which the Planned Unit Development is proposed. Each application shall be signed by the owner, attesting to the truth and exactness of all information supplied on the application for Final Plat, and submitted to the Planning & Zoning Commission for public hearing. At a minimum, the application shall contain the following information:
- a) A survey of the tract that is to be developed showing existing features of the property including streets, alleys, easements, utility lines, existing land use, general topography and physical features;
 - b) A development plan showing the location and arrangement of all existing and proposed structures, the proposed traffic circulation pattern within the development, the areas to be developed for parking, the points of ingress and egress including streets where required, the relationship of abutting land uses and zoning districts, proposed lots and blocks, if any, and proposed public or common open space, if any, including parks, playgrounds, school sites and recreational facilities, screening, and areas to be left in their natural state;
 - c) A statement of the proposed total gross floor area, and the percentage of the development which is to be occupied by structures;
 - d) Floor plans of the proposed structures; Landscaping plans;
 - e) When a Planned Unit Development is to be constructed in stages or units, a schedule for the development of such stages or units shall be submitted. When a Planned Unit Development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire Planned Unit Development as the stages or units completed or under development bear to the entire Planned Unit Development;

- ~~f) — Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land and the proposed Development;~~
 - ~~g) — In the case of a residential planned unit development, the proposed density to which the Development shall be limited;~~
 - ~~h) — In the case of Office, Commercial, or Industrial, a statement identifying the principal type of office, business and/or industrial uses that are to be included in the proposed Development;~~
 - ~~i) — When a Planned Unit Development includes provisions for common open space or recreational facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed Chapters of incorporation and bylaws of such entity shall be submitted; and~~
 - ~~j) — Copies of any restrictive covenants that are to be recorded with respect to property included in the Planned Development District.~~
- ~~2) — EXPIRATION. Approval shall expire and may be revoked if construction on the project has not begun within two (2) years from the date of issuance of the approval and such requirement shall be clearly stated on the application.~~

Sec. 6.08– ANENDMENTS TO THE CONCEPT PLAN AND FINAL PLAT

- 1) No changes shall be made in the approved Concept Plan or plats unless in conformance with the following requirements. The term "minor changes" as used in this section is considered to represent changes that do not alter the overall characteristics of the total plan and that create no adverse impacts on adjacent uses or public services and facilities. Some examples of what can be considered as minor changes are:**
- a) Minor Change. The Community Development Director may authorize minor changes under the following conditions:**
 - i) Changes in location and type of landscaping and/or screening so long as the approved character and intent is maintained;**
 - ii) Changes in the orientation of portions of parking areas so long as the effectiveness of the overall site circulation and parking is maintained; parking areas shall be relocated not closer than twenty (20) feet to any residential structure or ten (10) feet to any street or right-of-way lines; and the number of parking spaces shall not be reduced by the relocation;**
 - iii) Changes in the location of sidewalks and pathways, provided that continuity of pedestrian circulation remains;**
 - iv) The reorientation, but not complete relocation of structures;**
 - v) Changes that will not impact properties or uses outside of and adjacent to the PD; or**
 - vi) Redesign of open space that does not decrease the recreational, buffering, or environmental benefits of the open space.**
 - b) Prohibitions. No minor change authorized by this section may cause any of the following:**
 - i) Change in the permitted uses or of development character;**
 - ii) increased overall coverage of structures;**
 - iii) increased density or intensity of use;**
 - iv) increased demand for traffic circulation and public utilities;**
 - v) decrease in public or private open space;**

- vi) decrease in pavement and sidewalk widths; or
 - vii) increased numbers of dwellings.
- 2) **Major Change.** All other changes to the approved Concept Plan or plats shall be deemed "major" and shall be approved only by the Council after review of a revised Final Development Plan and/or Map. No amendments may be made in the approved Final Development Plan unless the applicant establishes that such amendments are required as a result of:
- a) changes in conditions that occurred after Final Development Plan approval;
 - b) changes in the development policy of the community; or
 - c) conditions that were reasonably unforeseen at the time of Final Development Plan approval.
- 3) **Recording of Changes and Amendments.** Any changes that are approved for the Final Development Plan and/or Final Plat shall be recorded as amendments to the previously recorded Plan and/or Map.

Sec. 6.09– TIME LIMIT FOR APPROVED PUD MASTER PLAN

- 1) In the event that a PUD Master Plan is given approval, and the landowner(s):
 - a) Fail to obtain approval for improvement plans or a development order for all infrastructure improvements to include utilities, roads and similar improvements required by the approved PUD Master Plan or other development orders for at least fifteen (15 %) percent of the gross land area of the PUD site every five (5) years of the date of approval by the Villa Rica City Council; and/or
 - b) Fail to receive final local development orders for at least fifteen (15%) percent of the total number of approved dwelling units in the PUD, or in the case of PUD's consisting of non-residential uses, thirty (30%) percent of the total approved gross leasable floor area within the PUD every six (6) years of the date of approval by the City Council.
- 2) The project developer shall submit to the Community Development Director a status report on the progress of development annually commencing on the fifth anniversary date of the PUD approval by the City Council. The singular purpose of the report will be to evaluate whether or not the project has commenced in earnest in accordance with the criteria set forth above.
- 3) Should the Director determine that the development has commenced in earnest, then upon review and consideration of the report provided by the owner and any supplemental information that may be provided, the City Council shall elect one of the following:
 - a) To extend the current PUD approval for a maximum period of two (2) years; at the end of which time, the owner will again submit to the procedure as defined herein.
 - b) Require the owner to submit an amended PUD in which the unimproved portions of the original PUD shall be consistent with the Comprehensive Plan. The existing PUD shall remain in effect until subsequent action by the Council of the submitted amendment of the PUD.
 - c) If the owner fails to submit an amended PUD within six (6) months of Council action to require such an amended submittal, then the Council may initiate proceedings to rezone the unimproved portions of the original PUD to an appropriate zoning classification consistent with the procedures in *Section 11.05 – Zoning Map and Text Amendments*.

Sec. 6.10 – PUD ABANDONMENT

- 1) In the event of the abandonment of a Planned Unit Development authorized under this section, the City Council may initiate an amendment to the Zoning Ordinance so that the land will be

zoned into a category or categories which approximates its existing use or such other zoning category or categories which it deems appropriate.

- 2) Abandonment shall be deemed to have occurred when no improvements have been made pursuant to the approved Final Plat for twenty-four (24) consecutive months.
 - a. The twenty-four (24) month time limitation may be extended at the discretion of the City Council.

Figure 6.1: PUD Process Summary Flow Chart

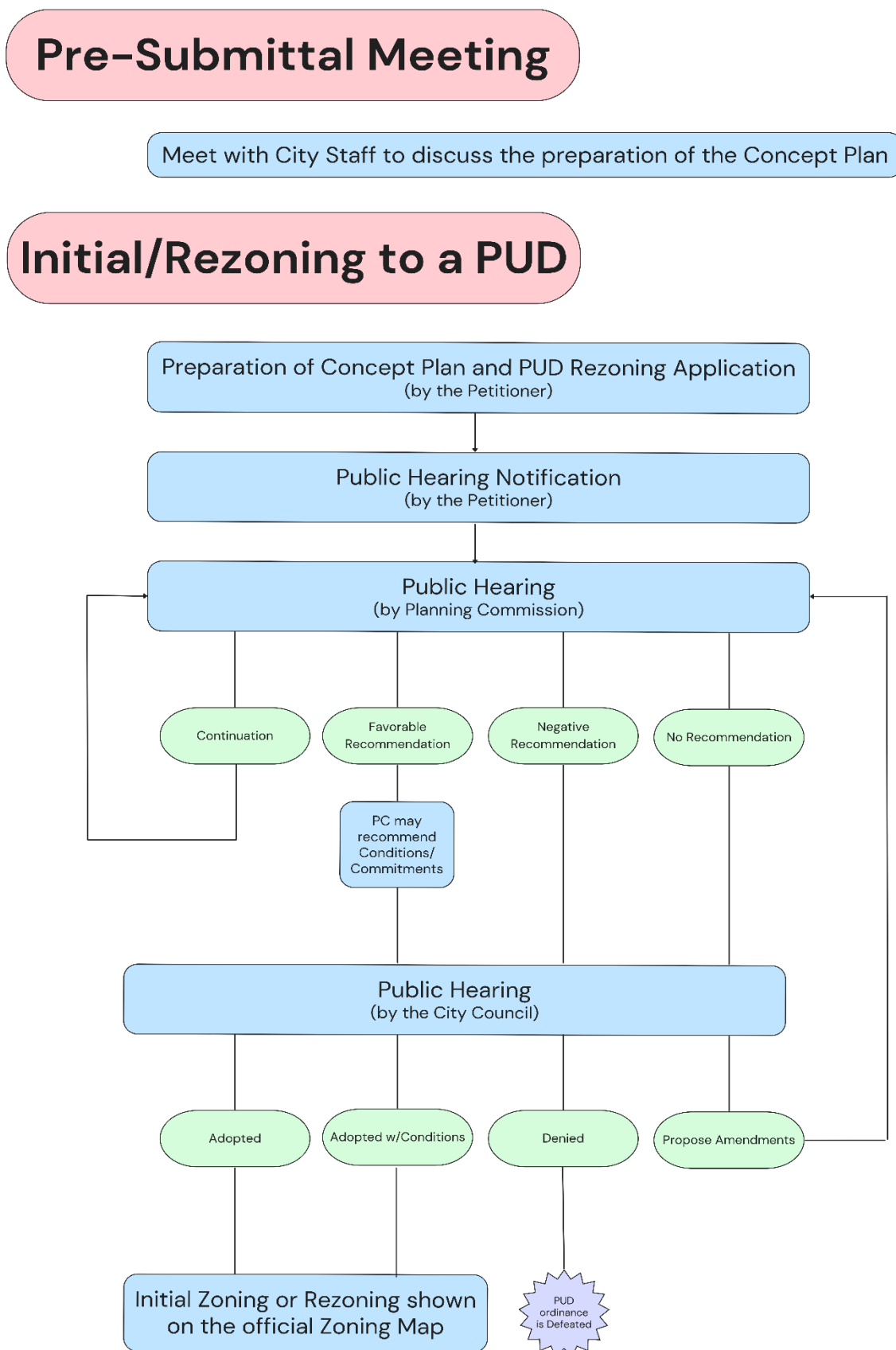
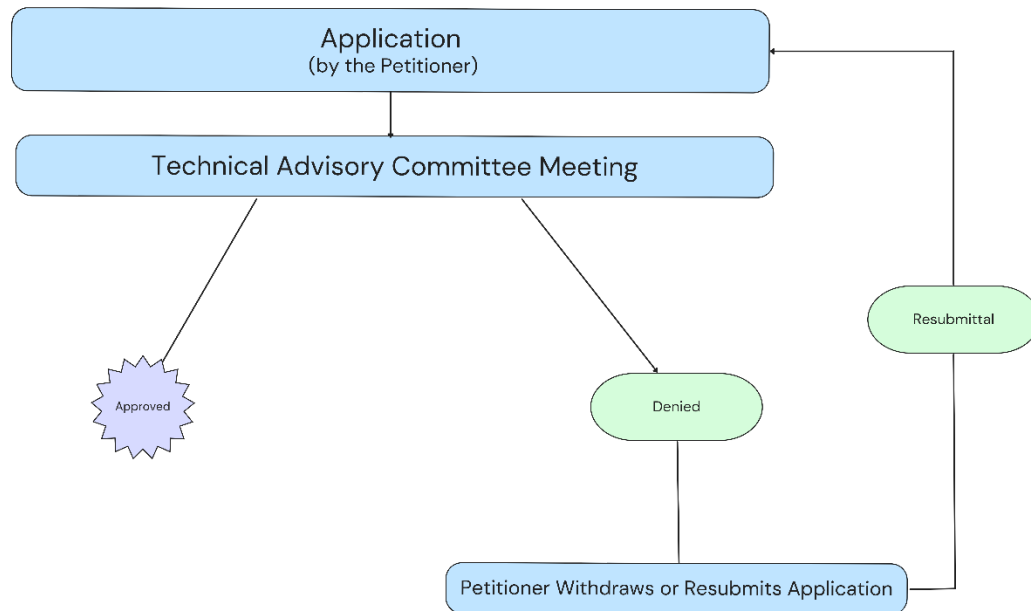
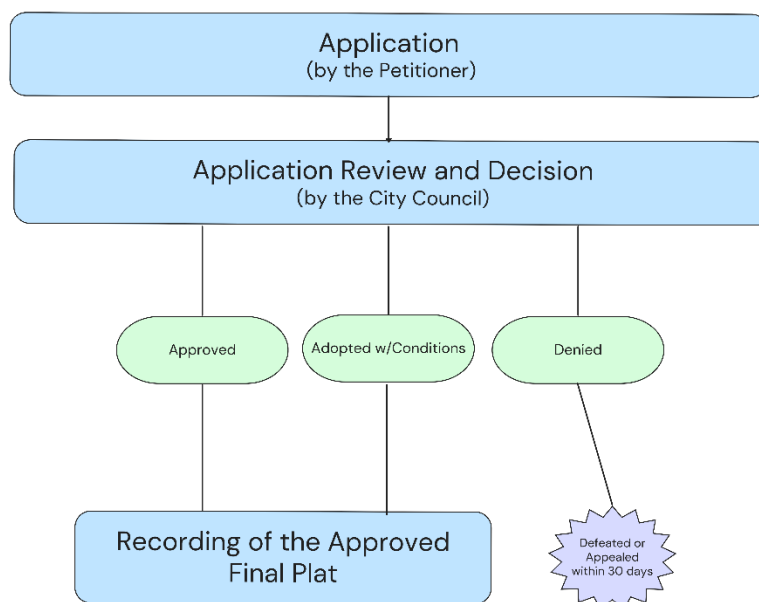


Figure 6.2: Preliminary/Final Plat Flow Chart

Preliminary Plat/Development Plan Process



Final Plat Process



CHAPTER VII – DEVELOPMENT STANDARDS**Sec. 7.01 – INTRODUCTION AND APPLICATION**

- 1) INTRODUCTION. All structures, land uses, land use changes, structural alterations, structural relocations, structural additions, and structural enlargements of legally conforming uses that are constructed, created, established, or occur after the effective date of this Ordinance (except as may otherwise be provided within this Ordinance) shall be subject to all Development Standards and regulations applicable to the zoning district in which they are located. All development plans approved prior to the effective date of this Ordinance shall adhere to the terms and conditions of approval and/or written commitments made under the zoning ordinance that was in place at the time of filing.
 - a) All changes of use proposed within existing structures on developed parcels shall be exempt from all development regulations within this ordinance except parking requirements.
 - b) All changes of use proposed within new structures or structures expanded beyond 35% of the existing structure's square footage on developed parcels shall be subject to all applicable regulations within this ordinance as set forth herein.
 - c) All changes of use proposed within existing buildings, new buildings, or buildings expanded beyond thirty-five percent (35%) of the existing structure's square footage, and located on underdeveloped or undeveloped lots shall be subject to all applicable regulations within this ordinance as set forth herein.
- 2) REQUIREMENTS FOR USES PERMITTED BY SPECIAL EXCEPTION. Any use which is permitted by Special Exception shall be consistent with the standards for the zoning district in which the use is permitted by this Ordinance. The City Council may adopt conditions of approval for any use permitted by Special Exception.
- 3) USES PERMITTED PER LOT. Only one principal use (whether a permitted or Special Exception use) of a lot shall be permitted. All other uses occurring on a lot shall be accessory to or a subordinate component of the principal use. For properties proposed to include a mix of uses or platted under the horizontal property regime, several compatible principal uses sharing a structure/structures may be considered collectively as the principal use. This shall apply to uses including and similar to shopping centers, retail and residential contained within the same structure, or residential condominiums.

Sec. 7.02 – OFF-STREET PARKING AND LOADING

- 1) PURPOSE. The purpose of this section is to provide adequate and appropriate areas for the size, location and construction of off-street parking areas and loading areas for new or converted uses within the City. Refer to *Section 7.03 – Entrance/Drive Standards* for parking lot entrance drive standards.
- 2) GENERAL REQUIREMENTS
 - a) Any building, structure or use of land, when erected or enlarged, shall provide for off-street parking spaces for automobiles in accordance with the following provisions of this section. A parking plan shall be required for all uses except single- and two-family dwellings (ADU). The

parking plan shall be submitted to the City as part of the Development Plan Review process. The plan shall show the boundaries of the property, parking spaces, access driveways, circulation patterns, drainage and construction plans, illumination, boundary walls, fences and screening, as appropriate.

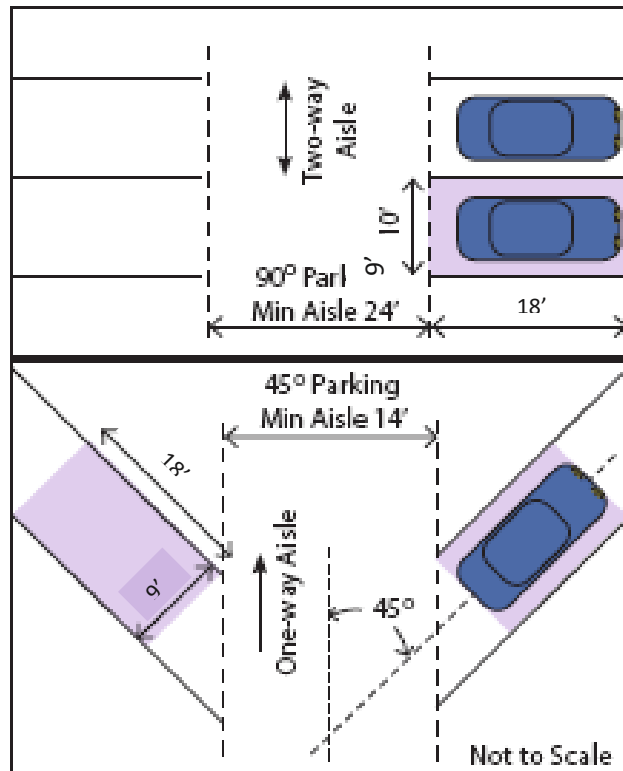
- b) Whenever a building or use constructed or established after the effective date of this Zoning Ordinance is changed in use or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
 - c) Whenever a building or use existing prior to the effective date of this Ordinance is enlarged to the extent of thirty-five percent (35%) or more in floor area or in the area used, such building or use shall then comply with the parking requirements set forth herein.
- 3) REVIEW PRIOR TO ISSUANCE OF IMPROVEMENT LOCATION PERMIT. Any proposed new development or conversion for which a Land Disturbance Permit (LDP) is required as specified in *Chapter XI: Petitions, Permits, and Procedures* shall be reviewed for conformance to the requirements of this chapter.
- 4) DESIGN STANDARDS. All off-street parking facilities shall be in accordance with the following standards and specifications:
- a) DESIGN AND CONSTRUCTION OF PARKING AREAS. The following standards shall apply to the design of off-street parking areas as they are required in this section for all new or converted multifamily, commercial, industrial or quasi-public uses:
 - i) Minimum Size and Maneuvering Space. The minimum size of a parking space shall be as shown on *Table 7.1: Parking Dimensions* and *Figure 7.2: Parking Aisle and Space Dimensions*. In no instance shall the overhang of a vehicle be considered as part of the required parking space area. Minimum dimensions for semi tractor-trailer parking at truck stops shall be 12.5' x 65'.
 - (1) All parking spaces shall be provided with adequate maneuvering space into which vehicles can back for the purpose of exiting the parking space.
 - (2) Proximity. The parking spaces for dwelling units shall be located on the lot.
 - (3) Location. Off-street parking spaces may be located in front of a structure, but not within the required landscape buffer or utility and drainage easements, unless approved by the Planning & Zoning Commission.
 - (4) Setbacks. In no case shall a parking area be located closer than ten (10) feet from any right-of-way or adjacent property line. Parking areas shall be separated by a

Table 7.1: Parking Dimensions			
Angle of Parking	Minimum Parking Space Size		Minimum Aisle Width
	Width	Length	
Parallel	8 feet	22 feet	on-street
90 Degree	9 feet	18 feet	24 feet (two-way aisle)
60 Degree	9 feet	18 feet	18 feet (one-way aisle)
45 Degree	9 feet	18 feet	14 feet (one-way aisle)
Disabled	(refer to ADA guidelines)		

minimum of five (5) feet from the façade of a building or structure by an elevated sidewalk or planting strip.

- b) DESIGN AND CONSTRUCTION OF THE PARKING LOT ENTRANCE DRIVE. Refer to *Section 7.03 – Entrance/Drive Standards.*
 - c) PARKING LAYOUT. In addition to the minimum requirements, a maximum of fifty (50) percent of the required parking shall be located between the front facade and the primary street. The balance of the parking shall be on the rear or side of the primary building.
- 5) **PAVING AND DRAINAGE.** All parking areas, regardless of size, shall be a hard, dust-free surface. Pavement type and thickness shall be reviewed by the City Engineer prior to Planning & Zoning Commission approval, taking into consideration soil conditions and traffic loading. Porous pavement and pavers may also be used if approved by the Technical Advisory Committee or the Community Development Director. Pavers shall include durable materials, suitable for parking such as cobblestones, brick, concrete formed blocks or cut stone, the system of which is specifically installed and designed for vehicular loads.
 - 6) **EXCEPTIONS.** Loose paving materials, including gravel, may be used on lots of five (5) acres or more with primarily agricultural uses, as approved by the City Engineer, or for other uses by Special Exception by the Villa Rica City Council.
 - 7) **STORMWATER MANAGEMENT.** Stormwater runoff created as a result of the improvements to the parking area shall be controlled in such a manner so as to eliminate draining onto neighboring properties. Improved parking areas shall be incorporated into the stormwater management plan for the proposed project. Innovative drainage techniques or stormwater best management practices (BMPs) are recommended. Site grading as well as stormwater control provisions shall be reviewed and approved by the City Engineer prior to site construction.
 - 8) **BARRIERS.** Wherever a parking space extends to a property line, sidewalk, walkway, landscaping, or fencing, the inclusion of wheel stops, concrete curbs, or other suitable barriers shall be required in order to prevent any part of a parked vehicle from extending beyond the property line, sidewalk, or walkway, and from destroying the screening materials.
 - 9) **VISIBILITY.** Entrance drives for parking areas shall be located in such a way that any vehicle entering or leaving such parking area shall be clearly visible by any pedestrian or motorist approaching the access or driveway from a public street, private street or alley.

Figure 7.2: Parking Aisle and Space Dimensions

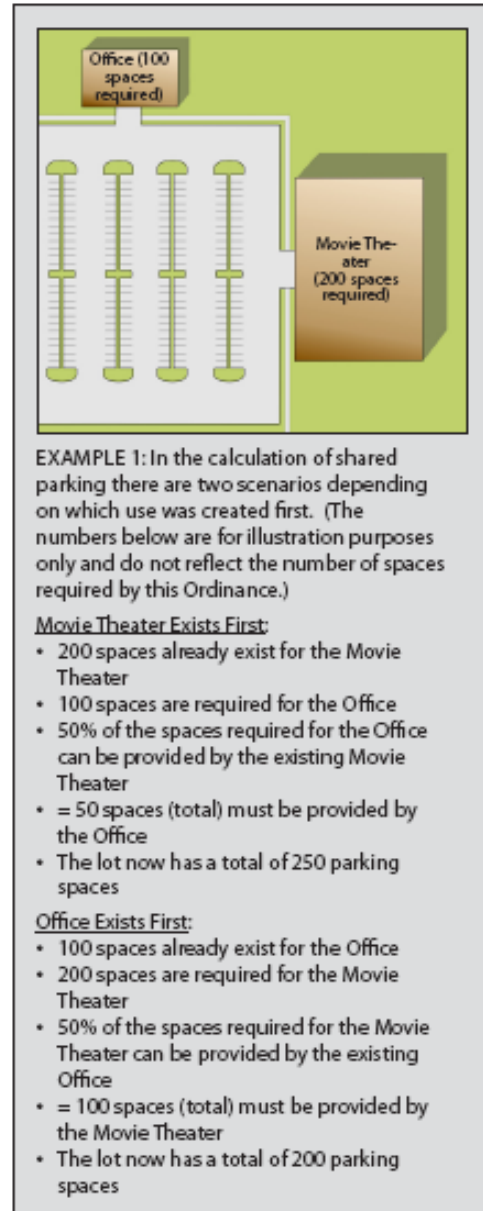


Top: Double-Loaded
Parking (minimums)

Bottom: Diagonal
Parking (minimums)

- 10) MARKING. All parking areas for more than five (5) vehicles shall be marked with paint lines or in some other manner approved by the City and shall be maintained in a clearly visible condition.
- 11) MAINTENANCE. All off-street parking areas shall be continually maintained in satisfactory condition so as to be safe, attractive and free of any hazard, nuisance or other unsafe condition.
- 12) SIGNAGE. Signs shall be in conformance with the *Article 9: Villa Rica Sign Ordinance*.
- 13) LIGHTING. When lighting facilities are used, such lighting shall be in accordance with *Section 7.12 – Outdoor Lighting*.
- 14) LANDSCAPING. Refer to *Section 7.05 – Landscaping Standards* for landscaping requirements. Refer to *Subsection 7.05(6)(c)(ii)* if the minimum number of parking spaces is exceeded.
- 15) STACKING SPACES FOR DRIVE-THROUGH BUSINESSES
- For the purposes of this Ordinance, one stacking space shall be construed as a minimum of nine (9) feet in width and nineteen (19) feet in length.
 - Businesses utilizing drive-through windows or those that offer drive-through facilities shall **meet the requirements set forth within Table 8.2: Stacking Space Schedule and all applicable regulations within Section 8.09 of the ordinance.** ~~provide a minimum of:~~
 - ~~seven (7) stacking spaces per vehicular service window for restaurants and coffee houses;~~
 - ~~five (5) four (4) stacking spaces per vehicular service window or automated teller machine for banks and other financial institutions;~~
 - ~~seven (7) stacking spaces per service bay for car-washing establishments;~~
 - ~~three (3) two (2) stacking spaces per fuel pump or air compressor for gas stations;~~
 - ~~five (5) stacking spaces per vehicular service window for all other uses.~~
 - Additional stacking space may be required based on the number of vehicles utilizing the drive-through at peak hour.
 - Lane widths should be delineated with pavement markings. However, individual spaces within the lane need not be marked.
 - Exception: Automobile filling stations do not need to delineate lane widths or individual spaces with pavement markings.
 - Stacking spaces shall be in addition to the required parking spaces and must not be located within a required driveway, internal circulation system, or parking aisle.

Figure 7.1: Parking Calculation Example



- f) Stacking spaces shall begin at the point of transaction including all service windows, service bays, and automated teller machines.
- 16) TURNING RADII. Sufficient turning radii shall be provided in accordance with approved engineering standards so as to be adequate for all vehicle movement, including fire and safety vehicles, school buses or other oversize vehicles which may make use of the area.
- 17) PARKING OF COMMERCIAL VEHICLES.
- a) In commercial and industrial districts, commercial vehicles with or without signage which are over eight (8) feet in width and/or nineteen (19) feet in length shall not be stored in a parking area. Such vehicles shall be parked or stored in the required off-street loading space(s) or to the rear of the principal building when not in use or during non-business hours. Truck stops shall be exempt from this section.
 - b) Where Special Exception approval is required, the City Council shall evaluate the potential impacts of noise, glare, dust, debris, traffic, public safety, and security, among other measures. Such locations, where approved, will need to be appropriately buffered, screened, and surfaced as to minimize quality of life and environmental impacts. Truck stops shall not be located within 500 feet of a property zoned R-1, R-2, SFA, MF-1, MF-2, or OMI.
 - i) Truck parking as a primary use on any commercial or industrial lot shall not have any trucks that are parked or stationary on the lot for more than more than forty-eight (48) hours at a time.
 - ii) In the event that there is not a principal building on site, all trucks must be parked behind the front yard setback. Under no circumstance may trucks be parked within a required setback area.
 - iii) Trailers may not be parked on any lot without being directly connected to a semi-tractor.
 - c) With the exception of properties utilized for agricultural use, truck parking (except the temporary parking for the delivery of goods and/or services) and the outdoor storage of trucks over seventy-five hundred (7,500lbs.) pounds gross vehicle weight and or eight (8) feet in height, buses, and semi-tractor and/or trailers shall not be permitted in residential districts. No vehicles shall be parked for the purposes of advertising alongside interstates and highways in any zoning district.
- 18) PARKING OF NON-COMMERCIAL MOTOR VEHICLES. The parking of recreational vehicles, travel-trailers, boats, vehicle carrier trailers (including automobiles, snowmobiles, motorcycles, etc.), equipment trailers, and other non-commercial motor vehicles associated with residential uses are subject to the following requirements:
- a) At no time shall any parked or stored recreational vehicle be occupied or used for living, sleeping, or housekeeping purpose.
 - b) The Director may require a land owner to verify that the vehicle is licensed and operational.
 - c) In any District the wheels or any similar transporting devices of any recreational vehicle shall not be removed except for repairs, nor shall such vehicle be otherwise permanently fixed to the ground in a manner that would prevent ready removal of said types of mobile structures.
 - d) The outside storage of motor vehicles used for motorsports shall be prohibited.
- 19) SPECIAL AREA DESIGNATION. Development Plans for proposed projects shall identify the location of handicapped spaces, trash receptacles, cart corrals, fire lanes or other special areas as may be required by other local, state or federal laws.

20) OFF -SITE AND SHARED PARKING

- a) Off-Site Parking. Off-site parking may be allowed on another lot that is within five-hundred (500) feet of the lot occupied by the use(s) for which it is required. A formal agreement between property owners shall be provided prior to Development Plan approval. The agreement shall be recorded with the Plat.
- b) Shared Parking. Shared parking may be allowed between two (2) or more lots that share property lines.
 - i) Uses with Similar Business Hours. The total of such off-street parking spaces supplied collectively for multiple uses with similar business hours, where all uses are located within a shopping center or a retail/office/business park subdivision, may be less than the sum of the requirements for the various uses computed separately. In no case shall the sum of the requirements for the various uses be reduced by more than fifteen percent (15%) of the required parking for uses when computed separately as determined by the planning staff.
 - ii) Uses with Dissimilar Business Hours. Churches, civic clubs, auditoriums, lodge halls, banquet halls, movie theaters, and stadiums may make arrangements with existing business establishments which normally have different hours of operation for sharing up to fifty percent (50%) of their required parking spaces (Example 1), provided however, where there is a sharing of facilities by different owners or tenants, there shall be a written agreement approved by the Planning & Zoning Commission. In addition, should any of the uses having a joint agreement after passage of this Ordinance be changed or facilities discontinued, then the required spaces for the use or uses remaining shall be provided elsewhere as a condition precedent to the continued use of the building or buildings. The approved agreement shall be recorded with the County Recorder, and a copy kept on file with the Community Development department.
- c) Approval Requirements. All off-site and shared parking space arrangements are subject to the approval of the Director. Approvals shall be based on the determination that the use of off-site and/or shared parking will not provide hardships for pedestrians, will not result in potentiality hazardous traffic conditions, and will provide an adequate number of parking spaces for the uses involved. The parking needs of possible future uses of the property shall also be considered by the Director.

~~21) PARKING LOTS IN SPECIAL AREAS. Refer to Chapter V: Infill Development Standards for additional parking standards.~~

22) PARKING LOTS IN RESIDENTIAL DISTRICTS. The Planning & Zoning Commission may approve parking lots in the residential zoning districts subject to the following conditions:

- a) The parking lot shall be accessory to and for the use in connection with one or more permitted or Special Exception permitted uses in and adjoining commercial and industrial districts.
- b) The parking lot shall contain not less than five-thousand (5,000) square feet, which shall abut at least fifty (50) feet, either directly or across an alley or street, on the district in which the use for which the parking is provided, permitted or conditionally permitted.
- c) The parking lot shall be used solely for the parking of passenger vehicles and no commercial repair work or service of any kind shall be conducted on the parking lot.

- d) No sign of any kind, other than those designating entrances, exits, conditions or use and penalties for improper use shall be maintained on the parking lot.
 - e) The parking lot located in a residential district shall not be illuminated after 9 p.m., with the exception of multifamily developments.
 - f) Entrances and exits shall be at least twenty (20) feet from any adjacent property located in a residential district.
 - g) Refer to *Section 7.05 – Landscaping Standards* for landscaping and screening standards.
- 23) BICYCLE PARKING. When located within five-hundred (500) linear feet from the nearest property line to a dedicated public bike/ped trail system, all non-residential uses shall provide one designated bicycle parking area for every twenty-five (25) vehicle parking spaces required by this Ordinance, with a minimum provision for three (3) bicycle spaces. Each bicycle area shall provide adequate facilities for securing the parked bicycles.
- 24) MODIFICATION. The Planning & Zoning Commission shall have the authority to modify any of the requirements of this section in accordance with *Subsection 2.02(9)(a)ix*.
- 25) LOADING AND UNLOADING SPACES REQUIRED. Every building used for nonresidential purposes which customarily receives or distributes goods by motor vehicle shall provide sufficient space on the premises for all loading and service purposes on the basis of the following minimum regulations:
- a) Number of Loading and Unloading Spaces Required
 - i) Loading space as required under this section shall be provided as area additional to off-street parking spaces required by other provisions of this chapter and shall not be considered as supplying off-street parking space.
 - b) Loading and Unloading Space Design Standards
 - i) Dimensions. Every loading and unloading space shall not be less than twelve (12) feet in width, forty (40) feet in length, and fourteen (14) feet clearance.
 - ii) Access. Access to truck loading and unloading spaces shall be provided directly from a public street or alley or from any right-of-way that will not interfere with public convenience and that will permit the orderly and safe movement of such trucks.
 - iii) Surfacing. All open loading spaces shall be graded and provided with a durable and dustless hard surface of asphalt, concrete, or other suitable materials capable of withstanding one thousand (1,000) pounds per square inch (psi).
 - iv) Drainage. All loading spaces shall be provided with adequate drainage facilities as approved by the City Engineer during the Development Plan Review process.
 - v) Location. No loading shall occur in a yard abutting a residential use and/or zone unless approved by the Planning & Zoning Commission.
 - vi) Screening. Landscaping and screening shall be as indicated in *Section 7.05 – Landscaping Standards*. The Planning & Zoning Commission shall have the power to determine the need for an additional amount of planting/landscaping, materials, walls, fences or any combination of these as deemed necessary.

- vii) Lighting. When lighting facilities are used, such lighting shall be in accordance with *Section 7.12 – Outdoor Lighting*.

Table 7.2: Number of Loading Spaces	
Buiding Area	Number of Loading Spaces Required
Less than 5,000 square feet	No spaces required
5,000 square feet but less than 20,000 square feet	One (1) space required
20,000 square feet or more	Two (2) spaces required plus one (1) additional space for each 20,000 square feet over the initial 20,000 square feet

- 26) MINIMUM NUMBER OF PARKING SPACES. *Table 7.3: Minimum Parking Space Requirements* shall be used to determine the minimum number of parking spaces required for the specified use.

- a) Maximum Spaces. The maximum number of permitted parking spaces is the minimum required number of spaces plus ten percent (10%).
 - i) For proposed parking lots of more than one-hundred (100) parking spaces that exceed the maximum number of permitted spaces (see *Section 7.02(26)a* above), the Planning & Zoning Commission may increase the minimum amount of required interior landscaping by five percent (5%), and may require that the additional paved area be constructed with pervious pavement.
- b) Requirements for Uses Not Specified. Where a use is not specifically mentioned in *Table 7.3: Minimum Parking Space Requirements*, the requirements for a use which is so mentioned and to which said use is similar shall apply.
- c) Right-of-Way. No parking, loading or servicing of vehicles shall be done on the right-of-way of any publicly dedicated thoroughfare. This section is not intended to exclude vehicles from on-street parking in areas zoned CBD.
- d) Net Floor Area Measurement. For the purpose of determining parking space requirements in this section, the term “net floor area” means the area used for service to the public and excludes area used principally for non-public purposes such as storage, incidental repair, processing, show window, mechanical rooms, elevator shafts, stairwells, rest rooms and dressing rooms. Any derived number with a fractional value of more than fifty percent (50%) shall be rounded to the next highest whole number.

27) PARKING FOR PERSONS WITH DISABILITIES

- i) Required in All Parking Lots Parking spaces for persons with disabilities shall be provided in all parking lots in accordance with Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and Facilities.

- ii) Standards Vehicular access aisle widths shall be the same as for perpendicular parking spaces. A handicap access aisle shall be provided adjacent to each handicap parking space and may be shared between adjacent handicapped parking spaces. If parking spaces are provided for self-parking by employees or visitors, or both, then accessible spaces shall be provided in each such parking area in conformance with the table below. Spaces required by the table need not be provided in the particular lot. They may be provided in a different location if equivalent or greater accessibility, in terms of distance from an accessible entrance, cost and convenience is ensured. Dimensions for disabled parking are provided in *Figure 7.4*.
- iii) Number of Required Parking Spaces The number of parking spaces to be provided for persons with disabilities shall comply with *Table 7.3: Parking for the Disabled*.
- iv) Marking All handicapped accessible spaces shall be clearly marked as such.

Table 7.3: Parking for the Disabled	
Parking Capacity	Required Minimum Spaces for Persons with Disabilities
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total
1,001 and over	20 plus 1 for each 100 over 1,000

Table 7.4: Minimum Parking Space Requirements	
Type of Use	Minimum Required Parking
Agricultural	
Animal Breeding (commercially)	one (1) space per employee on largest shift
Farm Equipment Sales & Service	one (1) space per five hundred (500) square feet of enclosed sales area, plus one (1) space per two thousand five hundred (2,500) square feet of open sales area, plus one (1) space per employee on the largest shift
General Farming Uses	two (2) spaces per dwelling unit
Greenhouse or Plant Nursery	one (1) space per three hundred (300) square feet of interior sales, plus one (1) space per employee on the largest shift
Horse Stable (commercial)	one (1) space per four (4) stalls, plus one (1) space per employee on the largest shift
Truck Garden or Produce Stand	four (4) spaces per individual owner-occupied stand
Residential	
Accessory Apartments	one (1) space per dwelling unit
Amenity Area	one (1) space per three hundred (300) square feet of clubhouse or lodge space, plus one (1) space per two hundred fifty (250) square feet of non-competition pool
Assisted living/Senior Housing	eight-tenths (0.8) spaces for every patient/resident room/unit
Bed and Breakfast Establishment or Boarding House (owner must live on-premises)	one (1) space for each guest room, plus two (2) spaces for the owner
Facility for the Developmentally / Mentally Disabled	one (1) space for each employee on the largest shift, plus one (1) space per three (3) clients
Group Home	one (1) space per five (5) residents, plus one (1) space per employee on the largest shift
Manufactured Home Park	two (2) spaces per unit, plus one (1) visitor space for every two (2) units
Multi-Family	
Studio or 1 Bedroom	one (1) space per unit, plus one (1) visitor space per three (3) units
2 Bedrooms	1.6 spaces per unit, plus one (1) visitor space per three (3) units
3 Bedrooms	1.8 spaces per unit, plus one (1) visitor space per three (3) units
4 Bedrooms	two (2) spaces per unit, plus one (1) visitor space per three (3) units
each bedroom after 4	add 0.5 spaces per additional bedroom
Nursing home or convalescent care facility	one (1) space for every four (4) beds, plus one (1) per employee on the largest shift
Single-, two-family, and manufactured home	
Up to 3 Bedrooms	two (2) spaces per unit
4 or more Bedrooms	three (3) spaces per unit
Institutional	
Education	
Elementary and Junior High/Middle School	two and one-half (2.5) spaces per classroom
High School	one (1) space for every five (5) students of design capacity, plus two (2) spaces for each classroom OR one (1) space for every four (4) seats in any auditorium or assembly hall, whichever is greater
Nursery School	one (1) space per employee on largest shift, plus one (1) space per five (5) attendees
University, College or Vocational School	one (1) space for every three (3) students of design capacity
Other	
Club or Lodge	one (1) space for every fifty (50) square feet of net floor area
Community Center	one (1) space for every three (3) people at maximum capacity
Funeral Home	one space for every seventy-five (75) square feet of parlor or chapel space; or one (1) space per five (5) seats, whichever is greater. This number shall be exclusive of spaces dedicated to hearses, company vehicles or ambulances
Government and Municipal Building	one (1) space for each three hundred (300) square feet of net floor area
Hospital	one (1) space for each two (2) patient beds (excluding bassinets), plus one (1) space for each person on largest shift
Places of Worship	one (1) space per four (4) fixed seats or eighteen (18) linear feet of bench; if no fixed seating, one (1) space per twenty-eight (28) square feet of main auditorium space
Police/Fire Station	one (1) space for every three hundred (300) square feet of net floor area, plus one (1) space for each vehicle used for fire or police protection
Post Office	one (1) space for each employee, plus one (1) space for every two hundred (200) square feet of usable floor area
Public Library, Art Gallery, or Museum	one (1) space for every five hundred (500) square feet of net floor area
Recycling Center (public)	one (1) space per two thousand five hundred (2,500) square feet of processing /storage space
Recycling Center (sorting/distribution)	one (1) space per five thousand (5,000) square feet of processing / storage space, plus one (1) space per three hundred (300) square feet of administrative/office area
Utility Service Facility/Office	one (1) space per three hundred (300) square feet of administrative/office area, plus one (1) space per company vehicle
Veterinarian Clinic/Animal Hospital (temporary boarding only, for ill or injured animals)	one (1) space for each examination room plus two (2) space for each fifty (50) square feet of reception area

Table 7.4: Minimum Parking Space Requirements	
Type of Use	Minimum Required Parking
Parks & Recreation	
Active Recreation Area (athletic fields, tennis courts, basketball, soccer, baseball, softball, football, playgrounds, etc.)	one (1) space per acre, plus twenty (20) spaces per field, plus five (5) spaces per court
Amphitheater	one (1) space per three (3) seats, plus one (1) space per twenty-five (25) square feet of open seating area, plus one (1) space per employee on the largest shift
Driving Range	one and one-half (1.5) spaces per tee
Golf Course	two (2) spaces for each hole plus one (1) space for each one hundred (100) square feet of net floor area of the clubhouse
Passive/Low Intensity Recreation (unimproved backpacking trails, unimproved hiking trails, picnic areas, primitive camping areas, canoeing and rafting areas, etc.)	two (2) spaces per mile of trail; or one (1) space per three (3) acres
Swimming Pool (excluding private pools on residential lots)	one space for each one hundred (100) square feet of pool and pool deck area
Commercial	
Adult	
Sexually Oriented Business (unlicensed massage parlors, adult book stores, adult entertainment services, etc.)	one (1) space for every three (3) seats; OR one (1) space per two hundred (200) square feet of net floor area, whichever is greater
Motor Vehicle Services	
Motor Vehicle Filling Station	one (1) space for each pump
with service bays	add one (1) space for each bay or work area
with convenience store	one (1) space for each three hundred (300) square feet of enclosed net floor area
Motor Vehicle Sales (automobile, recreational vehicles, motorcycle, truck, trailer, etc.) Customer & Employee Parking	one (1) space for each five hundred (500) square feet of net floor area of sales, shop or garage, plus one (1) space per two thousand five hundred (2,500) square feet of open sales area
Motor Vehicle Service and Repair	three (3) spaces for each bay or work area
Entertainment	
Auditoriums and places of assembly with or without fixed seats	one (1) space per one hundred fifty (150) square feet of seating/display area
Drive-In Movie Theater	one (1) space per vehicle at maximum capacity plus three (3) spaces for employees
Indoor Recreation (billiards, video arcades, ice/roller skating rink)	one (1) space for every four (4) seats; or one (1) space for every four (4) people at maximum capacity
Miniature Golf	one (1) space for every hole
Movie Theater	one (1) space for every four (4) seats, plus one (1) space for each employee
Recreation, Commercial (water parks, sports arenas, batting cages, amusement parks, motor vehicle or animal racing facilities, etc.)	one (1) space for each three (3) seats; or one (1) space for each participant at maximum utilization, whichever is greater
Service Businesses	
Animal Boarding Facility (includes kennel)	one (1) space for every four hundred (400) square feet of net floor area, excluding animal exercise areas
Business, Commercial Service	one space for each three hundred (300) square feet of net floor area
Contractors Service	one (1) space for each five hundred (500) square feet of net floor area
Dance/Aerobics/Gymnastics/Martial Arts Studios	one (1) space for every two hundred fifty (250) square feet of floor area, plus adequate area for safe and convenient loading and unloading of students
Day Care Center (child/adult)	one (1) space for every four (4) attendees; minimum six (6) spaces
Health Service (health club, fitness facility, health spa, etc.)	one (1) space for every three hundred (300) square feet of net floor area
Hotel/Motel	one (1) space for each sleeping room plus one (1) space for each four hundred (400) square feet of public meeting area and/or restaurant space
Personal Service (barber shops, beauty parlors, nail salon, etc.)	two and one half (2.5) spaces per customer services chair
Self Service Storage Facility	one (1) space for each twenty (20) rental storage units; no less than three (3) spaces
Shoe Repair	one (1) space for every four hundred (400) square feet of net floor area
Professional/Office	
Clinics	one (1) space for every four hundred (400) square feet of net floor area
Financial Institutions	one (1) space for every three hundred (300) square feet net floor area, plus stacking space for five (5) vehicles at each vehicular service window
Bank Machine / AT M Walk-Up Facility	two (2) spaces per AT M
Professional Office (general, law, insurance, travel, design, etc.)	one (1) space for each three hundred (300) square feet of net floor area
Restaurant/Food Preparation	
Bakery, Retail	one (1) space for every five hundred (500) square feet of floor area; minimum five (5) spaces
Coffee Shop	one (1) space per two (2) seats; minimum six (6) spaces
Restaurant	one (1) space per three (3) seats, plus one (1) space for each employee on largest shift
with vehicular service window	one (1) space per two (2) seats, plus seven (7) stacking spaces per drive-through lane, where applicable
if no indoor seating	minimum ten (10) spaces
Bar / Tavern	one (1) space for every three (3) seats; OR one space for each one hundred square feet of net floor area, whichever is greater(100)

Table 7.4: Minimum Parking Space Requirements	
Type of Use	Minimum Required Parking
Retail Businesses	
Business, Retail	one space for each three hundred (300) square feet of net floor area; minimum six (6) spaces
Supermarket / Convenience Store	up to 5,000 square feet: one (1) space for every two hundred fifty (250) square feet of net floor area greater than 50,000 square feet: one (1) space for every three hundred (300) square feet of net floor area
Hardware Store / Appliance Sales	one (1) space for every four hundred (400) square feet of net floor area
Apparel / Shoe Store	one (1) space for every three hundred (300) square feet of net floor area
Furniture Store	one and one half (1.5) spaces for every one thousand (1000) square feet of net floor area
Business, Wholesale	one (1) space for each five hundred (500) square feet of net floor area
Shopping Center / Big Box	
≤ 100,000 square feet gross leasable	one (1) space per three hundred (300) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
between 100,001-500,000 sq ft gross leasable area	one (1) space per three hundred fifty (350) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
> 500,000 sq ft gross leasable area	one (1) space four hundred (400) square feet
Industrial	
Manufacturing	
Research and Testing	one (1) space per employee on largest shift, plus one (1) visitor space per ten (10) employees
Salvage Yard	
Solid Waste Transfer Station	
Logistics and Distribution Facilities (High Cube)	Vehicle Parking: one (1) space for every one thousand (1,000) square feet of Gross Floor Area (GFA) for the first twenty-thousand (20,000) square feet; one (1) space per two thousand (2,000) square feet for the second twenty-thousand (20,000) square feet; one (1) space per five thousand (5,000) square feet for that portion over forty-thousand (40,000) square feet. No additional spaces if office area is less than ten (10%) percent of the total building square footage. Office space rate if office area is over ten (10%) percent of the total building square footage. Truck and Trailer Parking: one (1) oversized truck space for every five thousand (5,000) square feet of GFA* *Truck docks shall not be included in this calculation.
Warehousing Facilities	one (1) space for every eleven-thousand (11,000) square feet of Gross Floor Area (GFA) for the initial forty-thousand (40,000) square feet; one (1) space per forty-one thousand (41,000) square feet of additional GFA greater than four-hundred-and-one-thousand (401,000) square feet; four (4) spaces per eleven-thousand (11,000) square feet of GFA of office space. Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use.

Table 7.4: Minimum Parking Space Requirements	
Type of Use	Minimum Required Parking
Retail Businesses	
Business, Retail	one space for each three hundred (300) square feet of net floor area; minimum six (6) spaces
Supermarket / Convenience Store	up to 5,000 square feet: one (1) space for every two hundred fifty (250) square feet of net floor area greater than 5,000 square feet: one (1) space for every three hundred (300) square feet of net floor area
Hardware Store / Appliance Sales	one (1) space per four hundred (400) square feet of net floor area
Apparel / Shoe Store	one (1) space per three hundred (300) square feet of net floor area
Furniture Store	one (1) space per one thousand (1000) square feet of net floor area
Business, Wholesale	one (1) space per five hundred (500) square feet of net floor area
Shopping Center / Big Box	
≤ 100,000 square feet gross leasable area	one (1) space per three hundred (300) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
between 100,001-500,000 sq ft gross leasable area	one (1) space per three hundred fifty (350) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
> 500,000 sq ft gross leasable area	one (1) space per four hundred (400) square feet
Industrial	
Manufacturing	one (1) space per employee on largest shift, plus one (1) visitor space per ten (10) employees
Research and Testing	
Salvage Yard	
Solid Waste Transfer Station	
Warehousing, Distribution, or Flex Tenant	

Sec. 7.03 – ENTRANCE/DRIVE STANDARDS

- 1) **INTENT.** The purpose of these entrance and drive standards is to provide for a safe and efficient vehicular and pedestrian transportation system by establishing minimum standards for site entrance drives, driveways, and interior drives.
- 2) **GENERAL ENTRANCE/DRIVE STANDARDS APPLICABLE TO ALL ZONING DISTRICTS.**
 - a) General Requirements. All driveways and interior drives shall conform to the following design requirements:
 - i) **Entrance Drives and Driveway Widths.** Entrance drives shall conform to the following minimum pavement widths up to and at the point which they intersect the public right-of-way. The distances for these standards shall be determined by measuring from the outside edges of the curb or pavement (whichever is more) of the entrance or drive at the public right-of-way which it accesses. The distance shall not include any acceleration or deceleration lanes or turning radii. The width shall be:
 - (1) Fourteen (14) feet per lane (exclusive of any medians) if from a non-residential or multifamily residential use onto any type of street, and
 - (2) Twenty-four (24) feet total if from a residential major subdivision onto any type of street.
 - (3) Twelve (12) feet for an individual residential driveway onto a local street and fourteen (14) feet for one and two-family residential driveways onto arterial or collector streets.
 - ii) **Design and Construction of the Parking Lot Entrance Drive.** For every new or converted multi-family, commercial, industrial and quasi-public use, the following standards shall apply:

- (1) Length of entrance drive to be kept free of parking maneuvers (backing up, three-point turns, initial parking) shall meet the requirements of *Table 7.5: Parking Lot Drive Length*.
 - (2) Each ingress or egress aisle/driveway shall have a minimum width as identified in *Table 7.1: Parking Dimensions*, dependent on the angle of parking. Each aisle/driveway shall be so designed so as to provide for adequate turning and maneuvering. Each ingress or egress aisle/driveway shall be improved with hard, dust free surface materials (excluding gravel) from the street apron to the entrance of the parking area.
 - (3) There shall be no more than two (2) access ways providing for ingress or egress on any one street unless for good cause shown and approved by the City Engineer.
 - (4) Ingress and egress driveways shall not be used to meet the requirements of *Table 7.3: Minimum Parking Space Requirements* as stated in this section and thereby block the reasonable flow of vehicles to parking spaces. Parking arrangements within ingress and egress driveway areas shall be approved by the Planning & Zoning Commission.
- iii) Travel Direction. The direction of travel for vehicles using entrances shall be as follows:
- (1) All entrances providing access to a public right-of-way from all lots used for nonresidential or multifamily development shall be designed so that vehicles are traveling in a forward direction when entering and leaving.
 - (2) In no case may any entrance for any use, except residential uses, be designed to require a vehicle to back onto any arterial or collector street.
- iv) Shared Entrances and Drives. Shared entrances and drives are encouraged for all uses in all zoning districts, specifically for any multifamily residential or nonresidential uses accessing a Major Collector or Arterial street.
- (1) Access Easements. All shared entrances and drives shall be constructed only in appropriate access easements. Easements must be recorded before usage commences.
 - (2) Required Documentation. A permanent documentation of any shared entrance and drive agreement must be signed by all involved property owners. The permanent written agreement shall include, but is not limited to the following items: maintenance, snow removal, ownership, and liability. The agreement, which can be amended and assigned shall be reviewed and approved by the City Engineer and duly recorded with the County Recorder. Any changes to the agreements must be accomplished with the consent of the Community Development Director. A copy of the agreement shall be retained for the files of the Planning & Zoning Commission. The agreement shall be recorded prior to the issuance of the occupancy permit.

Table 7.5: Parking Lot Entrance Drive Length	
Parking Spaces	Distance in Feet
1-39	20
40-99	40
100-300	60
300 or more	60, plus 20 additional for each 500 additional parking spaces

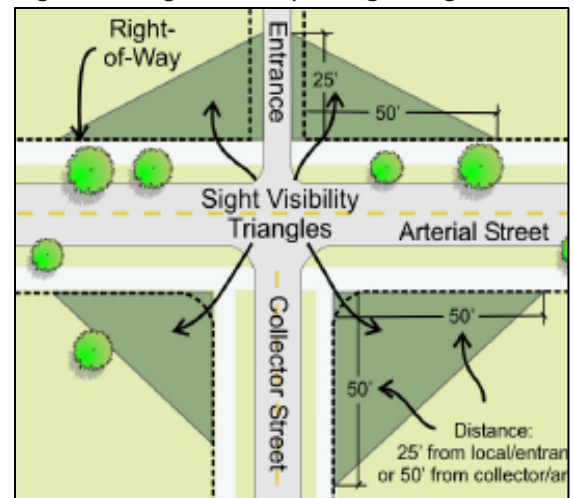
- v) Internal Drives. Internal drives may be public or private streets that are part of the hierarchy of travelways in multifamily and commercial subdivisions, providing access to and connecting the main entrance drive, parking lots and outparcels.
 - (1) Commercial Area Internal Linkages. All uses located in a commercial zoning district shall provide interior drives that allow access between existing and proposed commercial uses on adjacent properties.
 - (2) The internal road minimum width shall be twenty (20) feet for multifamily and nonresidential uses and districts.
 - (3) The interior drives may be required to be curbed, provide pedestrian access and landscaping.
 - (4) Cross-Access Required. The drives must be designed as a single two-way drive or a pair of one-way drives that provide access between the parking lots and interior drives of all adjoining commercial uses.
 - (5) Separation. Interior drives providing cross-access between adjacent parcels shall be separated from the right-of-way of any such street by a minimum distance specified by the City Engineer (based on the vehicle stacking requirements of the entrance(s) to the property from the public street).
 - vi) Curbs. All entrances and interior drives for property used for purposes other than agriculture, single-family residential, or two-family residential shall generally be completely curbed. Curbing shall not be required if, in the opinion of the City Engineer, the drainage system for the property shall be best served if curbs were not present.
 - vii) Driveway Separations. Driveway locations shall conform to the requirements for separation in Section 304.4 of the *City of Villa Rica Development Regulations*.
- 3) MODIFICATION. The Planning & Zoning Commission shall have the authority to modify any of the requirements of this section in accordance with *Subsection 2.02(9)(a)ix*.

Sec. 7.04 – SIGHT VISIBILITY

- 1) Sight Visibility Triangle
 - a) All properties, with the exception of those located in the Central Business District (CBD), shall maintain an area (the “sight visibility triangle”) at every intersection of an adjoining street with other streets and entrance drives. The sight visibility triangle shall be free of structures, vegetation, signs (other than street signs), fences, and other opaque or partially opaque objects between a height of two (2) and eight (8) feet measured from the nearest top-of-curb (or edge of pavement where curbs are not present).
 - b) The Sight Visibility Triangle shall be determined by a diagonal line connecting two points measured twenty-five (25) feet from the intersection of residential or local street / entrance drive lines, and fifty (50) feet from the intersection of arterial or collector street lines, or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended. These standards shall not apply to official warning signs or signals necessary to the public safety.

- 2) Median and Intersection Visibility. No fence, wall, sign, hedge, tree or shrub planting, or other similar item which obstructs sight lines and elevations between two (2) and eight (8) feet above the street shall be placed within any median area within one-hundred (100) feet of an intersection. No walls, rocks, or boulders larger than two (2) feet in any dimension shall be placed in the median.
- 3) Stop Sign Visibility. No trees shall be planted in any portion of a public street right-of-way within one-hundred fifty (150) feet of a stop sign. Required street tree plantings shall be planted outside of the right-of-way.

Figure 7.2: Sight Visibility Triangle Diagram



Sec. 7.05 – LANDSCAPING STANDARDS

- 1) PURPOSE. The purpose of this section is to provide minimum standards for landscaping that visually enhances development, defines circulation routes, reduces heat and glare in parking areas, and provides screening between incompatible land uses.
- 2) APPLICABILITY. This section shall apply to new property development and any expansion of existing legally conforming sites or structures that exceeds thirty-five percent (35%) in conformance with *Section 1.04 – Applicability and Compliance*.
- 3) GENERAL REQUIREMENT FOR SUBMITTAL. Any property to which this section applies shall submit a landscape plan as part of the Development Plan or Plat review process. Landscape plans shall be prepared and sealed by a professional landscape architect registered in the State of Georgia, unless waived by the Director. The landscape plan shall contain the following information:
 - a) Plans shall be prepared on 24"x36" sheets at a scale no less than 1" = 50' to indicate all types of proposed landscaping improvements and shall include the following minimum information:
 - i) North arrow and scale.
 - ii) The name of applicant/owner.
 - iii) The name, address and phone number of the person or firm responsible for the preparation of the plan.
 - iv) The dates the plans are submitted and/or revised.
 - v) All existing and proposed buildings and other structures, paved areas, planted areas, underground utilities, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.
 - vi) All existing plant material to be removed or retained and all new landscaping materials to be installed.
 - vii) All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.
 - viii) All property lines and easements.
 - ix) Any other information which is deemed appropriate by the Director.

- x) Details shall be shown for the planting of the types of trees, shrubs and ground cover within the buffer yard or landscaped area.
- 4) APPROVAL.
- a) No site or Development Plan required under this Zoning Ordinance shall receive secondary approval unless a buffer yard and landscape plan has been submitted and approved.
 - b) No final approval of the Land Disturbance Permit shall be granted unless the following criteria are fully satisfied with regard to the approved buffer yard and landscape plan:
 - i) Such plan has been fully implemented on the site; or
 - ii) Such plan, because of seasonal conditions, cannot be implemented immediately, but has been guaranteed by a postponed improvement agreement in accordance with *Subsection 7.05(5)(h) – Assurance of Installation/Completion*.
- 5) GENERAL LANDSCAPING STANDARDS. Buffer yard and landscape materials shall consist of the following items as indicated below. The proposed landscape materials should complement the form of the existing vegetation, as well as the development's general design and architecture. The cultural conditions (shade, sun, moisture, and location of planted material) should be considered in selecting plant materials.
- a) Maintenance of Landscaping and Buffer yards. All landscape materials shall be installed and maintained according to accepted nursery industry procedures.
 - i) The owner of the property shall be responsible for the continued property maintenance of all landscaping materials and buffer yards, and shall keep them in a proper, neat and orderly appearance, free from refuse and debris at all times.
 - ii) All unhealthy or dead plant material shall be replaced within one (1) year, or by the next planting period, whichever comes first.
 - iii) Violation of these installation and maintenance provisions shall be grounds for the Community Development department to: fine the owner of the property in violation of the conditions of the Improvement Location Permit; require replacement of the landscape material; or institute legal proceedings to enforce the provisions of this section.
 - iv) Landscape materials are intended to grow, spread and mature over time. Landscaping materials used to fulfill requirements of this chapter may not be topped or otherwise treated so as to reduce overall height. Pruning, limbing-up, topping, and other inhibiting measures including removal may only be practiced to insure the public safety or to preserve the relative health of the material involved.
 - b) Buffer yard and Landscaping Establishment. Once the landscape plan has been approved by the Planning & Zoning Commission or its designee and established by the owner, it may not be used, disturbed or altered in any way that would decrease its effectiveness for any purpose.
 - c) Earthen Mounds. Earth mounds shall be physical barriers that block or screen the view, similar to a hedge, fence or wall. Mounds shall be constructed using approved fill and with a maximum slope of 3:1 (run:rise) and planted with proper and adequate plant materials to prevent erosion. A difference in elevation between areas requiring screening does not constitute an existing earth mound and shall not be considered as fulfilling any screening requirement.
 - d) Plant Material. Artificial plants are prohibited. All plant materials shall be living plants and shall meet the following requirements. Plant materials used in conformance with the provisions of

this chapter shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.

- e) Ground Cover. Any part or portion of a nonfarm parcel that is not used for structures, loading or parking spaces, sidewalks, etc., shall be landscaped or left in a natural state that complies with the applicable ordinances of the City of Villa Rica. If landscaped, it shall be planted with an all-season ground cover and with trees and shrubs in accordance with the requirements of this Ordinance and in keeping with the natural surroundings.
- f) Preservation of Existing Vegetation. Any existing vegetation that is retained, and that meets the species and location requirements of this section, may be counted towards fulfilling the minimum landscaping requirements, subject to the approval of the Community Development Director. No construction activity of any kind shall take place within the area defined by the drip-line of any vegetation that is to be retained and counted as fulfilling these requirements.
 - i) Protected Trees. Consistent with the expressed purposes of this subsection, all persons shall make reasonable efforts to preserve and retain any existing, healthy, self-supporting trees, referred to as “protected trees.” The minimum size of trees to be protected: deciduous trees - six (6) inch caliper; evergreen trees - eight (8) inch caliper; and ornamental trees - two (2) inch caliper. No person shall take out, destroy, cause to be destroyed, move or remove any protected tree in preparation for development activity without first obtaining a Land Disturbance Permit from the Community Development department.
 - (1) To further encourage the preservation of existing trees, each protected tree that is preserved and is greater than eight (8) inches in caliper may be counted toward the required landscape materials at a rate of two (2) required shade or evergreen trees or four (4) required ornamental trees. Preserved trees may not count toward the caliper inches required for mitigation of any trees removed.
 - (2) Exemptions. The requirements of this subsection shall be followed except:
 - (a) During a period of emergency, such as a tornado, ice storm, flood or any other such extreme act of nature;
 - (b) If the failure to remove a tree would constitute an imminent danger to the environment, property, public health, safety, or welfare due to the hazardous or dangerous condition of such tree;
 - (c) For necessary tree removal by a public agency or utility company within plotted or dedicated utility easements;
 - (d) In an area upon which a permanent structure is located or will be located within a lot building area for all zoning districts;
 - (e) With respect to trees on developed single-family lots;
 - (f) With respect to trees of less than twelve (12) caliper inches on all lots less than 20,000 sq. ft.;
 - (g) With respect to dead, substantially injured, diseased or damaged trees;
 - (h) Government agencies, tree farms, nurseries and agricultural uses shall be exempt from this subsection provided tree removal is consistent with normal and regular business activity.

- (3) Requirements for Development Plans. All applications for a Land Disturbance Permit or Development Plan Review that will require removal of protected trees shall include a protected tree plan or indicate on the demolition, grading and landscape plans the following:
 - (a) A scale map or a plot plan showing the proposed development and noting the location of all protected trees. Tree stands may be outlined giving species and category of trees.
 - (b) Notations regarding which protected trees are to be removed, replaced, or are requested to be counted toward landscaping requirements.
 - (c) Methods of protection.
 - g) Measurement Standards. All new trees required to be planted by this Ordinance shall be measured as follows:
 - i) All broadleaf / deciduous trees shall be two and one-half (2½) inches in diameter (DBH- Diameter at Breast Height) at the time of planting, measured at six (6) inches above the root ball.
 - ii) All evergreen conifers shall be four (4) feet in height at the time of planting, measured from the top of the root ball.
 - iii) All shrubs shall be twenty-four (24) inches in height at the time of planting, measured from ground level.
 - h) Assurance of Installation/Completion. Plant material used for buffer yards, medians, entrances, ponds, or street or subdivision perimeter landscaping shall be designated as “Common Area” or as a landscape easement on the landscape plan(s), and shall be installed prior to the recording of the plat of the subdivision. A final Certificate of Occupancy shall not be issued until all landscaping shown on the landscape plan has been installed. A temporary Certificate of Occupancy may be issued for the property for a period of up to six (6) months as weather conditions permit landscape installation, provided that the developer shall submit a financial guarantee in the amount of one-hundred twenty-five percent (125%) of the installed cost of landscaping when planting has to be delayed.
 - i) Bonding. The applicant shall also have the option of posting a bond equal to one-hundred fifty percent (150%) of the material and installation costs identified on the plan if the installation of buffer yard and landscaping materials are to be completed at the end of a project. This bond will permit the City to contract the installation of the approved landscape plan, with the applicant’s landscape contractor, at the required “prevailing wage rate” should the applicant fail to install the landscape plan within one (1) complete growing season. The “Prevailing wage rate” is the rate at which the City must pay a contractor to provide services for the City. If the applicant desires bonding, the applicant shall revise the cost annually to account for increases in costs of labor and materials.
 - j) Utility Easement Conflicts. Required plant material shall be located in areas exclusive of drainage and utility easements and overhead utilities. Plant material shall not be placed in the road/street right-of-way without permission from the City Engineer.
- 6) PARKING AREA LANDSCAPING

- a) Perimeter Landscaping for Off-Street Parking Areas. All parking lots, including parking spaces (excluding interior drives and loading/unloading areas), shall be separated from all public or private street rights-of-way by a landscape screen that is a minimum of twenty (20) feet in width. Parking areas adjacent to other developed parcels shall require a planting area that is a minimum ten (10) feet in width. Trees shall be provided for interior drives per *Subsection 7.05(8) – Street Tree Planting Requirements*. Screening may consist of any of the following options or a combination:
- i) **Planting.** A minimum of one (1) tree shall be provided for every thirty (30) linear feet of landscaped area. The trees may be a combination of deciduous and evergreen. The tree requirement may be reduced or eliminated if street trees are provided per *Subsection 7.05(8)* and are within thirty (30) feet of the edge of the parking area. In addition, a minimum of one (1) shrub shall be provided at a minimum of every three (3) feet in order to form a continuous screen a minimum of thirty-six (36) inches high within two (2) years of planting. The spacing may be wider than three feet depending on shrub selection and with approval by the Director. A minimum of fifty percent (50%) of the required shrubs shall be evergreen; or
 - ii) **Landscape Berm.** A landscaped berm that is a minimum of three (3) feet in height shall be provided along the length of the landscaped area. Trees shall be provided and shrubs where the berm tapers to less than thirty-six (36) inches to maintain a continuous screening height of thirty-six (36) inches.
- b) Perimeter Landscaping for Off-Street Parking Lots adjacent to Residential Uses or Zoning Districts. Parking lots shall be screened adjacent to the residential use or zoning district to a minimum height of four (4) feet in accordance with the appropriate buffer yard as determined by *Table 7.8: Applicable Buffer Yard Types* and *Table 7.9: Buffer Yard Types Description*.
- c) Interior Landscaping for Off-Street Parking Areas. Parking areas (including loading, unloading and storage areas) containing more than twenty-five (25) vehicular parking spaces, shall provide interior landscaping in addition to the previously required perimeter landscaping. Interior landscaping may be contained in peninsulas or islands.
- i) **Landscaping area.** Five percent (5%) of vehicular use area shall be landscaped. However:
 - (1) **Minimum area.** The minimum landscape area permitted shall be one-hundred eighty (180) square feet with trees planted a minimum of four (4) feet from the curb or the edge of the pavement;
 - (2) **Distribution.** The required landscape areas are to be adequately dispersed throughout the off-street parking areas; and
 - (3) **Ground Cover.** Shrubs, ground cover, and other live plant material shall be used to fill the rest of the interior landscaped area.
 - ii) **Maximum Spaces.** The maximum number of permitted parking spaces is the minimum required number of spaces plus ten percent (10%).
 - (1) For proposed parking lots of more than one-hundred (100) parking spaces that exceed the maximum number of permitted spaces (see *Subsection 7.02(26)a* above), the Planning & Zoning Commission may increase the minimum amount of required interior

landscaping by five percent (5%), and may require that the additional paved area be constructed with pervious pavement.

- iii) A minimum of one (1) broadleaf/deciduous tree providing shade at maturity shall be provided for every one-hundred eighty (180) square feet of landscaped area. To obtain minimum desired coverage, the maximum spacing between required canopy trees shall be one-hundred (100) feet.
 - (1) As trees mature, trees shall have a clear trunk to at least five (5) feet above the ground, and the remaining plant material shall be maintained not to exceed three and one-half (3½) feet in height.
 - iv) Vehicle overhang. Parked vehicles may hang over the interior landscaped area no more than two (2) feet, as long as concrete or other wheel stops are provided to insure no greater overhang or penetration of the landscaped area.
- 7) RESIDENTIAL LANDSCAPING. Landscaping as stated below shall be required for all single- and multifamily subdivision development, and developments under the horizontal property regime prior to the issuance of a Certificate of Occupancy. Extensions of up to one-hundred twenty (120) days may be granted to take advantage of optimal planting conditions.
- a) Major Subdivision Perimeter Landscaping. Landscaping plant material shall be provided on the perimeter of major subdivision development when adjacent to a public right-of-way as follows:
 - i) A twenty (20) foot wide landscape area adjacent to the road or right-of-way shall be provided. The landscaping shall be designated as “common area” or placed in a landscape easement. All attempts should be made to avoid conflicts with drainage and utility easements that would prevent the installation of landscape materials in accordance with the Ordinance.
 - ii) Trees shall be provided at a minimum rate of five (5) trees per one-hundred (100) linear feet of perimeter planting. Trees shall be staggered throughout the planting area and no two (2) trees shall be closer than twenty (20) feet. Perimeter plantings shall be a roughly equal mix of deciduous canopy trees and evergreen trees. Up to twenty-five percent (25%) of the trees may be of the ornamental type for color and accent.
 - iii) Shrubs shall be provided at a minimum rate of ten (10) per one-hundred (100) linear feet of perimeter planting. Medium to large shrubs are encouraged in the twenty (20) foot wide landscape area.
 - iv) Calculation. Trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one-hundred (100) feet.
 - v) Planting Pattern. It is suggested that the required trees and shrubs be at least fifty percent (50%) evergreen, planted in clusters or irregular patterns, and shall be combined with perimeter fences, walls, or mounds as detailed below.
 - b) Subdivision Perimeter Fences / Walls / Mounds. One of the following landscaping options shall be required in addition to the plant material specified above in *Subsection 7.05(7)*.
 - i) Decorative perimeter fences/walls shall be combined with plant material and shall be constructed of masonry, stone, wood, or decorative metal. Fences/walls constructed of synthetic materials that simulate natural materials will also be considered. Fences/walls shall be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height.

- Transparent (open) or opaque fences/walls may be used. Fencing/walls may only be provided by the developer and only located in the area designated as “common area” or “landscape easement.” Landscaping may be placed on the right-of-way side of the fence/wall, outside of the public right-of-way.
- ii) **Mounds.** Mounds shall be combined with plant material, as described above, and may include fencing. Mounds shall be located in an area designated as “Common Area” or “landscape easement.” Mounds shall be a minimum of three (3) feet in height. Maximum side slope shall not exceed a three to one (3:1) ratio. Continuous mounds (levee look) are not permitted.
 - c) **Common Area.** Where a Common Area is designated on the plat or Development Plan of a residential project, a Property or Homeowner’s Association shall be formed and shall be required to provide necessary maintenance to said common areas as per *Subsection 7.13(3)(h)*.
 - d) **Individual Lot Landscaping.** The minimum landscape package for front and side yards shall be consistent with *Table 7.7: Individual Residential Lot Landscaping* and the following:
 - i) The minimum number of shrubs required is a total for the side and front yard combined, not for each yard individually.
 - ii) Lots that have existing trees in the front yard that meet the required minimum shall not be required to plant additional trees. In order for the existing trees to qualify as an existing tree it must be a minimum size of two (2) inch caliper measured six (6) inches above the existing ground elevation at the base of the tree and be part of the finish landscape package upon completion of the residence and the final lot grading.
 - iii) In addition to the above requirements, landscape packages for corner lots shall include a street side-yard (which shall be defined as the yard fronting the street on the side of the house that does not face the street) plan of one (1) evergreen tree and twelve (12) shrubs.
 - iv) All trees shall be planted such that upon maturation the branches and limbs shall not interfere with the adjacent property use. Any tree becoming such a nuisance shall be trimmed or cut back to eliminate the nuisance by the property owner.
 - v) Plant material shall be placed out of the Sight Visibility Triangle at intersections as per *Section 7.04 – Sight Visibility*. There should be a clear visibility zone between thirty-six (36) inches and nine (9) feet maintained by the property owner.
 - vi) Trees shall not be planted in the right-of-way.

Table 7.7: Individual Residential Lot Landscape			
Zoning District	Number of Trees	Minimum Number of Shrubs	Front Yard Sod
AG	3	12	no
R1	3	12	no
R2	2	10	yes
SFA	2	10	yes

For PUDs, single-family residential developments shall comply with the requirements of the zoning district most closely reflective of the density of development contained in this subsection.

- 8) **STREET TREE PLANTING REQUIREMENT.** The following are street tree planting requirements for all districts:
- a) **Requirements.** Trees along public streets shall be planted in such a manner, type, quality and location as approved by the Planning & Zoning Commission and the same requirement shall apply to all streets with or without undeveloped frontage.
 - i) One (1) street tree shall be placed every forty (40) to sixty (60) feet outside of the right-of-way per the City Engineer, but within five (5) feet of the edge of the right of way in order to contribute to the streetscape.
 - ii) The tree location is to be at least twenty (20) feet from fire hydrants or utility poles.
 - iii) A suitable tree is to be used when planting under or within ten (10) lateral feet of overhead utility wires which will not affect the transmission or service of overhead utility services, subsurface drains, driveways, sidewalks, and underground utilities. Refer to *Table 7.12: Trees for Planting on Streets and Highways that Minimize Conflict with Overhead Utilities* for suitable trees.
 - iv) The developers shall be required to maintain the trees for one (1) year after the trees are planted and shall replace any tree which dies within such one (1)-year guarantee period. Upon completion of a street planting, the landscape contractor shall contact the Director or his/her designee for a preliminary inspection. The guarantee period shall begin after the approval by the Planning Director. A final inspection shall be made at the end of the guarantee period. All trees not exhibiting a healthy, vigorous growing condition, as determined by the City's inspection, shall be promptly replaced at the expense of the developer.
 - v) **Replacement Trees.** A person who removes, damages or causes to be removed a public tree from tree lawn or other public place shall be required to replace the tree at his or her own expense. The replacement tree shall be a species from *Table 7.13: Trees for Planting on Streets, Highways, and Parking Lots* or *Table 7.14: Trees for Planting on Streets and Highways that Minimize Conflict with Overhead Utilities*.
- 9) **RETENTION POND LANDSCAPING.** Shrubs and emergent vegetation are encouraged to be planted on pond perimeters. These plants may be exempt from minimum required plant sizes set forth in *Subsection 7.05(5)*. The use of this plant material is more desirable than nonnative manicured turf in order to provide color, filter runoff, limit waterfowl, and improve water quality.
- a) Choose plant material that is native to Georgia.
 - b) Pond edge seed mixes are available from local suppliers. Pond edge landscaping may also be established from seed.
 - c) Maintenance shall be consistent as it may take up to three (3) years to mature.
 - d) Plant denser ground covers around outfall and drainage outlets to control erosion and stabilize the ground.
- 10) **WASTE CONTAINERS/ RECYCLING CONTAINERS / SERVICE STRUCTURES SCREENING REQUIREMENTS.** WITH the exception of single-family residential districts, no owner, tenant or occupant of any lot in any district may store, place, or keep, or permit to be stored, placed or kept on that lot, any combination of dumpsters, compactors, grease dumpsters or any other waste or garbage containers (hereinafter referred to as "containers"), that exceed a total of one-hundred twenty (120) gallons in

capacity, outside an enclosed building, except for collection purposes as is otherwise permitted in this Ordinance, unless the following conditions are met.

- a) The containers shall be located on a concrete pad that is enclosed by a three-sided structure constructed of masonry construction or wood sufficient to provide complete visual screening of the containers to a height of twelve (12) inches above the top of the containers. The unit shall be constructed with materials similar to the principal structure. The structures shall not be located closer than twenty (20) feet from any dwelling on an adjacent residential lot. The structure shall not project into or be located on a front or side yard. It may be located in a rear yard but shall be not less than five (5) feet from any rear or side lot lines. On corner lots the enclosure can sit no closer to the street than the building itself.
 - b) Any service structure that can be seen from the first floor of a residence or from any street shall be screened. Structures may be grouped together; however, screening height requirements shall be based upon the tallest of the structures. "Service Structures" shall include, but not be limited to: loading docks, propane tanks, dumpsters, electrical transformers, utility vaults which extend above ground, ground-mounted utility equipment and any electrical or other equipment or elements providing service to a building or a site.
 - i) Location of screening. There shall be a continuous planting, hedge, fence or wall of earth, having one-hundred percent (100%) opacity, which would enclose any service structure on all sides, unless such structures must be frequently moved or accessed, in which case screening on all but one side is required. The average height of the screening material shall be six (6) feet or one (1) foot greater than the height of the enclosed structure, whichever is greater, but shall not, in any case, be required to exceed ten (10) feet in height.
 - (1) Whenever a service structure is located next to a building wall, perimeter landscaping material, or off-street parking area landscaping material, such walls or screening material may fulfill the screening requirement set out in *Subsection 7.05(6)*. Whenever service structures are screened by plant material, such material may count towards the fulfillment of required interior or perimeter landscaping. Whenever a service structure is screened by a wall or fence, such wall or fence shall be constructed of the same materials as the building which it services.
 - ii) Curbs to protect screening material. Whenever screening material is placed around any dumpster or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on those sides where there is such material. The curbing shall be at least one (1) foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.
 - c) If the opening of the unit is in sight of the public right-of-way, it shall be covered by a door constructed of a solid material which shall remain closed when not in use, and it shall be maintained in good condition.
- 11) MECHANICAL EQUIPMENT BUFFERING STANDARDS. Mechanical equipment materials and buffering standards applicable to the multifamily residential and nonresidential zoning districts:
- a) Ground Level. All outdoor storage areas for completed products manufactured on-site, production materials, building-mounted utilities, outdoor refrigeration units and mechanical

equipment located on the ground shall be screened consistent with the following requirements. In no instance shall this be interpreted as applying to merchandise for sale that is temporarily or seasonally placed outdoors.

- i) **Fencing.** A minimum six (6) feet tall, one-hundred percent (100%) opaque fence of wood, brick, or stone construction shall completely screen the area from the view of public streets and adjacent properties. Opaque six (6) feet tall gates shall be provided to access the facility. The gates shall generally remain closed, except when immediate access to the area is required.
 - ii) **Landscape Screening.** Evergreen planting shall be provided around the exterior perimeter of the required fencing.
 - (1) Evergreen shrubs shall be a minimum of two (2) feet tall at the time of planting, and planted at a maximum of three (3) feet on center. Wider spacing may be permitted depending on the species and upon approval of the Director.
 - b) **Roof-mounted.** All roof-top equipment, such as HVAC units, shall be screened from the view of all public streets by parapets, dormers, or other screens. The material of all such screens shall be consistent with the exterior materials used on the facade of the structure.
- 12) **BUFFER YARD REQUIREMENTS.** The following requirements shall pertain to buffering a new use from an existing adjacent use or district as described below. The purpose of these buffering and screening standards is to lessen the potential conflicts between the possible uses in one zoning district and those uses in adjacent districts through the use of setbacks and landscaping. The potential degree of conflict between the uses determines the extent of the buffer required.
- a) **Applicability.**
 - i) Screening areas shall be provided for the purpose of minimizing the friction between incompatible land uses and improving the aesthetic and functional quality of new development;
 - ii) Where vegetative and/or topographic conditions that provide a natural screening and buffer exist prior to development of properties in question, every effort shall be made to retain such conditions. In such cases, additional screening may not be required, provided that provision is made for maintenance of such areas; and
 - iii) The Planning & Zoning Commission may waive the requirement for a wall, fence or greenbelt if equivalent screening is provided by existing or planned parks, parkways, and recreation areas or by topography or other natural conditions.
 - b) **Buffer Yard Standards.** The buffer yard standards only apply along the property lines where the two dissimilar uses or zoning classifications meet as specified in *Table 7.8: Applicable Buffer Yard Types*. The required buffer yards shall be installed despite the presence of streets, alleys, and other features. Existing mature vegetation may be credited towards required buffering. When a dissimilar land use locates next to an established residential land use within the same zoning classification, buffering and screening standards per *Table 7.9: Buffer Yard Types Description* for Buffer Yard Type 2 shall apply.
 - i) **Responsibility.** The developer or owner of the property being developed or otherwise changed in use is responsible for installing the buffer yard at the time of that development

or change. The adjacent property owner shall not have to participate in installing the buffer yard.

- ii) **Buffer Yard Location.** All required buffer yard areas shall be provided entirely on the subject property and shall be in addition to setbacks required by this Ordinance.
 - iii) **Planting Location.** Required buffer yard trees may be placed either at regular intervals or in irregular patterns representing a natural landscape. However, no two (2) buffer yard trees (excluding evergreen trees) shall be placed closer than twenty (20) feet to one another. No buffer yard or required landscape materials shall be placed within any easement, right-of-way, or septic field.
 - iv) **Tree Size.** All broadleaf / deciduous trees must have at least a two and one-half (2½) inch caliper measured at six (6) inches above the top of the rootball, and all evergreen conifers must be a minimum of four (4) feet in height measured from the top of the rootball when planted.
 - v) **Ground Cover.** All portions of the buffer yard not planted with trees, shrubs or other landscaped materials shall be covered with grass or other ground-covering vegetation. Landscaping stone or other non-vegetative surfaces may not be substituted for ground-covering vegetation unless otherwise approved by the Director.
 - vi) **Application.** No landscaping required by this section may be used to satisfy the minimum requirements of any other provisions of this Ordinance unless approved by the Director.
 - vii) **Maintenance.** All landscape materials must be properly maintained, and kept in a neat and orderly appearance, free from all debris and refuse.
 - (1) All plant material which is unhealthy or dead, in the opinion of the Community Development Director, shall be replaced by the end of the next spring or fall planting season.
 - (2) Landscape materials are intended to grow, spread and mature over time. Pruning, limbing-up, topping and other growth-inhibiting measures may only be used to ensure the public safety and/or health of the vegetation.
 - c) **Buffer Yard Widths.** The buffer yard requirement shall not be included as part of the minimum setback requirements unless approved by the Director. Plant material shall be selected from *Tables 7.13 - 7.20* unless approved by the Director.
- 13) **MODIFICATION.** The Planning & Zoning Commission shall have the authority to modify any of the requirements of this section in accordance with *Subsection 2.02(9)(a) ix*.

Table 7.8: Applicable Buffer Yard Types														
		New Residential Development						New Commercial Development					New Industrial Development	
		AG	R1	R2	SFA	MF1	MF2	CBD	CMU	C1	C2	OMI	I1	I2
Existing Residential	AG	-	1	1	2	3	3	3	3	3	4	3	4	4
	R1		-	1	2	3	3	3	3	3	4	3	4	4
	R2			-	1	2	3	3	3	3	4	3	4	4
	SFA				-	1	2	3	3	3	3	3	4	4
	MF1					-	1	2	2	2	3	2	3	4
	MF2						-	2	2	2	3	2	3	4
Existing Commercial	CBD							-	1	1	1	1	3	4
	CMU								-	1	1	1	3	4
	C1									-	1	1	2	4
	C2										-	1	2	4
	OMI											-	2	4
Existing Industrial	I1												-	3
	I2													-

When a dissimilar land use locates next to an established residential land use within the same zoning classification, buffering and screening standards per Table 7.7: Buffer Yard Types Description for Buffer Yard Type 2 shall apply.

Table 7.9: Buffer Yard Types Description

Type 1	Buffer width - Ten (10) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 3.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 2.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least fifty percent (50%) of the unit value shall be derived from deciduous shade trees (overstory).	Type 3	Buffer width - Thirty (30) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least ten percent (10%) of the unit value shall be derived from Deciduous Shade Trees (overstory) or deciduous ornamental trees (understory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds shall be incorporated into the buffer yard design.
Type 2	Buffer width - Twenty (20) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 4.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 3.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least twenty-five percent (25%) of the unit value shall be derived from deciduous shade trees (overstory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds are encouraged to gain additional height.	Type 4	Buffer width - Seventy-five (75) feet. The buffer yard shall contain an opaque fence/wall a minimum of eight (8) feet in height. An undulating earthen mound may be substituted but the average maintained height with plant material shall be eight (8) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped). Seventy-five percent (75%) of the unit value shall be derived from evergreen trees. Fifty percent (50%) of required landscaping shall be on the adjacent property side of the fence.

Table 7.10: Unit Value of Landscape Material

Time of Planting	Value
Diciduous Tree (Overstory) (2 ^{1/2} " caliper)	0.75
Evergreen Tree (9' tall)	0.75
Deciduous Ornamental Tree (Understory) (1 ^{1/2} " caliper)	0.50
Evergreen Tree (4' tall)	0.50
Evergreen Shrub - Narrow Spread (4" tall)	0.25
Hedge Plant (24" - 30" tall)	0.05
Earthen Mound (3' tall)	0.50
Earthen Mound (6' tall)	1.00
Earthen Mound (9' tall)	1.50

Sec. 7.06 – TREE CONSERVATION**1) TREE DENSITY REQUIREMENTS**

- a) Use of tree units. The landscaping requirements of this Article regarding the preservation or planting of trees is expressed in terms of "tree units" rather than the number of trees or tree canopy. This approach provides the applicant with wide latitude of choice as to the number and

sizes of trees to be planted, and their distribution following aesthetic landscaping practices, while achieving a common standard on all properties.

- b) **Establishment of tree unit values.** The diameter of a tree's trunk establishes the "tree unit" value of an existing tree, as shown on *Table 7.10: Unit Value of Landscape Material*, or for a newly planted tree as shown on *Table 7.11: Tree Units for Existing Trees*.
- i) The values assigned to trees of the same size are different for existing and new trees, as indicated in the table. One "unit" is not the same as one "tree."
 - ii) Actual tree diameters or calipers are to be rounded to the nearest whole number for the calculation of tree unit values (e.g., 4.5 inches in diameter = 5 inches).

Table 7.11: Tree Units for Existing Trees			
Tree Diameter	Tree Units	Tree Diameter	Tree Units
2	0.0	21	4.8
3	0.0	22	5.0
4	0.6	23	5.2
5	0.8	24	5.4
6	1.0	25	5.6
7	1.2	26	5.8
8	1.3	27	6.0
9	1.5	28	6.2
10	1.7	29	6.4
11	1.9	30	6.6
12	2.1	31	7.2
13	2.3	32	7.8
14	3.0	33	8.4
15	3.3	34	9.0
18	4.2	37 or greater	12.0 + 1.0 each inch

Note: Minimum DBH to receive credit for existing tree is 4 inches.

Table 7.12: Tree Units for New (Replacement) Trees			
Tree Diameter	Tree Units	Tree Diameter	Tree Units
Seedlings	0.0	9	1.3
1	0.0	10	1.5
2	0.3	11	1.7
3	0.4	12	1.9
4	0.5	13	2.2
5	0.6	14	2.5
6	0.7	15	2.8
7	0.9	16	3.1
8	1.1	17+	3.5 + 0.5 for each

c) Tree unit values for specimen trees or tree stands.

i) Specimen trees and specimen tree stands; defined.

Specimen Tree means any tree which qualifies for special consideration for preservation due to size, type and condition, as follows:

- (1) Any tree in fair or better condition which equals or exceeds the following Diameter at Breast Height (DBH) sizes:
 - (a) 28-inch DBH—Overstory hardwoods such as oaks, hickories, yellow poplars, sweetgums, etc.
 - (b) 12inch DBH—Understory small trees such as dogwoods, redbuds, sourwoods, etc.
 - (c) 30-inch DBH - Pine trees (all species)
- (2) A tree in fair or better condition must meet the following minimum standards:
 - (a) A life expectancy of greater than fifteen (15) years.
 - (b) A structurally sound trunk, not hollow and having no extensive decay, and less than 20 percent radial trunk dieback.
 - (c) No more than one major and several minor dead limbs (hardwoods only).
 - (d) No major insect or pathological problem.
- (3) A lesser sized tree can be considered a specimen tree if it is a rare or unusual species, of exceptional or unique quality, or of historical significance, subject to approval of the Community Development Director or their designee.
- (4) A lesser size tree can be considered a specimen tree if it is specifically used by a builder, developer, or design professional as a focal point in a landscape project, subject to approval of the Community Development Director or their designee.

Specimen Tree Stand means a contiguous grouping of trees which has been determined to be of high value in the opinion of the Community Development Director or their designee. Determination is based upon the following criteria:

- 1) A relatively mature, even-aged stand.
- 2) A stand with purity of species composition or of a rare or unusual nature.
- 3) A stand of historical significance.
- 4) A stand with exceptional aesthetic quality.
 - ii) The tree unit values shown in *Table 7.10: Tree Units for Existing Trees*, may be increased by 100% for an existing tree that meets the definition of a "specimen tree" or for a "specimen tree stand" as defined herein, provided that extraordinary measures as needed are taken to protect the tree and assure its survival. Such measures may include but are not limited to the provision of tree wells, retaining walls, aeration, or supplementary irrigation, as applicable to the site of the tree and as approved by the Director.

2) TREE DENSITY STANDARDS

- a) Tree Retention. On each property for which a Tree Preservation and/or Replacement Plan is required, existing trees shall be retained and new trees shall be planted such that the property shall attain or exceed a Tree Density Standard as follows:
 - i) Residential – Sixteen (16) Tree Density Units per acre,
 - ii) Office/Commercial/Mixed-use – Sixteen (16) Tree Density Units per acre,
 - iii) Industrial – Sixteen (16) Tree Density Units per acre.

- b) Distribution. Trees, both existing and new, shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees, including street trees, may be retained or planted for credit within a public street right-of-way.
- c) Trees in Stream Buffer. Trees located in a stream buffer may be counted toward fulfilling the Tree Density Standard provided the acreage within the stream buffer is included in the calculations used to fulfill the Tree Density Standard.
- d) Easement Exclusion. Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in the easement from the total acreage of the property in fulfilling the Tree Density Standard provided that no improvements (e.g. parking lots, tennis courts, driveways, greenways, storm water detention facilities, etc.) are proposed within the easement. If any improvements are proposed within the easement, then the land area so used within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be included in the total acreage of the property to fulfill the Tree Density Standard.
- e) Lake and Pond Exclusion. Properties with a lake or pond may exclude the land area contained in the lake or pond from the total acreage of the property in fulfilling the Tree Density Standard.

3) TREE DENSITY STANDARD CALCULATION

The Tree Density Standard shall be calculated by summing the credits and dividing the sum by the total acreage of the project included within the limits of the permit application. For parcels larger than ten (10) acres, where more than sixty (60%) percent of the total lot area is being disturbed, the Community Development Director can authorize a collection of sample areas to assess the tree density threshold for a particular development or parcel. One 50'x50' sample area may be required for every three (3) acres of disturbed land, and must be demarcated, inspected, and approved by the Director as being a representative sample.

4) QUALIFIED TREE AND BUSH SPECIES TABLES

- a) The City Council shall maintain a list of tree species approved for conservation and planting within the city as well as those not recommended. The list shall be known as the city's Community Tree Species list, included as *Tables 7.13 through 7.20* of this chapter. The tree species list includes the mature size category of each species, notations on which species may be planted beneath utility lines, and other species characteristics.
- b) The list is maintained by the City Council and may change without notice to incorporate results of research and experience with individual species and is available from the Community Development Department.

5) PERMEABLE SURFACES UNDER TREE DRIPLINES

The minimum permeable surface area requirements under tree driplines are as follows.

- a) For conserved trees in residential zones no more than twenty (20%) percent of the dripline can be encroached upon by impermeable surfaces provided the remaining area is mulched.
- b) For planted trees in all zones the amount of permeable surface area required shall be based upon the mature tree size category on the Community Tree Species List, found in *Tables 7.13 to 7.20*, as follows:
 - i) Large trees: 640 square feet;

- ii) Medium trees: 360 square feet;
 - iii) Small trees: 160 square feet.
 - c) For planted trees the dripline shall be mulched.
- 6) TREE PROTECTION
- a) Conserved trees. All conserved trees shall be actively protected during the development process and passively protected throughout the life of the development. The entire tree, including the crown, trunk, and roots, and the critical root zone, shall be protected.
 - b) Minimum tree protection measures. Active tree protection shall consist of, at a minimum, establishing a tree protection zone around each tree or grouping of trees by the installation of fencing at the outer edge of the dripline or Critical root zone, whichever is greater. Minimum tree protection measures for boundary trees, existing on adjacent properties, whose critical root zones extend onto the project site is mandatory.
 - i) No more than twenty-five (25) percent of a boundary tree's mature crown or one-third (1/3rd) of a young tree's canopy shall be removed in one season.
 - ii) Pruning of conserved trees should only be done by an ISA (International Society of Arboriculture) certified arborist.
 - iii) Tree protection fencing and tree protection area signs shall be installed after the issuance of a disturbance Permit and prior to any land disturbance activity or building activity.
 - (1) Tree protection fencing shall be four feet high, made of orange high-visibility polypropylene, and erected with sturdy wooden or metal posts around the tree protection zone. A heritage tree, or a significant species tree, as determined by the Director, may require increased protection. Methods and extent of increased protection will be as directed by the Director.
 - (2) Signs shall be fabricated out of a sturdy material, shall be waterproof, and contain the following legible text in English and Spanish: "TREE PROTECTION AREA, ENTRY PROHIBITED." The signs shall be a minimum of 8.5 × 11 inches, shall be placed on a sturdy post a minimum of thirty (30) inches off the ground, and shall be spaced a maximum of 50 feet apart.
 - (3) Tree protection fencing and signage shall remain in good condition throughout the development and construction processes, and shall only be removed after the final plat approval or a certificate of occupancy has been issued.
 - iv) Encroachment into the tree protection area shall result in the loss of Tree Density Unit credit for preserved trees.
 - v) The critical root zone within the tree protection area shall be mulched with a minimum of three inches and not more than five inches of organic mulch such as pine straw, wood chips, tree leaves, or compost, for a minimum of three years, or prior to issuance of the final certificate of occupancy for the project, whichever occurs last.
 - vi) The Community Development Director or their designee may require the installation of additional tree protection measures to insure survivability of conserved trees.
 - c) Prohibited activities. Within the tree protection areas, without proper authorization or permit the following activities shall be prohibited:
 - i) Vehicle traffic or parking;
 - ii) Materials or equipment storage;
 - iii) Soil disturbance;

- iv) Soil excavation;
 - v) Removal of topsoil;
 - vi) Trenching;
 - vii) Soil fill;
 - viii) Change in soil pH;
 - ix) Change in soil drainage;
 - x) Equipment washouts or disposal (including concrete);
 - xi) Fires;
 - xii) Chemical or trash disposal;
 - xiii) Other activities harmful to the trees as determined by the Community Development Director or their designee;
 - xiv) Encroachment into tree save area; and
 - xv) Destruction or removal of trees.
- d) Planted trees. All planted trees shall be actively protected during the development process and passively protected throughout the life of the development. The entire tree, including the crown, trunk, and roots, and the critical root zone, shall be protected.
- e) Existing trees in construction zones. All trees that are outside the formal tree protection zone(s) as outlined in the Tree Protection and Replacement Plan and are equal to or greater than twelve (12) inches DBH, and are in areas where construction will occur inside the crown of the tree shall be required to have an enhanced protection program. In order to maximize the ability of the selected trees to survive construction the proposed program will include the following steps.
- i) The tree will be surveyed and located with the species and DBH noted and approximate crown diameter shown.
 - ii) Prior to the beginning of construction activities, the trees shall be inspected by a City Approved Arborist to determine their overall condition and ability to withstand construction activity around them.
 - iii) Should the City Approved Arborist determine that with a proper protection plan the tree would survive the construction activity the Arborist shall prepare a care plan for the tree. The plan may involve elements such as crown pruning, fertilization, irrigation, root pruning or other activities.
 - iv) The Contractor will be required to implement the Arborist's protection plan and to maintain the necessary activities to protect the tree until such time as the site construction is completed and accepted for maintenance by the property owner. The City Approved Arborist shall submit bi-weekly reports to the Contractor and the Department of Community Development during the construction process.
 - v) The owner of the property shall receive a twenty (20%) percent bonus credit for canopy coverage for all trees that are under the enhanced protection program.
 - vi) No land disturbing activity or construction activity, including, but not limited to, grading, digging, soil disturbance or other activity within the critical root zone of any boundary tree, is permitted that will deprive the boundary tree of continued viability as determined by a certified arborist.

- vii) The following parameters shall be followed when determining boundary tree viability interference:
 - (1) CRZ/TPZ nineteen (19%) percent or less impact and protected by tree protection, no arboricultural prescription required.
 - (2) CRZ/TPZ twenty (20%) percent — thirty-three (33%) percent impact but protected by tree protection (no structural root plate impact) provide arboricultural prescription with a plan for review by the city.
 - (3) CRZ/TPZ twenty (20%) percent — thirty-three (33%) percent impact and structural root plate has impact/not protected.
 - viii) The builder/developer/construction site property owner must submit a boundary tree agreement signed by the tree owner/co-owner and notarized giving permission for the tree that has construction impact to be treated or removed (see Community Development Department for the city boundary tree agreement). The minimum time length of the boundary tree agreement shall be three (3) years. The receipt for the paid arboricultural prescription and signed agreement will need to be submitted with the plans for review.
 - (1) The builder/developer/construction site owner must make at least three attempts to contact the owner of the boundary tree to enact a boundary tree agreement. The first two attempts may be in person or via telephone. The third attempt must be in the form of a written letter sent certified, return receipt requested to the property owner's address of record in the Carroll or Douglas County Tax Database. If there is no response to any of the attempts, the builder/developer/construction site owner shall provide evidence to the city of the attempts at contact in addition to the arboriculture prescription for the affected tree.
 - (2) If no boundary tree agreement is reached, the affected tree shall not be removed but shall be protected during development based on this chapter and in accordance with the arboriculture prescription.
 - (3) A boundary tree bond or escrow account may be required based on the arboricultural prescription depending on the impact to a boundary tree covered under a boundary tree agreement.
 - (4) A boundary tree bond or escrow account shall be required where a boundary tree agreement cannot be reached.
 - (5) A boundary tree bond or escrow shall be one-hundred and twenty-five (125%) percent of the cost of removal and replacement of the tree(s) affected and will be held for three years by the city. The property owner of the affected tree(s) may apply to the city for the escrow funds to remove and replace the tree(s) during the three-year escrow period. If the boundary tree(s) is/are deemed healthy at the end of the three-year period by an Arborist, the developer may apply to the City for a refund of the original amount of escrow.
 - (6) The site/landscape plans cannot be approved without signed boundary tree agreement(s) or proof of attempts to contact the boundary tree owner in an attempt to reach a boundary tree agreement in addition to an arboriculture prescription where needed.
- 7) SEASONAL PLANTING.

Final plat approval or a certificate of occupancy may be issued prior to the establishment of trees planned to meet the tree canopy cover requirements, if the Community Development Director or their designee

determines that the season is inappropriate for planting. In such cases the trees shall be planted by the last day of February following the date of issuance of the certificate of occupancy or final plat approval. If they have not been planted by the last day of February following the issuance of the certificate of occupancy or final plat approval, the permit holder shall be considered to be in violation of the provisions of this article.

8) TREE BANK

The intent of the requirements of this Section is to ensure that a minimum number of trees are replaced and/ or preserved on newly developed or redeveloped sites. The Tree Bank is an alternative option and may be used only in the event the site tree density or recompense tree requirement cannot be met on-site due to hardship. Hardship must be documented by the developer and presented to the Director before the Tree Bank may be used. The Tree Bank provides two options, which are described in full below.

a) Option One, Planting Trees Off-site.

- i) Install an equal amount of required Tree Density Units in the form of an approved number of trees on an alternate site. In this case the following criteria shall be observed:
- ii) The technical Advisory Committee has identified alternate "Option One" sites. The Villa Rica Community Development Department has contacted the owners of these sites and these owners have expressed an interest in receiving trees from the Tree Bank. Persons wishing to use Option One should consult with the Zoning Administrator to see if their required tree density units can be located on one of these alternate sites. The developer may present the Zoning Administrator with alternate sites. Planting on individual residential lots is prohibited.
- iii) The developer shall submit a Tree Preservation and/or Tree Replacement Plan showing a location for the planted trees on the proposed site. The developer shall also provide calculations on the plan for tree density or recompense trees from the developed site. The site plan shall state the size, genus, species, and quantity of trees to be planted. Each tree must be two (2) caliper inches at a minimum. For trees in which double recompense is required each tree must be three (3) caliper inches at a minimum. Recompense calculations must be shown on plan.
- iv) If the proposed site is not one of the alternate sites, discussed above, an authorization from the title holder of the site indicating that the owner agrees to the planting of trees by the developer upon the site shall also be submitted along with the Tree Preservation and/or Tree Replacement Plan.
- v) Trees are to be maintained and guaranteed for one full year after planting by the developer. Any trees that die during the one-year time period must be replaced by the developer. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition.

b) Option Two, Monetary Compensation for Trees.

- i) A developer may choose to provide the City with monetary compensation for trees. If this alternative for the development is chosen, then the following criteria shall be observed:
- ii) Provide tree density calculations on the Tree Preservation and/or Tree Replacement Plan. Show the total amount of Tree Density Units that cannot be met on-site.
- iii) Multiply the Tree Density Units that cannot be met on-site by the Monetary Compensation Value. The product of those two numbers shall be provided on the Tree Preservation and/or

- Tree Replacement Plan. Contact City approved certified arborist or landscape architect for the current Monetary Compensation Value.
- iv) Provide a certified check made payable to the City of Villa Rica in the amount of the product as listed in item ii. above and as provided on the Tree Preservation and/or Tree Replacement Plan. Submit the certified check to a Community Development Director or designee along with a copy of the approved Tree Preservation and/or Tree Replacement Plan.
 - v) The monies collected for the Tree Bank Option Two may be used by the City for the planting of trees at parks, greenways, fire stations, libraries, and other similar community facilities. Alternate planting locations may be approved by the Director.
- c) Standards for Administering these Alternative Compliance Methods.
- i) The Director must review and approve all requests for alternative compliance. In no instance shall the alternative compliance options be used to comply with any other ordinance requirement than the tree density or specimen tree requirement. The site development permit shall be issued after the Director has approved the request for either compliance option and received the necessary documentation and funds.
- d) Exclusions.
- i) Trees used to meet requirements for parking lots, landscape strips, street frontage buffers, or buffer replanting must be planted on site and are excluded from the Tree Bank procedures. Trees that are required to meet minimum Tree Density Units and/or recompense requirements can be contributed toward the Tree Bank in accordance with Option One or Option Two above.

Sec. 7.07 – REDEVELOPMENT SITES

- 1) For redeveloped sites the Department of Planning and Development strongly recommends the developer, authorized registered professionals, design professionals and staff schedule a pre-submittal meeting with the department to discuss the potential of the site and any issues that may be present on the site. **For the purposes of this chapter, a redeveloped site shall be considered any site that is not considered “developed” as defined within this ordinance.**
- 2) Redeveloped sites shall comply with the buffer and specimen tree requirements as set forth in this ordinance and provide compliance with parking lot, landscape strip and Tree Density Unit requirements.
- 3) Where the scope of a project results in disturbance, removal, and replacement of twenty-five percent ($\leq 25\%$) percent or greater of the site area, a Tree Preservation and/or Tree Replacement Plan is required. The plan shall include the existing and proposed landscape conditions that verify compliance with this ordinance.
 - a) At a minimum the plan must show the following existing and proposed elements with intent to comply:
 - i) Buffers.
 - ii) Landscape strips.
 - iii) Parking lot trees.
 - iv) Tree Density Units.
 - v) Tree Save Areas.
 - b) Director shall review the proposed Tree Preservation and/or Tree Replacement Plan.

- 4) Disturbance on a redevelopment site shall include a building replacement where the footprint of the building counts toward the site disturbance.

Sec. 7.08 – TREE CONSERVATION, BUFFERS, AND LANDSCAPING COMPLIANCE

- 1) Tree Removal.
 - a) An application for a tree removal permit when land disturbing activity is involved shall comply with the following requirements.
 - i) Site inspections
 - (1) Authority.
 - (a) The Community Development Director or their designee has the authority to perform site inspections and enforce the provisions of this chapter.
 - (2) Visits to site for discussions regarding regulations.
 - (a) Prior to the issuance of a tree removal permit or right-of-way encroachment permit, a visit shall be made to the proposed site by the Community Development Director or their designee and the applicant for the purpose of discussing the provisions of this chapter.
 - (b) After a permit is issued and tree protection measures have been installed, and prior to any land disturbance, another site inspection shall be made by the Community Development Director or their designee.
 - (c) Another site inspection shall occur prior to the issuance of final plat approval or a certificate of occupancy. All provisions of this chapter shall be met before final plat approval or a certificate of occupancy can be issued.
 - (d) Other site inspections may take place without notice at any time prior to or after the issuance of a certificate of occupancy or final plat approval to ensure continuing compliance with the provisions of this chapter.
 - (3) Access by authorized representatives.
 - (a) No person, corporation or association shall refuse entry or access to any authorized representative or agent of the Community Development Director or their designee who requests entry for the purposes of inspection and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out their official duties.
- 2) Tree maintenance
 - a) The owner shall be responsible for maintaining the health of all conserved and new trees. The owner shall replace any new tree that dies within three years, or prior to issuance of the final certificate of occupancy for the project, whichever occurs last.
- 3) Penalties
 - a) Failure to obtain permit
 - i) If any person commences any land disturbing activity, tree destruction, tree cutting, tree removal or building activity requiring a tree removal permit without first obtaining said permit, the person shall be deemed to be in violation of the provisions of this chapter.
 - b) Violations
 - i) The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, may be chargeable with separate offenses for each such violation. Any person violating any of the provisions of this

chapter other than as hereinabove provided shall, upon conviction, be punished as prescribed in subsection (e) of this section. Each day during which such violation occurs or continues shall constitute and be punishable as a separate offense.

c) Stop work orders

- i) A stop work order may be issued by the Community Development Director or their designee for violation of any provision of this chapter. All stop work orders shall be effective immediately upon issuance and shall remain in effect until the necessary corrective action or mitigation has occurred and permission has been granted by the city to resume work. No certificate of occupancy or final plat approval shall be issued while a stop work order is in effect or until an assessed fine has been paid and permission has been granted by the city in writing for a certificate of occupancy or final plat approval.

d) Responsibility

- i) The Community Development Director, or their designee is responsible for determining whether a violation has occurred. Violations may include, but are not limited to: failure to obtain a tree removal permit, deviation from the approved plan; failure to properly install tree protection structures; failure to maintain tree protection structures in effective condition; evidence of harmful activities occurring within the tree protection zone; improper planting; failure to conserve or establish the required tree canopy cover; unauthorized delay in tree planting; damage to a conserved or established tree's crown, trunk, roots, or critical root zone; and damage to a city tree's crown, trunk, roots, or critical root zone.

e) Monetary penalties

- i) Any person who violates any provision of this chapter, any permit condition, or who negligently or intentionally fails or refuses to comply with any order, notice of code violation or formal charge of violation which the Community Development Director or their designee issues as provided in this chapter shall be liable for a penalty of up to one-thousand (\$1,000.00) dollars per day for each violation of the provisions of this chapter. Each day that such failure or refusal continues shall constitute a separate violation.

Figure 7.3: Recommended Tree Type and Placement

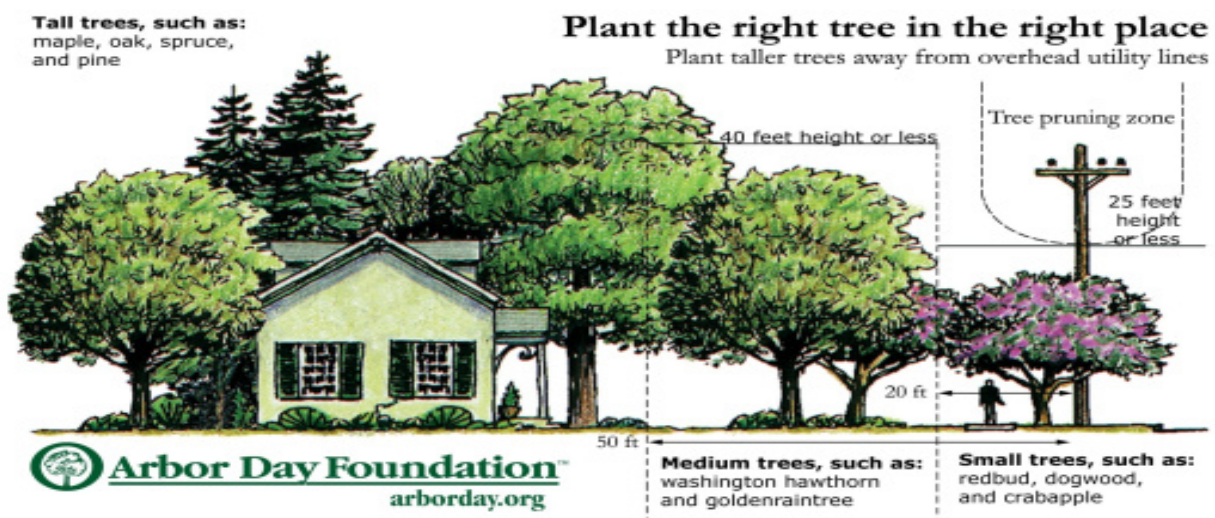


Table 7.13: Trees for Planting on Streets, Highways, and Parking Lots (generally with high canopies, shade producing, hardy)				
Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer campestre	Hedge Maple	D	30'-40'	Ornamental
Acer Freemanii	Freeman Maple	D	50'-60'	Shade
Acer rubrum	Red Maple	D	40'-60'	Shade
Acer saccharum	Sugar Maple	D	50'-70'	Shade
Carpinus betulas 'Fastigiata'	Upright European Hornbeam	D	30'-40'	Shade
Carpinus caroliniana	American Hornbeam	D	25'-30'	Ornamental
Crataegus phaenopyrum	Washington Hawthorn	D	25'-30'	Ornamental
Ginkgo biloba (male only)	Ginkgo	D	40'-60'	Ornamental
Gleditsia triacanthos inermis	Thornless Honeylocust	D	30'-60'	Shade
Gleditsia triacanthos 'Imperial	Imperial Honeylocust	D	30'-60'	Shade
Koelreuteria paniculata	Golden Rain Tree	D	30'-40'	Shade
Liquidamber styraciflua	American Sweet Gum	D	40'-60'	Ornamental
Liriodendron tulipifera	Tulip Tree	D	70'-80'	Shade
Platanus x acerifolia 'Bloodgood'	Bloodgood London Planetree	D	70-85'	Shade
Pyrus calleryana 'Aristocrat'	Aristocrat Pear	D	35'-45'	Shade
Quercus alba	White Oak D 60'-80' Shade	D	60'-80'	Shade
Quercus bicolor	Swamp White Oak	D	40'-50'	Shade
Quercus coccinea	Scarlet Oak	D	60'-80'	Shade
Quercus palustris	Pin Oak	D	50'-80'	Shade
Quercus phellos	Willow Oak	D	50'-70'	Shade
Quercus robur	English Oak	D	50'-70'	Shade
Quercus rubra	Red Oak	D	40'-60'	Shade
Sorbus alnifolia	Korean Mountain Ash	D	20'-30'	Ornamental
Sorbus 'Aria'	White Beam Mountain Ash	D	25'-40'	Ornamental
Taxodium distichum	Bald Cypress	D	50'-100'	Shade
Tillia americana Basswood	Basswood Linden	D	40'-60'	Shade
Tillia cordata 'Green Spine'	Little-Leaf Linden	D	40'-50'	Shade
Tillia tomentosa	Silver Linden	D	40'-50'	Shade
Zelkova serrata 'Village Green'	Village Green Zelkova	D	40'-60'	Shade
D = Deciduous E = Evergreen				
Note: Several varieties of each species may be available and may substituted upon approval by the Director.				

Table 7.14: Trees for Planting on Streets and Highways that Minimize Conflict with Overhead Utilities

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer campestre	Hedge Maple	D	30'-40'	Ornamental
Carpinus caroliniana	American Hornbeam	D	25'-30'	Ornamental
Cercis canadensis	Eastern Redbud	D	20'-25'	Ornamental
Crataegus crus-galli	Cockspur Hawthorn	D	15'-25'	Ornamental
Crataegus phaenopyrum	Washington Hawthorn	D	20'-25'	Ornamental
Malus hybrids	Flowering Crabapple	D	15'-30'	Ornamental
Prunus 'Newport'	Newport Plum	D	15'-20'	Ornamental
Prunus maackii	Amur Chokecherry	D	25'-30'	Ornamental
Prunus virginiana	Chokecherry	D	20'-25'	Ornamental
Sorbus alnifolia	Korean Mountain Ash	D	20'-30'	Ornamental
Sorbus "Aria"	White Beam Mountain Ash	D	25'-40'	Ornamental

D = Deciduous E = Evergreen

Table 7.15: Ornamental Trees for Use in Site Interior or Buffer

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer ginnala	Amur Maple	D	15'-20'	Ornamental
Acer griseum	Paperbark Maple	D	20'-30'	Ornamental
Acer palmatum	Japanese Maple	D	15'-20'	Ornamental
Amelanchier canadensis	Juneberry	D	30'-35'	Ornamental
Amelanchier grandiflora	Apple Serviceberry	D	25'-30'	Ornamental
Amelanchier laevis	Allegheny Serviceberry	D	25'-30'	Ornamental
Betula nigra	River Birch	D	40'-60'	Ornamental
Betula papyrifera	Paper Birch	D	40'-60'	Ornamental
Cercidiphyllum japonicum	Katsura Tree	D	25'-40'	Ornamental
Cercis Canadensis	Eastern Redbud	D	20'-30'	Ornamental
Cornus kousa	Japanese Dogwood	D	20'-25'	Ornamental
Cotinus coggyria	Smoke Tree	D	15'-20'	Ornamental
Magnolia loebneri	Magnolia	D	12'-15'	Ornamental
Magnolia soulangiana	Saucer Magnolia	D	15'-20'	Ornamental
Magnolia stellata	Star Magnolia	D	10'-15'	Ornamental
Prunus sargentii 'Columnaris'	Columnar Sargent Cherry	D	25'-30'	Ornamental
Prunus serrulata	Oriental Cherry	D	15'-25'	Ornamental
Prunus virginiana	Canada Red Select Cherry	D	20'-25'	Ornamental
Salix matsudana 'Tortuosa'	Corkscrew Willow	D	25'-30'	Ornamental

D = Deciduous E = Evergreen

Table 7.16: Evergreen Trees for Use in Site Interior or Buffer				
Botanic Name	Common Name	Type	Mature Height	Tree Category
Abies Concolor	White Fir	E	30'-50'	Evergreen
Cupressocyparis Leylandii	Leyland Cypress	E	60'-70'	Evergreen
Picea abies	Norway Spruce	E	50'-60'	Evergreen
Picea glauca densata	Black Hills Spruce	E	50'-60'	Evergreen
Picea omorika	Serbian Spruce	E	50'-60'	Evergreen
Picea pungens	Colorado Spruce	E	60'-75'	Evergreen
Picea pungens 'Glaucua'	Colorada Blue Spruce	E	60'-75'	Evergreen
Pinus nigra	Austrian Pine	E	30'-60'	Evergreen
Pinus ponderosa	Ponderosa Pine	E	40'-50'	Evergreen
Pinus strobus	Eastern White Pine	E	50'-100'	Evergreen
Tsuga canadensis	Canada Hemlock	E	60'-75'	Evergreen
D = Deciduous E = Evergreen				

Table 7.17: Vines for Walls and Fences		
Botanic Name	Common Name	Type
Aristolochia durior	Dutchmans's Pipe	D
Campsis radicans	Trumpetvine	D
Celastrus scandens	American Bittersweet	D
Clematis jackmanii	Clematis Hybrids	D
Clematis laguninos	Clematis Hybrids	D
Lonicera brownii	Dropmore Scarlet Honeysuckle	D
Lonicera hechrottie	Everblooming Honeysuckle	D
Parthenocissus quinquefolia	Virginia Creeper	D
Parthenocissus tricuspidata	Boston Ivy	D
D = Deciduous E = Evergreen		

Table 7.18: Small Shrubs Approved for Screens, Hedges, and Specimen Planting			
Botanic Name	Common Name	Type	Mature Height
Aronia melanocarpa	Black Chokeberry	D	4'-6'
Berberis thunbergii	Japanese Barberry	D	3'-5'
Buxus microphylla 'Koreana'	Korean Boxwood	E	2'-3'
Chaenomeles species	Flowering Quince	D	2'-6'
Cotoneaster divaricata	Spreading Cotoneaster	D	5'-6'
Euonymus fortunei	Euonymous	E	4'-6'
Hydrangea macrophylla	Nikko blue Hydrangea	D	3'-4'
Ilex crenata	Japanese Holly	E	3'-5'
Mahonia aquifolium	Oregon Grape	E	3'-6'
Physocarpus opulifolius intermedius	Dwarf Ninebark	D	4'-5'
Prunus glandulosa	Dwarf Flowering Almond	D	4'-6'
Rhus aromatica	Fragment Sumac	D	4'-6'
Symphoricarpos alba	White Snowberry	D	5'-6'
Weigela florida	Flowering Weigela	D	4'-5'
Weigela vaniceki	Cardinal Shrub	D	4'-5'
D = Deciduous E = Evergreen			

Table 7.19: Large Shrubs Approved for Screens, Hedges, and Specimen Planting

Botanic Name	Common Name	Type	Mature Height
<i>Caragana arborescens</i>	Siberian Peashrub	D	12'-15'
<i>Cornus alba</i> , 'Elegantissima'	Variegated Dogwood	D	6'-10'
<i>Cornus alternifolia</i>	Pagoda Dogwood	D	15'-20'
<i>Cornus sericea baileyi</i>	Redtwig Dogwood	D	8'-10'
<i>Cotinus coggygia</i>	Smoke Tree	D	8'-10'
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	D	4'-8'
<i>Euonymus alatus</i> 'compactus'	Burning Bush	D	7'-10'
<i>Forsythia intermedia</i> Hybrids	Hybrid Forsythia	D	7'-10'
<i>Forsythia suspensa</i>	Weeping Forsythia	D	8'-10'
<i>Hamamelis virginiana</i>	Common Witch Hazel	D	10'-15'
<i>Hibiscus syriacus</i>	Rose of Sharon	D	4'-12'
<i>Hydrangea arborescens</i> 'Annabelle'	Annabelle Hydrangea	D	4'-15'
<i>Hydrangea paniculata</i> 'Grandiflora'	Peegee Hydrangea	D	6'-10'
<i>Ilex meserveae</i>	Blue Holly	E	6'-8'
<i>Ilex opaca</i>	American Holly	E	8'-15'
<i>Juniperus chinensis</i>	Chinese Juniper	E	6'-15'
<i>Juniperus scopulorum</i>	Rocky Mountain Juniper	E	6'-15'
<i>Ligustrum amurense</i>	Amur Privet	D	4'-8'
<i>Ligustrum</i> 'Vicaryi'	Golden Vicary Privet	D	4'-12'
<i>Myrica pennsylvanica</i>	Northern Bayberry	D	5'-10'
<i>Philadelphus coronarius</i>	Sweet Mockorange	D	8'-10'
<i>Philadelphus virginialis</i>	Minnesota Snowflake	D	6'-8'
<i>Picea glauca</i> 'Conica'	Dwarf Alberta Spruce	E	6'-10'
<i>Prunus cistena</i>	Cistena Plum	D	6'-8'
<i>Prunus triloba</i>	Flowering Almond	D	8'-10'
<i>Rhamnus frangula</i>	Alder Buckthorn	D	12'-15'
<i>Rhus glabra</i>	Smooth Sumac	D	8'-10'
<i>Rhus typhina</i>	Staghorn Sumac	D	8'-12'
<i>Salix caprea</i>	French Pussy Willow	D	15'-20'
<i>Sambucus canadensis</i>	American Elderberry	D	6'-8'
<i>Shepherdia argentea</i>	Silver Buffaloberry	D	5'-8'
<i>Sorbaria sorbifolia</i>	Flase Spiraea	D	6'-8'
<i>Syringa chinensis</i>	Chinese Lilac	D	6'-8'
<i>Syringa hyacinthiflora</i> Hybrids	Hybrid Canadian Lilac	D	8'-12'
<i>Syringa vulgaris</i>	Common Lilac	D	8'-12'
<i>Syringa vulgaris</i> Hybrids	Hybrids Hybrid French Lilac	D	8'-12'
<i>Taxus cuspidata</i> 'Capitata'	Upright Japanese Yew	E	10'-25'
<i>Taxus</i> 'Hicksi'	Hick's Yew	E	10'-12'
<i>Thuja occidentalis</i> Hybrids	Hybrids American Arbovitae	E	4'-15'
<i>Viburnum dentatum</i>	Arrowwood Viburnum	D	0'-15'
<i>Viburnum lantana</i>	Wayfaring Tree	D	8'-15'
<i>Viburnum lantago</i>	Nannyberry	D	8'-15'
<i>Viburnum opulus</i>	European Cranberry Bush	D	10'-12'
<i>Viburnum placatum tomentosum</i>	Doublefile Viburnum	D	8'-10'
<i>Viburnum prunifolium</i>	Black Haw Viburnum	D	10'-12'
<i>Viburnum rhytidophyllum</i>	Leatherleaf Viburnum	D	6'-15'
<i>Viburnum trilobum</i>	American Cranberry Bush	D	8'-12'

D = Deciduous E = Evergreen

Table 7.20: Low Spreading Shrubs Approved for Borders, Parking Islands, and Groundcover			
Botanic Name	Common Name	Type	Mature Height
Berberis mentorensis	Mentor Barberry	E	3'-4'
Berberis thunbergii Hybrids	Japanese Barberry	D	2'-4'
Berberis verruculosa	Warty Barberry	E	2'-3'
Buxus sempervirens	Boxwood	E	2'-3'
Cotoneaster apiculata	Cranberry Cotoneaster	D	2'-3'
Cotoneaster horizontalis	Rockspray Cotoneaster	D	1'-3'
Daphne burkwoodii	Burkwood Daphne	D	3'-4'
Duetzia gracilis	Slender Duetzia	D	2'-3'
Euonymus fortunei 'Sarcxie'	Sarcxie Euonymus	E	3'-4'
Forsythia viridissima 'Bronxensis'	Dwarf Forsythia	D	1'-2'
Hypericon patulum	St. John's Wort	D	2'-3'
Juniperus (spreading varieties)	Juniper	E	1'-3'
Mahonia aquifolium 'Compacta'	Dwarf Oregon Grape	E	2'
Microbiota decussata	Siberian Cypress	E	1'
Philadelphus virginialis	Miniature Snowflake	D	2'-3'
Picea abies 'Nidiformis'	Birdnest Spruce	E	2'
Picea abies 'Pumila'	Dwarf Norway Spruce	E	2'-3'
Picea pungens 'Globosa'	Blue Globe Spruce	E	3'-4'
Pinus mugo	Mugho Pine	D	3'-4'
Potentilla fruticosa Hybrids	Bush Cinqufoil	D	2'-3'
Rhus aromatica 'Low Grow'	Low Grow Fragrant Sumac	D	1'-2'
Ribes alpinum	Alpine Currant	D	3'-5'
Spirea bumalda	Spirea	D	2'-3'
Spirea japonica	Japanese Spirea	D	2'-3'
Spirea nipponica	Nippon Spirea	D	2'-3'
Symphoricarpos orbiculatus	Coral Berry	D	3'-4'
Syringa patula 'Miss Kim'	Dwarf Korean Lilac	D	3'-5'
Taxus cupidata 'Nana'	Dwarf Japanese Yew	E	2'-3'
Taxus media	Spreading Yew	E	2'-4'
Thuja occidentalis 'Hetzii Midget'	Hetz Midget Arborvitae	E	2'-3'
Viburnum opulus 'Nana'	European Cranberry Bush	D	1'-2'
D = Deciduous E = Evergreen			

Table 7.21: Non-Qualifying Trees		
Common Name	Botanical Name	Negative Feature(s)
Boxelder	Acer negundo	Aggressive, Shallow roots, Weak wood
Norway Maple	Acer platanoides	Invasive
Silver Maple	Acer saccharinum	Aggressive, Shallow roots, Weak wood
Tree of Heaven	Ailanthus altissima	Seeds, Suckers, Weak wood, Invasive
Mimosa	Albizia julibrissin	Invasive
European White Birch	Betula pendula	Insect prone, Invasive
Hackberry	Celtis occidentalis	Disease prone
Camphor Tree	Cinnamomum camphora	Invasive
Russian Olive	Elaeagnus angustifolia	Poor form, Disease prone, Invasive
Ash	Fraxinus	Disease prone
Ginkgo (Female)	Ginkgo biloba	Female Fruits
White Lead Tree	Leucaena leucocephala	Invasive
Chinaberry Tree	Melia azedarach	Invasive
Mulberry	Morus species	Fruits, Shallow roots, Invasive
Princess Tree	Paulownia tomentosa	Invasive
Senegal Date Palm	Phoenix reclinata	Invasive
White Poplar	Populus alba	Suckers, Shallow roots, Weak wood, Invasive
Cottonwood	Populus deltoides	Weak wood, Shallow roots, Seeds
Lombardy Poplar	Populus nigra 'Italica'	Insects, Disease, Short-lived
(Wild) Black Cherry	Prunus serotina	Disease prone
Bradford Pear	Pyrus calleryana 'Bradford'	Weak branching, Low branches
Brazilian Pepper Tree	Schinus terebinthifolius	Invasive
Tallow Tree	Triadica sebifera	Invasive
American Elm*	Ulmus americana*	Insects, Disease
Siberian Elm	Ulmus pumila	Weak wood, Seeds
* Note that suitable disease resistant cultivars and hybrids exist as substitutes for this species		

Sec. 7.09 – FENCES, WALLS, AND HEDGES

- 1) **INTENT.** The purpose of these standards is to provide minimum requirements in order to provide adequate light, air circulation, and privacy; and to protect the public welfare by preventing visual obstructions along public ways.
- 2) **EXEMPTIONS.**
 - a) **Agriculture.** If engaged in agricultural operations or activities, properties located in any district where agriculture is permitted shall be exempt from the provisions of this section.
 - b) **Athletic Facilities.** Fences for ball diamonds, tennis courts, driving ranges and other athletic facilities shall be exempt from the provisions of this section.
- 3) **GENERAL REQUIREMENTS.** Fences, walls, and hedges shall be permitted in all zoning districts subject to conformance with the following requirements:
 - a) **Drainage.** No fence, wall, or hedge shall disrupt the flow of water in any drainage easement, or otherwise result in impediments for stormwater runoff. Any fence, wall, or hedge located in an easement may be removed by the easement holder when accessing the easement.
 - b) **Setbacks.** All fences, walls, and hedges may be permitted up to a property line except as noted in this Ordinance. No fence, wall, or hedge shall be placed in any right-of-way or violate the sight distance requirements found in *Section 7.04 – Sight Visibility*. Fences, walls, and hedges within the easement of a drain, pond, and/or lake shall require the approval of the City Engineer.
 - c) **Buffer Yards.** No fence, wall, or hedge may be placed in any required buffer yard that does not specifically provide for the inclusion of a fence.
 - d) **Materials.**
 - i) Fences shall not contain an electric charge except when located on properties with an agricultural use, and other uses as approved by Special Exception by the Villa Rica City Council.
 - ii) When enfronting a public right-of-way or public easement, the finished face of any fence shall be so erected as to face the public way.
 - iii) Fences and walls shall be constructed of wood, decorative metal, textured masonry or synthetic materials styled to simulate natural materials. Barbed wire and razor wire are permitted only on properties with an agricultural use, or in the Industrial, Low-Density (I1) and the Industrial, Medium-Density (I2) districts.
 - iv) Chain-link fences shall be permitted in all districts. Chain-link fences in residential districts shall be located only in the rear yard area, shall be vinyl-coated, except as prohibited by a Home Owners Association regulation or restrictions.
 - e) **Height.**
 - i) **Exception.** The height of fences screening telecommunications facilities is regulated by *Section 7.11 – Wireless Communication Facilities*.
 - ii) **Height Measurement.** The height of a fence, wall or hedge shall be determined by measuring from the adjacent grade to the highest point of the fence, wall or hedge, excluding posts. Fence posts may exceed the maximum height of the fence by up to one (1) foot.

- iii) Unless otherwise regulated by this chapter, fences and walls shall not exceed eight (8) feet in height in nonresidential districts and six (6) feet in height in residential districts in the rear and side yards. Fences, walls and hedges shall not exceed four (4) feet in height in the front yard.

Table 7.22: Maximum Permitted Fence Heights			
Permitted Use	Front Yard	Side Yard	Rear Yard
Single-Family Use	3'0" solid fence 4'0" combined or predominantly open fence	6'0"	6'0"
Multifamily Use	3'0" solid fence 4'0" combined or predominantly open fence	6'0"	6'0"
Commercial & Office Use	3'0" solid fence 4'0" combined or predominantly open fence	6'0"	6'0"
Industrial Use	8'0"	8'0"	8'0"
Parking Lots, Vacant Lots, Churches, Schools, Swimming Pools, Stormwater Management Facilities, and Parks	3'0" solid fence 4'0" combined or predominantly open fence	6'0"	6'0"

- f) Opacity. A fence, wall or hedge in the front yard shall permit direct vision from one side to the other through at least fifty percent (50%) of the structure.
- g) Notwithstanding the provisions of subsection (3)(e), above, a fence may be erected or altered up to a height of eight (8) feet where:
- The ground floor elevation within twenty (20) feet or less of the principal dwelling on either one of the two (2) adjoining lots is at least four (4) feet higher than the elevation at the adjoining lot line; or
 - The fence is erected along a side or rear lot line which adjoins a collector street or arterial street (in which case landscape planting shall be provided in accordance with *Subsection 7.05(7)* of this chapter) as part of a multiple lot residential subdivision; or
 - The fence is a sound barrier or fence required by GDOT or a security fence required by the Department of Homeland Security for a public or institutional use; or
 - The additional fence height is permitted by the City Council pursuant to a rezoning or specific use authorization; or
 - The fence is located on a side or rear lot line which abuts a C2 or I2 use or more intensive use that does not require a buffer yard.

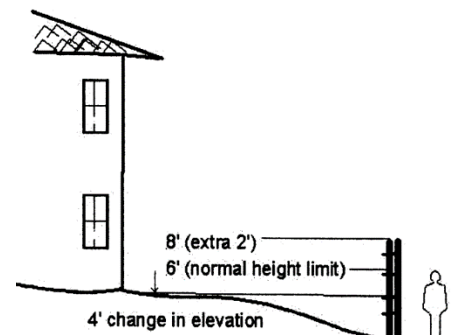
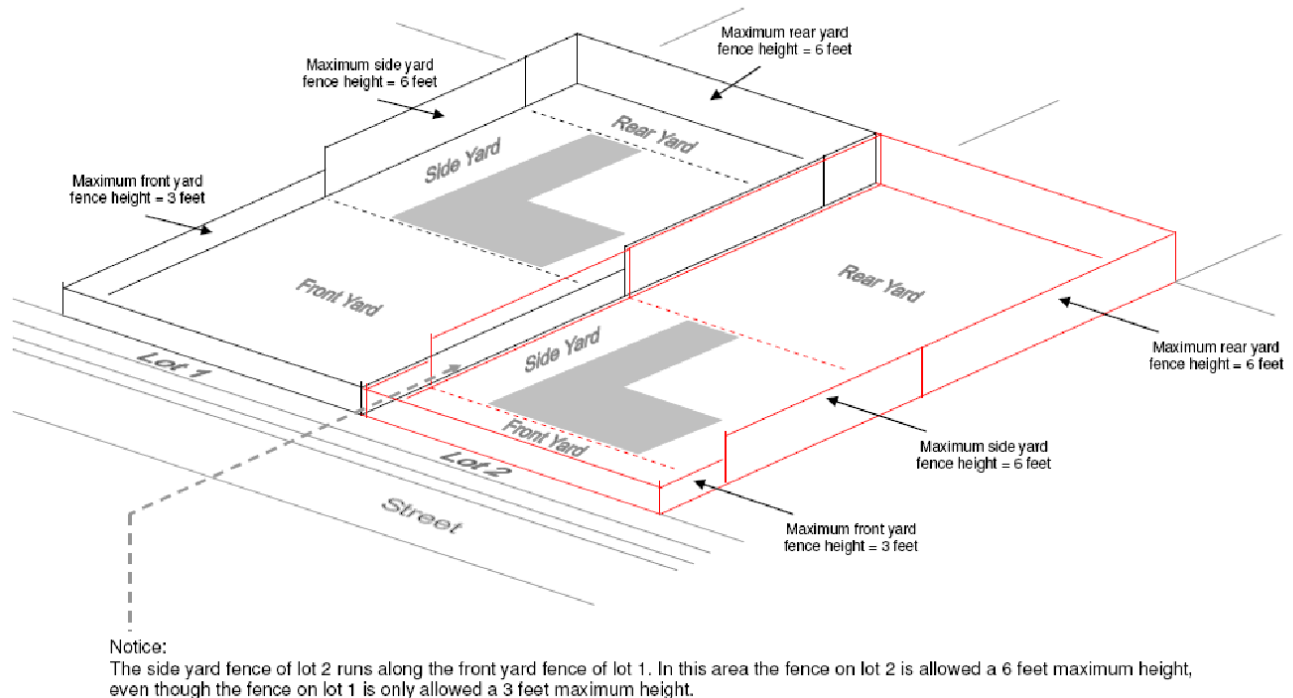


Figure 7.4: Additional height where home on adjacent lot is 4' higher (*subsection 7.09(3)(g)i*).

- vi) Notwithstanding the provisions of *Subsection (3)(e)*, above, a fence may be erected or altered up to the height of the adjacent building where the fence is located entirely on the interior of a lot behind all required building setback lines, attached to the main structure, and used for security purposes or for part of the intended use of the primary structure, such as fencing for outdoor display, for example an outdoor garden area, or lumber yard attached to a home improvement store.
- vii) The following illustration shall be used to determine applicable front, side and rear fence standards:

Figure 7.5: Fences and Yard Determinations



Sec. 7.10 – HEIGHT STANDARDS

- 1) GENERAL HEIGHT STANDARDS APPLICABLE TO ALL ZONING DISTRICTS:
 - a) Height Requirements. The maximum height permitted shall be as described below and in accordance with *Table 4.4: Residential Lot Standards* and *Table 4.5: Non-Residential Lot Standards*, subject to the exceptions listed in this section.
 - i) Measuring Height. In all instances, the height of a structure shall be the vertical height from the average finished grade to the highest point of the roof, parapet, or uppermost part of the building or structure.
 - b) Exceptions. No structure may be erected or changed so as to make its height greater than specified in the applicable zoning district, except as noted below.
 - i) General Exceptions.
 - (1) Steeples on religious places of worship;
 - (2) Spires, belfries, and cupolas;

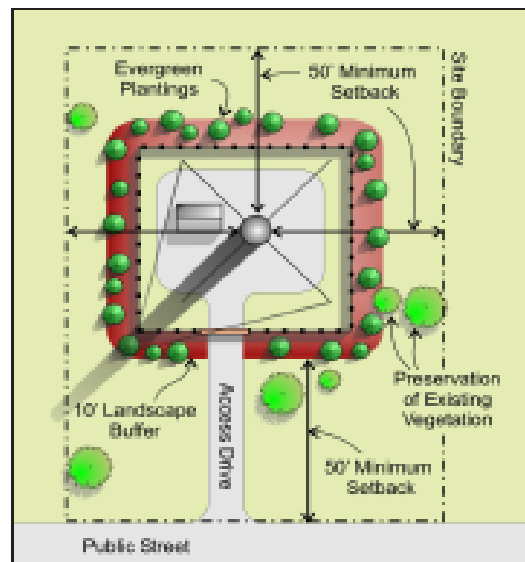
- (3) Industrial-related storage tanks, mechanical equipment, and smokestacks; and
- (4) Water towers.
- ii) Agricultural Structures. All structures in a zoning district where agriculture is allowed that are used in agricultural product storage and/or processing may exceed the permitted height standards for that district and be erected to any height that is necessary for their operation.
- iii) Wireless Communication Facilities. The height of wireless communication facilities shall be regulated by *Section 7.11 – Wireless Communication Facilities*.
- iv) Amateur Radio Towers. Amateur radio towers may exceed the permitted height regulations by up to ten (10) feet.
- v) Noncommercial Wind Energy Conversion Systems. Wind energy conversion systems are exempt up to 120 feet in height. For propeller turbines, the height shall be measured from the rotor blade at its highest point to the top surface of the wind energy conversion system foundation. For vertical axis turbines, the height shall be measured from the highest point of the unit to the top surface of the wind energy conversion system foundation
- vi) Necessary Appurtenances. The following structural elements may exceed the permitted height standards for the zoning district in which they are located by up to ten (10) feet:
 - (1) Necessary mechanical appurtenances;
 - (2) Water tanks;
 - (3) Chimneys;
 - (4) Fire towers;
 - (5) Stair towers;
 - (6) Elevator bulkheads; and
 - (7) Wind energy conversion systems, rooftop.
- c) Air Space Requirements. Nothing in this Ordinance, including the exceptions listed above shall be interpreted as waiving any height regulations related to air transportation. All applicable Federal Aviation Administration (FAA) and State of Georgia restrictions and regulations, including *Federal Aviation Regulation Part 77* and *Objects Affecting Navigable Airspace (FAR Part 77)* shall apply to all structures.

Sec. 7.11 – WIRELESS COMMUNICATION FACILITIES

- 1) PURPOSE. In recognition of the quasi-public nature of cellular and/or wireless communication systems, it is the purpose of these regulations to:
 - a) Accommodate the need for cellular or wireless communication towers while regulating their location and number in the City;
 - b) Minimize adverse visual effects of communication towers and support structures through proper siting, design and screening;
 - c) Avoid potential damage to adjacent properties from communication towers and support structure failure; and
 - d) Encourage the joint use of any new and existing communication towers and support structures to reduce the number of such structures needed in the future.
- 2) USE REGULATIONS. The following use regulations shall apply to cellular or wireless communication antennas and towers.

- a) A cellular or wireless communications antenna that is mounted to an existing communications tower (whether said tower is for cellular purposes or not), smoke stack, water tower or other tall structure, shall be permitted as of right in all zoning districts. Cellular or wireless communications antenna may also be located on the top of buildings that are no less than fifty (50) feet in height.
 - b) A cellular or wireless communications antenna that is mounted to an existing structure as indicated above shall be painted a color which matches, or is compatible with, the structure on which it is located.
 - c) A cellular or wireless communications antenna is permitted as a special exception in the AG and I2 zoning districts only if it is:
 - i) mounted on its own tower (as opposed to it being mounted on an existing structure); or
 - ii) more than fifteen (15) feet higher than the structure on which it is mounted.
 - d) All other non-essential uses accessory to the cellular or wireless communications antenna and towers including, but not limited to business offices, maintenance depots, and materials and vehicle storage, are prohibited from the site unless otherwise permitted in the zoning district in which the cellular or wireless communications antenna and/or tower is located.
- 3) STANDARDS OF APPROVAL FOR CELULAR OR WIRELESS COMMUNICATIONS ANTENAS AND TOWERS PERMITTED BY SPECIAL EXCEPTION. The following standards shall apply to cellular or wireless communications antennas and towers permitted as special exception uses.
- a) The cellular or wireless communications company shall be required to demonstrate as part of the special exception application process, using the latest technological evidence, that the antenna or tower must be placed at the proposed location and at the proposed height in order to satisfy its necessary function in the company's grid system. As part of this requirement, a Radio Frequency (RF) map of sufficient scale shall be submitted to the Community Development Director demonstrating a need for the tower at the location and height proposed.
 - b) If the cellular or wireless communications company proposes to build a cellular or wireless communications tower (as opposed to mounting the antenna on an existing structure), it is required to demonstrate that it has contacted the owners of nearby tall structures within a one (1) mile radius of the site proposed, asked for permission to install the cellular or wireless communications antenna on those structures, and was denied for reasons other than economic ones. "Tall structures" shall include, but not be limited to: smoke stacks, water towers, buildings over fifty (50) feet in height, antenna support structures of other cellular or wireless communication companies, other communication towers and roadway lighting poles.
 - c) The City Council may deny the special exception if the applicant has not made a good faith effort to mount the antenna on existing structures.

Figure 7.6: Wireless Telecom Layout



- d) An application for special exception for a wireless communication facility which shall be reviewed by the TAC, and shall include, among other required information, a plan at a scale of one inch to fifty feet (1" = 50'), indicating at a minimum the following:
 - i) The total area of the site;
 - ii) The existing zoning of the property in question and of all adjacent properties;
 - iii) All public and private right-of-way and easement lines located on or adjacent to the property which is proposed to be continued, created, relocated or abandoned;
 - iv) Existing topography with a maximum of five (5) foot contours intervals;
 - v) The proposed finished grade of the development shown by contours not exceeding five (5) foot intervals;
 - vi) The location of all existing buildings and structures and the proposed location of the cellular or wireless communications tower and all cellular or wireless communications support structures including dimensions, heights, and where applicable, the gross floor area of the buildings;
 - vii) The location and dimensions of all curb cuts, driving lanes, off-street parking and loading areas including the number of spaces, grades, surfacing materials, drainage plans and illumination of the facility;
 - viii) All existing and proposed sidewalks and open areas on the site;
 - ix) The location of all proposed fences, screening and walls;
 - x) The location of all existing and proposed streets;
 - xi) All existing and proposed utilities including types and grades;
 - xii) All existing and proposed landscaping in accordance with *Subsection 7.11(4)(e)*;
 - xiii) The schedule of any phasing of the project;
 - xiv) A written statement by the cellular or wireless communications company as to the visual and aesthetic impacts of the proposed cellular or wireless communications tower on all adjacent residential zoning districts; and
 - xv) Any other information as may be required by the Planning & Zoning Commission to determine the conformance with this Zoning Ordinance.
- 4) STANDARDS OF APPROVAL OF ALL CELULAR OR WIRELESS COMMUNICATIONS ANTENAS AND TOWERS
 - a) Antenna/Tower Height. The applicant shall demonstrate that the antenna/tower is the minimum height required to function satisfactorily and provide an acceptable number of towers.
 - b) Setbacks from the Base of the Tower. If a new cellular or wireless communications tower is to be constructed, the minimum distance between the base of the tower or any guy wire anchors and the property line shall be the greater of the following:
 - i) Forty (40) percent of the tower height;
 - ii) The minimum setback in the underlying zoning district; or
 - iii) Fifty (50) feet.
 - c) Cellular or Wireless Communications Tower Safety. The applicant shall demonstrate that the proposed cellular or wireless communications tower and its antenna are safe and that the surrounding properties will not be negatively affected by tower failure, falling ice or other debris, electromagnetic fields or radio frequency interference. Furthermore, all cellular or wireless

- communications towers shall be fitted with anticleimbing devices as approved by the manufacturers.
- d) Fencing. A fence shall be required around the cellular or wireless communications tower and its support structure(s), unless the antenna is mounted on an existing structure. The fence shall be a minimum of eight (8) feet in height and shall be erected to prevent access by non-authorized personnel.
 - e) Landscaping.
 - i) Landscaping shall be required to screen as much of the freestanding cellular or wireless communications tower, support structures, and surrounding fence as possible and any other ground-level features and, in general, to soften the appearance of the cellular communications site.
 - ii) The Director may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping.
 - f) Limiting the Number of Cellular or Wireless Communications Towers. In order to reduce the number of antenna support structures needed in the City in the future, the proposed cellular or wireless communications tower shall be required to accommodate other users, including other cellular communications companies, and local police, fire and ambulance departments. The applicant shall provide proof that co-location is not feasible.
 - g) Licensing. The cellular or wireless communications company must demonstrate to the City that it is licensed by the Federal Communications Commission (FCC).
 - h) Required Parking. If the cellular or wireless communications site is fully automated, adequate parking shall be required for maintenance workers. If the site is not fully automated, the number of required parking spaces shall equal the number of employees working on the largest shift. All parking specifications and requirements shall be consistent with the applicable parking requirements as established in this Ordinance.
 - i) Appearance. Cellular or wireless communications towers under two-hundred (200) feet in height shall be painted silver or have a galvanized finish retained in order to reduce visual impact. Cellular or wireless communications towers shall meet all Federal Aviation Administration (FAA) regulations. No cellular or wireless communications towers may be artificially lighted except when required by the FAA. Furthermore, no cellular communication tower or antenna shall contain any signage containing a commercial message.
- 5) **MAINTENANCE.** Any owner of property used as a cellular or wireless communications site shall maintain such property and all structures in good condition and free from trash, outdoor storage, weeds and other debris. Any cellular or wireless communications tower that has discontinued its service for a period of twelve (12) continuous months or more shall be removed, along with all accessory structures related thereto. Discontinued shall mean that the structure has not been properly maintained, has been abandoned, become obsolete, unused or has ceased the daily activities or operations which had occurred.

Sec. 7.12 – OUTDOOR LIGHTING

- 1) **INTENT.** Exterior lighting shall be subject to the following lighting standards and should be consistent and compatible with the design, color and scale of the associated development. Light levels shall most importantly be uniform to promote the health, safety, and welfare of users.
- 2) **GENERAL PROVISIONS.** All areas containing outdoor lighting, including but not limited to floodlighting, security, street, or parking lot lighting shall comply with the requirements of this section.

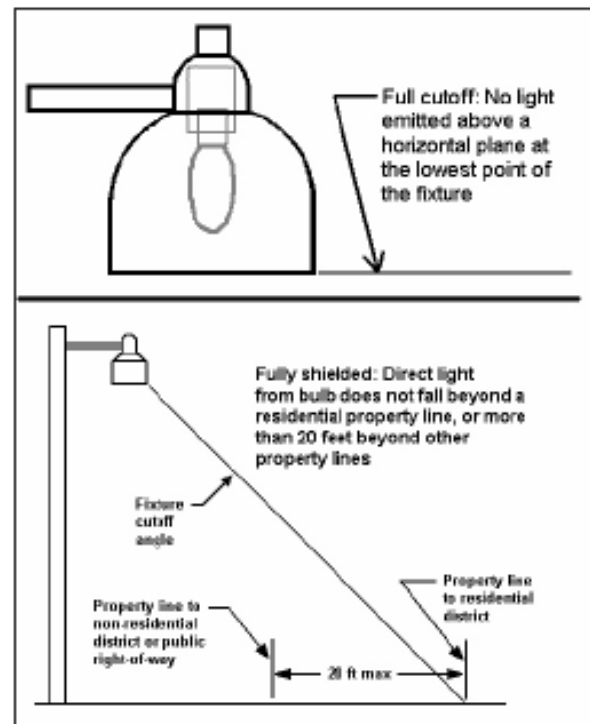
a) **Light Trespass.** All areas containing outdoor lighting shall limit light spillage onto adjacent property, when measured at any point along a property line to the requirements set forth in *Table 7.23: Light Trespass*. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures, fixture location, height, or aim, or a combination of these or other factors.

Table 7.23: Light Trespass	
Adjoining District	Light Spillage Measured in Foot-Candels (maximum light level at the property line)
AG, R1, R2, SFA, MF1, MF2, CBD, CMU, PUD*	0.20
C1, C2, OMI, I1, I2, PUD*, Public RoW	0.50

*In PUDs, Light Spillage for residential uses shall not exceed 0.20, and 0.50 for non-commercial uses.

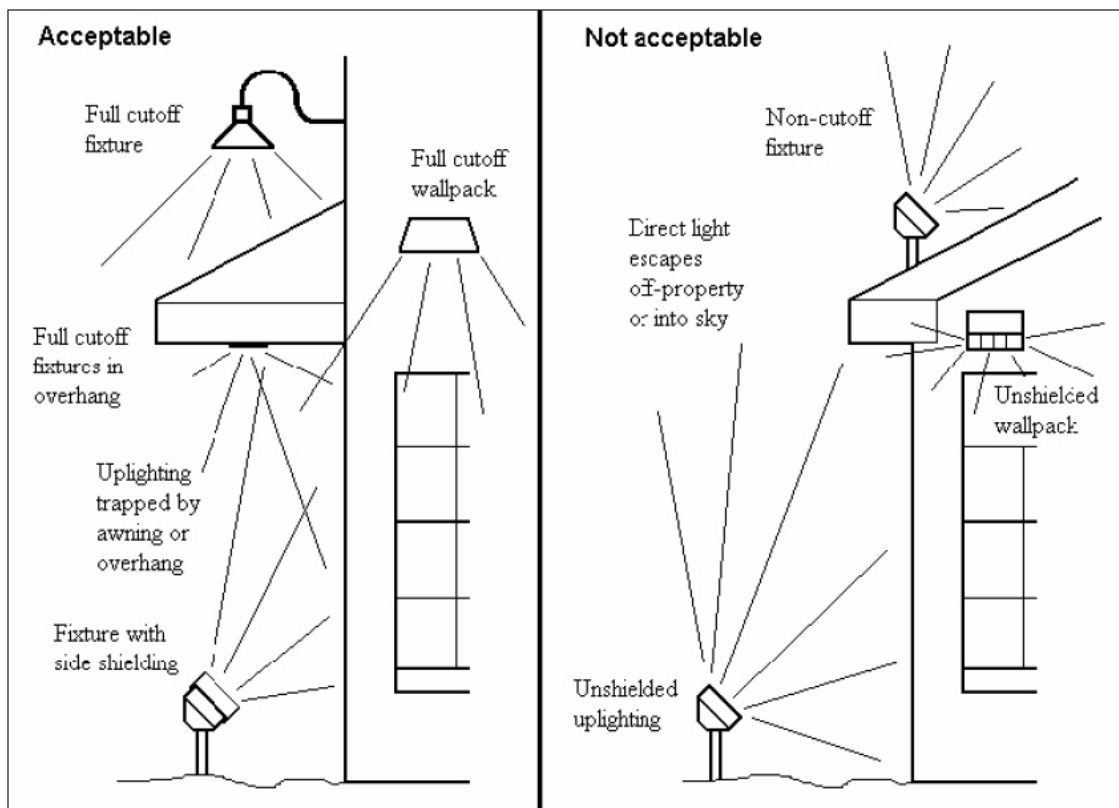
- b) **Light Shielding.** Unless light fixtures of a particular period or architectural style are used, all new, repaired, or replaced lighting, whether public or private, shall be full cutoff or fully shielded.
- c) **Mounting Height Measurement.** For the purposes of this section, the mounting height of all light fixtures shall be defined as the vertical distance between the adjacent grade of the surface being illuminated and the top of the lighting fixture (luminaire).
- d) **Use of Timers/Dimmers.** Wherever practicable, exterior lighting shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.
- e) **Electrical Service.** The electrical service to all outdoor lighting fixtures shall be underground, unless the fixtures are mounted directly on buildings or utility poles.
- f) **Holiday Lighting.** Holiday lighting shall be exempt from the provisions of this section.
- g) **Lamp Color.** Lamps (the source of the actual light) shall be halogen, metal halide or other type which ensures true-color at night.

Figure 7.7: Proper Light Shielding



- 3) **LIGHTING PLAN.** Wherever a lighting plan is called for by this Ordinance, such plan shall include the following:
 - a) Lighting plan showing buildings, landscaping, parking areas, and the locations of all proposed exterior lighting fixtures, with designation of full cutoff and/or fully shielded fixtures;
 - b) A description of the outdoor light fixtures which may include but is not limited to manufacturer's catalog cuts, photometric report with candela distribution, drawings, and shielding information;
 - c) Analysis and illuminance level diagrams showing that the proposed installation conforms to the lighting level standards in this Ordinance.
- 4) **ILLUMINATION OF BUILDINGS AND OTHER VERTICAL STRUCTURES.** When buildings or other structures are illuminated, the design for the illumination must be in accordance with the following:
 - a) Lighting fixtures shall be located and/or aimed such that light is directed only onto the building surface. All fixtures used to illuminate buildings shall be fully shielded;
 - b) For statues, monuments, fountains, or other objects for which it may not be possible to reliably and consistently illuminate with downward lighting, up-lighting may be used only in the form of spotlights which confine the illumination to the object of interest; and
 - c) If up-lighting is used to illuminate flags, only spotlights shall be used; floodlights directed above the horizontal shall not be used to illuminate a flag.
- 5) Building-mounted neon lighting is allowed only when recessed, or contained in a cap or architectural reveal.

Figure 7.8: Proper Feature Lighting Examples



- 6) PARKING AREAS
 - a) Luminaires / lighting fixtures serving parking areas shall be full cutoff fixtures.
 - b) The maximum average maintained illumination level for a parking lot shall be no more than 1.6 horizontal foot-candles at grade level.
 - c) Light fixtures located on the perimeter of parking lots and within twenty (20) feet of a property line shall utilize *IESNA Type IV* forward throw optical distribution and/ or “house-side” shielding to minimize light spillage with respect to that property line.
 - d) Lights shall not exceed twenty-five (25) feet in height from the adjacent grade to the top of the fixture.
 - e) Building-mounted lighting shall not be permitted to illuminate parking areas.
- 7) LIGHTING OF EXTERIOR DISPLAY OR OPEN SALES AREAS (excluding motor vehicle dealerships)
 - a) Light fixtures serving areas designated as exterior display or open sales areas shall be full cutoff and/or fully shielded fixtures.
 - b) Areas designated as exterior display or open sales areas shall be illuminated so that the average maintained horizontal illumination at grade level does not exceed 4.0 foot-candles.
 - c) Light fixtures located on the perimeter of display or sales areas and within twenty (20) feet of a property line shall utilize *IESNA Type IV* forward throw optical distribution and/or “house-side” shielding to minimize light spillage with respect to that property line.
- 8) LIGHTING OF MOTOR VEHICLE DEALERSHIPS
 - a) Full cutoff light fixtures shall be required for car dealerships.
 - b) Car dealerships can define thirty percent (30%) of their site as display area and illuminate that area up to thirty-five (35) foot-candles (maximum) while limiting light trespass and using fully shielded fixtures.
 - c) The remaining seventy percent (70%) of the car dealership site shall be subject to the same lighting standards for light levels and light trespass as other commercial sites.
- 9) LIGHTING OF WALKWAYS, BIKEWAYS, PARKS AND PLAYGROUNDS. Where special lighting is to be provided for walkways, bikeways, or parks, the following requirements shall apply:
 - a) The walkway, pathway, or ground area shall be illuminated to a level of no more than 0.5 average horizontal foot-candles;
 - b) The vertical illumination levels at a height of five (5) feet above grade shall be no more than 0.5 average vertical foot-candles; and
 - c) Lighting fixtures shall be designed to direct light downward, and the initial output of light sources shall not exceed one-thousand (1,000) lumens.
 - d) Light pole height shall not exceed fifteen (15) feet. Bollard lighting, not exceeding four (4) feet in height is encouraged.
- 10) LIGHTING OF CANOPIES, BAYS, AND LOADING AND UNLOADING SPACES
 - a) The average maintained horizontal illumination shall not exceed twenty-five (25) foot-candles.
 - b) Areas used for parking or vehicle storage shall be illuminated in accordance with the requirements for Parking Lot Lighting.
 - c) Light fixtures mounted on or under overstory ceilings, in bays, and in loading and unloading spaces shall be recessed, full cutoff and fully shielded, unless indirect lighting is being used whereby light is directed upward and then reflected down from the ceiling of the structure. In

this case, light fixtures must be shielded so that direct illumination is focused exclusively on the ceiling of the structure.

- d) Lights shall not be mounted on the top or sides of an overstory.
- e) Lighting for drive-through bays must be fully shielded as if located outside.

11) OUTDOOR ATHLETIC/PERFORMANCE FACILITIES

- a) Outdoor activity facilities may have unique lighting needs pertaining to the performing or playing area. A design plan for such a facility shall detail the lighting requirements of the performing or playing area and how unwanted glare, illumination of surrounding streets and properties, and nighttime atmospheric light pollution will be minimized.
- b) Limits on light trespass appearing in *Subsection 7.12(2)(a)* of this section apply to such outdoor facilities. If floodlighting is used in place of full cutoff fixtures, the center beam shall be aimed below the horizontal plane at an angle not less than one-half (0.5) the angular beam spread of the fixture. Glare shall be controlled by fixture design, location, shielding, or natural/positioned obstructions on the parcel where the facilities are located. Every such lighting system design and installation shall be certified by a registered engineer as conforming to all applicable restrictions of this Ordinance.
- c) Except for professional or amateur events covered by intrastate televised broadcast, thirty (30) foot-candle horizontal illumination of the playing field or performing area shall not be exceeded. Parking facilities, walkways, and other lighting applications associated with venues for the outdoor activities covered herein shall conform to the requirements specified in the sections of this Ordinance applicable to those lighting applications. Light levels adjacent to residential districts or uses shall not exceed 0.20 foot-candle at the property line.
- d) Outdoor Activity Light poles shall not exceed one-hundred (100) feet in height. The use of spotlights and/or floodlights to illuminate the play/performance area shall be permitted. However, each facility shall be designed and constructed with a dual lighting system which permits the main lighting for the event (spotlighting, floodlighting, etc.) to be turned off, with an alternate low level lighting system used for clean-up, night maintenance and other activities. Outdoor Activity lights shall shut off by 11:00 p.m. or no more than thirty (30) minutes after the activity is completed.

12) STREET LIGHTING.

- a) Unless street light fixtures of a particular period or architectural style are used, all new, repaired or replaced street lighting, whether public or private, shall utilize full cutoff and/or fully shielded fixtures.
- b) If street light fixtures of a particular period or architectural style are used then all such fixtures shall meet the Illuminating Engineering Society of North America (IESNA) criteria for said fixtures described above, and the maximum lumens generated by each fixture shall not exceed five-thousand (5,000). In no case shall the resulting illumination exceed levels currently recommended by the IESNA in publication *RP-8, American National Standard Practice for Roadway Lighting*.
- c) Fixtures that emit more than three-thousand (3,000) lumens shall be shielded if adjacent to residential districts or uses.

13) NEON LIGHTING.

- a) Light sources consisting of glass tubes filled with neon, argon, krypton, or other similar gas (hereafter referred to as “neon lighting”) are excluded from shielding and line-of-sight requirements, however such lighting shall be included in the light trespass requirements of *Subsection 7.12(2)(a)*.
- b) For the purposes of this Ordinance, signs using neon lighting shall be considered internally illuminated signs and shall be subject to the requirements specified for internally illuminated signs in the *Villa Rica Sign Ordinance*.
- c) Neon lighting shall not be considered as security lighting.

14) SIGN ILLUMINATION

- a) Whenever an external artificial light source is used to illuminate a sign, such source shall be fully shielded. A receptacle or device housing a permitted light source shall be top mounted and directed below the horizontal, except for ground-mounted signs no higher than six (6) feet which may be illuminated with ground-mounted or bottom-mounted lighting fixtures.
- b) The average level of illumination on the vertical surface of an externally illuminated sign shall not exceed thirty (30) foot-candles, unless permitted ground-mounted or bottom-mounted lighting fixtures are used in which case the average level of illumination on the vertical surface of the sign shall not exceed twenty (20) foot-candles. No exposed bulb or lamp shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public right-of-way or adjacent property.
- c) Internally illuminated signs constructed with an opaque or colored background and lighter contrasting text or symbols are preferred; such construction shall be required for internally illuminated signs within six-hundred (600) feet of a Residential District. This section shall not apply to residential development identification signs, vending machines, telephone booths, time and temperature signs, or signs that do not exceed two (2) square feet in area. For the purposes of this Ordinance, signs using neon lighting shall be considered internally illuminated signs and shall be subject to the requirements specified for internally illuminated signs, provided that there shall be no color restrictions on neon signs.

15) OTHER OUTDOOR LIGHTING

- a) Outdoor lighting not otherwise specified in this Ordinance emitting more than one-thousand two-hundred (1,200) lumens (except motion detector activated lighting) shall be full cutoff and fully shielded. Bulbs in outdoor light fixtures emitting from six-hundred (600) to one-thousand two-hundred (1,200) lumens may be installed in fixtures that are not full cutoff and may be visible from the property line, provided, however, such bulbs shall be frosted glass or covered by frosted glass or other similarly translucent material.
- b) A spotlight or floodlight of less than one-thousand eight-hundred (1,800) lumens need not be full cutoff or fully shielded if its center beam is aimed at a point not beyond any property lines and no less than forty-five (45) degrees below horizontal, is used for security lighting purposes only, and is motion detector activated and cycles off within five minutes after the cessation of motion within its field of view. Such security lighting shall not be activated by normal business or resident activity.

- c) Tower or antenna lighting shall not be permitted unless required by the Federal Aviation Administration.
- d) The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions, and are therefore considered to be signs, are prohibited per *Section 9.14 Prohibited Signs of the Villa Rica Sign Ordinance*.

16) EXCEPTIONS

- a) The temporary use of low-wattage or low-voltage lighting for public festivals, celebrations, and the observance of holidays are exempt from this Ordinance except where they create a hazard or nuisance from glare. However, consideration to light trespass requirements shall be demonstrated prior to commencing the use of the temporary lighting.
- b) Emergency lighting and traffic control lighting shall be exempt from the requirements of this section.

17) LIGHTS NOT CONFORMING TO THIS SECTION

- a) Authority to Continue. Any lawfully installed lighting fixture at the effective date of this Ordinance which does not conform to the provisions of this section may continue provided the lighting remains in conformance with the provisions of this Subsection.
- b) Ordinary Maintenance and Repair. Nothing in this section shall relieve the owner or beneficial user of legal nonconforming lighting, or the owner of the property on which the legal nonconforming lighting is located, from the provisions of this section regarding safety, maintenance, and repair. Normal maintenance, including replacing light bulbs, cleaning, or routine repair of legal nonconforming light fixtures, shall not be deemed to be a condition which triggers a loss of lawful status described below, unless such maintenance increases the nonconforming aspects of the lighting.

- i) Loss of Lawful Status

- (1) Legal nonconforming status shall terminate under the following conditions:

- (a) if a light fixture is no longer used for a period of six (6) months it shall be deemed abandoned and shall not thereafter be reestablished; or
 - (b) if a lighting fixture is structurally altered such that its nonconforming aspects increase; or
 - (c) if a lighting fixture is relocated, replaced, or moved in any way; or the lighting fixture is damaged and the cost of repair exceeds fifty percent (50%) of its replacement value.

- (2) Upon the event of any of the aforementioned, the lighting fixture(s) shall be immediately brought into compliance with this section, or the lighting fixture(s) shall be removed.

- ii) Removal Pursuant to Public Order. Lighting found by a governmental agency to create public hazard can be ordered removed or altered at any time.

18) SECURITY LIGHTING. Security lighting shall be coordinated with other lighting on the property to the extent possible and shall otherwise conform with the following requirements:

- a) Non-residential Lighting Fixtures. All security lighting in non-residential areas shall be shielded and specifically aimed so that illumination is directed only to the intended area. The light source for any security lighting shall include shields that prevent their light source or lens from being visible from adjacent properties and/or streets. Security lighting fixtures may be mounted on

poles located no further than ten (10) feet from the perimeter of the area intended to be illuminated.

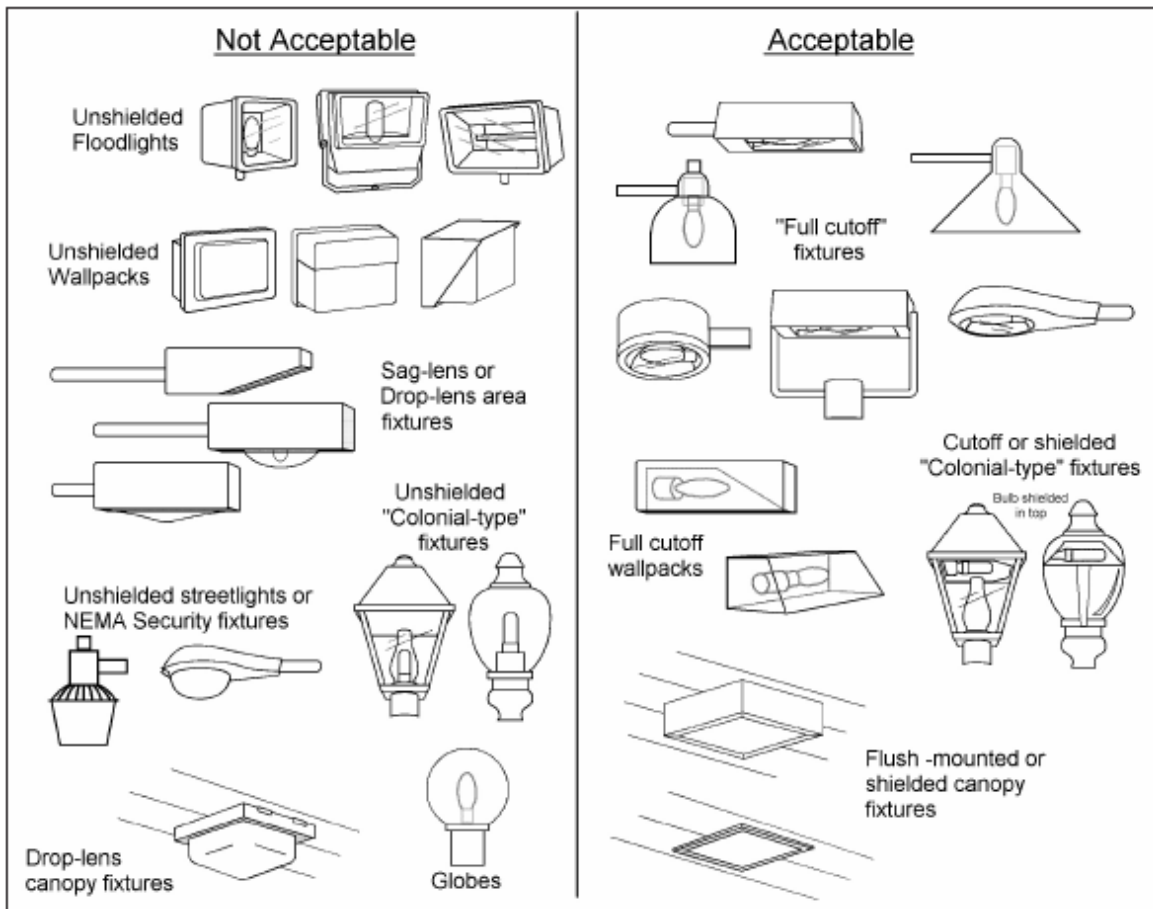
- b) Residential Lighting Fixtures. Security lighting fixtures in residential areas shall make use of indirect and reflected lighting techniques to provide soft lighting under canopies, entry porches, or soffits.

19) TOWN CENTER

- a) Storefronts shall be internally illuminated with spot or other incandescent lighting to display the business or its products.
- b) Exterior lighting may be affixed to the building.
- c) Pedestrian passages to parking areas on the sides and in the rear must be lit to a minimum of two (2) foot-candles.

20) MODIFICATION. The Planning & Zoning Commission shall have the authority to modify any of the requirements of this section in accordance with *Subsection 2.02(9)(a) ix*.

Figure 7.9: Acceptable Lighting Examples



Sec. 7.13 – OPEN SPACE REQUIREMENT

- 1) **INTENT.** The following requirements shall govern the type and amount of open space for any tract of land which is the subject of an application for subdivision, land development or both using the provisions of this article. The purpose of open space is to regulate the intensity of development, preserve natural features and vistas, enhance the aesthetics of the built environment, and supply functional recreational areas.
- 2) **OWNERSHIP.** The land must be held in single and separate ownership by the applicant or, in the case of multiple ownership, the tract must be developed according to a single plan with responsibility for its implementation and completion vested in a common authority.
- 3) **GENERAL PROVISIONS**
 - a) Open Space shall be large, contiguous areas to the greatest extent possible.
 - b) Connectivity between the open space and adjacent development, greenways, parks and the like shall be provided by a minimum twenty (20) foot wide accessway.
 - c) Where significant natural assets exist in a proposed development, the Planning & Zoning Commission may require preservation. Areas devoted to natural or improved flood control channels and those sections subject to problems of flowage, floodway or drainage easements should be left in their unimproved, natural state.
 - d) Open space shall be designated as Common Area or placed in an easement.
 - e) The City Council shall require that a legal plan or contract for the perpetuation, maintenance and function of all the common area or other common property be established and furnished to the Council to be approved by the City Attorney prior to final approval. The legal plan or contract shall assure that all such common areas shall be provided for in a satisfactory manner without expense to the City. The documents shall be recorded in the County Recorder's office by the applicant prior to occupancy of any building on the project.
 - f) The City shall pursue enforcement of standards and impose penalties in accordance with *Chapter XII: Violations and Enforcement* upon failure to maintain designated open space and any improvements within the open space.
 - g) Further subdivision of the open space or its use for other than conservation, agricultural, or passive recreation shall be prohibited. Structures and buildings accessory to the conservation, agricultural or passive recreation may be erected on the open space, subject to the standards in *Table 4.4: Residential Lot Standards*, *Table 4.5: Non-Residential Lot Standards* (whichever table is applicable), and *Section 8.02 – Accessory Use and Structure Standards*, and subject to review of the site by the Planning & Zoning Commission. Any restrictions on the established open space shall be recorded in a conservation easement to which the City is a signatory party.
 - h) Where applicable, a homeowners' or maintenance association shall be established for the purpose of permanently maintaining all open space and potential non-commercial recreational facilities. Such homeowner's or maintenance association agreements, guaranteeing continuing maintenance, and giving lien to the City in the event of lack of such maintenance, shall be submitted to the City Council for approval prior to the issuance of any permits.

- 4) NON-QUALIFYING OPEN SPACE. Elements that do not qualify to be counted toward open space include:
- a) Required private yards.
 - b) Street rights-of-way, open parking area and driveways for dwellings.
 - c) Land covered by buildings.
 - d) Required detention and retention ponds that are not visually or physically accessible.
 - e) The floodway of any stream, regulated drain, river or other water body accessible.
 - f) Any area with slopes exceeding a twenty-five percent (25%) grade.
 - g) Any wetlands on the development site, unless preserved as a conservation area.
- 5) MINIMUM REQUIRED OPEN SPACE

Table 7.24: Minimum Required Open Space		
Zoning District	Percentage of Open Space	Notes
R1, R2	8%	-
SFA, MF1	12%	-
MF2	15%	-
CMU, C1, C2, OMI	5%	-
I1, I2	2%	Sites less than 3 acres are exempt
AG, CBD	-	Exempt

- 6) QUALIFYING OPEN SPACE
- a) Conservation areas and wetlands preserved as conservation areas.
 - b) Floodplains
 - c) Woodlands
 - d) Riparian corridors
 - e) Retention and detention facilities with the following characteristics:
 - i) Perimeter Access. An easement of at least fifteen (15) feet from the top of bank with a minimum five (5) feet wide path of a material that meets the requirements of the ADA.
 - ii) Access. An area of open space at least twenty (20) feet wide shall extend from a street right-of-way to the fifteen (15) foot perimeter access area of the detention area.
 - iii) Planting. Native plant material is encouraged around the perimeter of retention ponds.
 - f) Development amenity areas containing semi-public areas such as:
 - i) plazas with seating and special features such as public art or fountains;
 - ii) pocket parks with seating and landscaping;
 - iii) decorative water features; and lakes.

Sec. 7.14 – MULTIFAMILY AMENITIES REQUIRED

- 1) Minimum Number of Amenities Required. Multi-family developments shall incorporate recreational amenities from the list in *Subsection 7.14(2)* below in the following amounts:
 - a) Multifamily development with fewer than twenty-five (25) units shall be exempt from this requirement. However, the Director may require an amenity not listed below to provide enhanced resident enjoyment and engagement.
 - b) Multi-family developments with twenty-five (25) to one-hundred (100) dwelling units shall provide at least one amenity;
 - c) Multi-family developments with one-hundred-one (101) to one-hundred and seventy-five (175) dwelling units shall provide at least two amenities; and
 - d) Multi-family developments with more than one-hundred and seventy-six (176) dwelling units shall provide at least three (3) amenities.
- 2) Allowable Amenities.

a) Swimming pool; b) Golf course or Putting green; c) Resident clubhouse; d) Pet park, minimum of two-thousand (2,000) square feet; e) Community center (meeting room, assembly hall, etc.); f) Community garden with raised beds; g) Rooftop terrace; h) Library/study i) Computer resource center/internet café j) Learning center/childcare	k) Koi pond/water gardens l) Nature trails Fitness center and/or recreation building; m) Pocket parks Basketball, volleyball, or other sport court; n) Other amenity approved by city. Two tot lots with a minimum size of five-hundred (500) square feet per lot; o) Two picnic areas, with a minimum size of five-hundred (500) square feet per area, and including a minimum of two picnic tables and one (1) grill/pit per area;
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- 3) Amenity Standards.
 - a) Each development shall satisfy its amenity area requirements by installing the types of facilities that are most likely suited to and used by the age bracket of persons likely to reside in that development;
 - b) Except for developments which are expected to contain adults almost exclusively, a children's play area should be provided as a mandatory amenity in the project.
 - c) Except for developments which are expected to contain adults almost exclusively, a sports court with a minimum size of thirty-six hundred (3,600) square feet should be provided as second mandatory space in projects with more than forty (40) units. The minimum dimensions for the court active play area should be 72'X42' feet (i.e. the dimensions for a youth basketball league half court). Substitution of the required court for a swimming pool would acceptable.

Sec. 7.15 – MULTIFAMILY DENSITY BONUSES

- 4) The following density bonuses may be used to achieve a maximum fifty percent (50%) density bonus for MF1-zoned properties, and up to twenty (20%) for properties zoned MF2 and SFA.
- a. Structured Parking Bonus. The City may allow a two percent (2%) increase in permitted density for each five percent (5%) of units provided with structured parking.
 - b. Recreation/Open Space Bonus. The City may approve a one (1%) percent increase in permitted density for each one (1%) percent of useable recreation space set aside provided above the minimum amount required per *Sec. 7.13 – Open Space Requirement*.
 - i. Recreation areas shall be landscaped and provided with sufficient natural or manmade screening or buffer areas to minimize any negative impacts upon adjacent residential uses;
 - ii. Each recreation area shall be centrally located and easily accessible by walkways;
 - iii. Each recreation area shall be constructed on land that is reasonably flat, dry, and capable of serving the purpose that it was intended for.
 - c. Amenity Bonus. The City may approve a five (5%) percent density bonus for every amenity provided in excess of the required amenities in *Subsection 7.14(2)*.
 - d. Building Design Bonuses.
 - i. The city may approve up to a ten percent (10%) increase in permitted density for multi-family development in which each multi-family building has brick and/or stone as its primary exterior building material, when an amount equal to sixty (60%) percent of the total net exterior wall area of each building elevation (excluding gables, windows, doors, and related trim), shall be brick, stone, fiber cement siding, or hard-coat stucco. For more contemporary-designed structures, the use of alternative high-quality finishes may be employed at the discretion of the Community Development Director.

Sec. 7.16 – SINGLE-FAMILY DEVELOPMENT AMENITIES REQUIRED (R1, R2, SFA, AND PUD)

- 1) Minimum Number of Amenities Required. Single-family residential subdivisions, either attached or detached, shall incorporate recreational amenities from the list in Subsection 2. below in the following amounts:
- a) Developments with fewer than twenty-five (25) dwelling units shall be exempt from this requirement; except that the Director may require an amenity not listed in this section to provide enhanced resident enjoyment and engagement.
 - b) Developments with twenty-five (25) to one hundred (100) dwelling units shall provide at least one amenity;
 - c) Developments with one-hundred one (101) to one-hundred seventy-five (175) dwelling units shall provide at least two (2) amenities; and
 - d) Developments with one-hundred seventy-six (176) or more dwelling units shall provide at least three (3) amenities and the City Council shall determine the ratio of additional recreational amenities based on National Recreation and Park Association (www.nrpa.org) standards.
- 2) Allowable Recreational Amenities:

- a) Swimming pool sized to comply with NRPA standards.
 - b) Golf course.
 - c) Resident clubhouse.
 - d) Two tot lots with a minimum size of five-hundred (500) square feet per lot.
 - e) Basketball, volleyball, or other sport court.
 - f) Two picnic areas, with a minimum size of five-hundred (500) square feet per area, and including a minimum of two picnic tables and one (1) barbeque grill/pit per area.
 - g) Pet park, minimum of two-thousand (2,000) square feet.**
 - h) Exercise Room or area to measure no less than four-hundred (400) square feet.**
 - i) Other amenity approved by the City Council.
- 3) Density Bonuses for Single-Family Development:
- a) City may approve a five (5%) percent density bonus for every amenity provided in excess of the required amenities indicated in subsection a. above, not to exceed a maximum of density bonus of twenty (20%) percent.

Figure 7.10: Density Bonus Foundations



A **density bonus** is an incentive-based tool that permits a developer to increase the maximum allowable development on a site in exchange for either infrastructure commitments or in-kind support for specified public policy goals.

Sec. 7.17 – SINGLE-FAMILY DETACHED LAYOUT AND SITE PLANNING

- 1) **APPLICABILITY.** These standards shall apply to new single-family and two-family dwellings in major and minor subdivisions. Existing residential structures that expand or are altered by more than fifty (50) percent of the existing square footage shall also comply.
- 2) **LAYOUT AND SITE PLANNING.**
 - a) **Topography.** Buildings shall be sited in relation to topography of the site, which minimizes cut and fill and limits maximum on-site slope to ten (10%) percent.
 - b) **Attempts shall be made to preserve existing vegetation and natural features.**
 - c) **Building Orientation.** Accessory buildings, including residential garages, storage buildings, etc., shall be located behind the primary building. No primary or accessory building shall have service doors, loading doors, or similar service entrances opening toward or oriented to a public or private street.
 - d) **Distances between buildings shall be measured by a line perpendicular to the plane of the surface windows or exterior walls. The following distances shall apply to all multifamily developments:**
 - i) **The window-to-window distance between buildings or facing exterior walls shall not be less than twenty (20) feet for walls without windows.**
 - ii) **This distance shall be increased to thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose.**
 - iii) **This distance shall be increased to forty (40) feet for an exposure where a room is a bedroom, living room, kitchen or other common area.**
 - iv) **The Community Development Director shall have discretion to determine which offset between buildings shall apply and may grant exception to this subsection shall topographic, orientation or other site condition make the distance required impractical.**
 - v) **Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than five (5) feet. The orientation of the buildings should be varied in order to lessen the massing. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety-two (192) feet. No more than eight (8) townhome units shall be attached in a single row.**
 - e) **Off-street parking, driveway, drive aisles, carport, garage or service facilities may encroach into the side or rear yard as specified in but shall be no closer than ten (10) feet to any lot line. In no event shall parking be located in required landscaping areas.**

Sec. 7.18 – MULTI-FAMILY AND SINGLE-FAMILY ATTACHED LAYOUT AND SITE PLANNING

- 1) **APPLICABILITY.** All new multi-family developments (apartments, townhomes) of three (3) units or more are subject to the following standards.
- 2) **LAYOUT AND SITE PLANNING.**
 - a) **Topography.** Buildings shall be sited in relation to topography of the site, which minimizes cut and fill and limits maximum on-site slope to ten (10%) percent.
 - b) **Attempts shall be made to preserve existing vegetation and natural features.**

- c) Building Orientation. Accessory buildings, including residential garages, storage buildings, etc., shall be located behind the primary building. No primary or accessory building shall have service doors, loading doors, or similar service entrances opening toward or oriented to a public or private street.
- d) Distances between buildings shall be measured by a line perpendicular to the plane of the surface windows or exterior walls. The following distances shall apply to all multifamily developments:
 - i) The window-to-window distance between buildings or facing exterior walls shall not be less than twenty (20) feet for walls without windows.
 - ii) This distance shall be increased to thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose.
 - iii) This distance shall be increased to forty (40) feet for an exposure where a room is a bedroom, living room, kitchen or other common area.
 - iv) The Community Development Director shall have discretion to determine which offset between buildings shall apply and may grant exception to this subsection shall topographic, orientation or other site condition make the distance required impractical.
 - v) Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than five (5) feet. The orientation of the buildings should be varied in order to lessen the massing. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety-two (192) feet. No more than eight (8) townhome units shall be attached in a single row.
- e) Off-street parking, driveway, drive aisles, carport, garage or service facilities may encroach into the side or rear yard as specified in but shall be no closer than ten (10) feet to any lot line. In no event shall parking be located in required landscaping areas.

Sec. 7.19 – COMMERCIAL AND INDUSTRIAL LAYOUT AND SITE PLANNING

- 1) APPLICABILITY. All commercial and industrial developments, with the exception of warehouse, distribution, logistics and agricultural uses in agricultural zoning districts, shall meet or exceed the requirements of this section, in addition to all other applicable development standards established by this Ordinance.
- 2) SITE LAYOUT
 - a) Site planning which encourages compatibility between the site and the buildings and between all buildings on the site is encouraged. Where natural or existing topographic patterns contribute to a development, they shall be preserved and integrated. Modification to topography shall be permitted where it contributes to the overall development.
 - b) The orientation of buildings shall promote interaction with the street or city road and provide a pedestrian friendly environment. All primary and outparcel site buildings shall be arranged so that they complement existing development. The buildings shall frame a corner or enclose a “main street” type corridor. Buildings on islands surrounded by parking should be avoided.

- c) Newly installed infrastructure and service revisions necessitated by exterior alterations shall be underground. To the extent possible, all existing overhead utilities shall be relocated underground.
- 3) ACCESS. Major and minor arterials and major collector streets must have reasonable restrictions as to the numbers and location of access points. To provide safe and sufficient traffic movement to and from adjacent lands:
 - a) Frontage roads, access roads, and other internal drives shall be constructed to create a hierarchy of roads for safe on-site circulation. These internal drives shall provide pedestrian access and landscaping.
 - b) Shared access shall be coordinated with contiguous lots. Access at the side or rear of buildings is encouraged.
 - c) New access points onto the major and minor arterials shall be coordinated with existing access points whenever possible and approved by the City Engineer.
 - d) Cross-access easements shall be required between adjacent compatible developments.
 - i) All curb cuts shall meet horizontal and vertical sight distance requirements as set forth in Section 304.4 of the City of Villa Rica Development Regulations. The distance from the centerline of the driveway entrance to the centerline of the nearest street intersection shall not be less than 150 linear feet.
 - ii) ii) Opposing curb cuts shall align squarely or be offset no less than one-hundred twenty-five (125) feet.
 - iii) iii) Stub Streets shall be built in all cases where adjacent lots have reasonable potential for development.
 - e) Entry Drive. The commercial entry drive should be appropriate to the size of the development, incorporate signage, lighting, landscaping and set the tone for the development.
 - f) No buildings or paved areas (other than access drives) may be located closer than fifty (50) feet to any area used or zoned for residential purposes.
- 4) PARKING LAYOUT. In addition to the minimum requirements, a maximum of fifty (50%) percent of the required parking shall be located between the front facade and the primary street. The balance of the parking shall be to the rear or side of the primary building. Refer to *Section 7.02 – Off-Street Parking and Loading* for parking standards.
- 5) CART CORRALS. Cart corrals for developments over fifty-thousand (50,000) square feet shall be curbed, and may be landscaped and covered.
- 6) PEDESTRIAN FACILITIES.
 - d) A connection shall be established from abutting streets with sidewalks to the entrance of primary structures through the use of sidewalks and special demarcation.
 - e) Pedestrian areas in parking lots or across interior drives shall be demarcated with special paving, color or height change, or striping for increased safety.
 - f) Sidewalks shall be a minimum of six (6) feet wide and shall connect the commercial areas to adjacent residential, office and recreational uses.
 - g) Sidewalks in Industrial Districts shall be required on at least one (1) side of each street.
 - h) Sidewalks adjacent to customer entries shall be a minimum of eight (8) feet wide.

Sec. 7.20 – WAREHOUSE, DISTRIBUTION AND LOGISTICS LAYOUT AND SITE PLANNING

1) APPLICABILITY. DESIGN STANDARDS. The design standards in this subsection shall apply to all warehousing/distribution/logistics projects within the zoning district. Those design standards not fully addressed in this section shall be as otherwise stated in the appropriate section(s) of this code, including, but not limited to, Sections 7.02, 7.05, 7.08, 7.09, and 7.12 of this code. The Community Development Director may, at his/her discretion, modify, supplement, substitute, or exempt a project from these standards when the application of the standards creates a great practical difficulty or undue hardship, and shall be processed as an Administrative Adjustment, per Sec. 11.08 of the Villa Rica Zoning Ordinance.

a) Site design.

i) Site layout.

- a) The arrangement of multiple buildings and associated circulation, and parking areas should reflect a well-organized site plan.**
- b) Site development may utilize variations on building placement and landscaping when located near a public street.**
- c) The design and location of accessory buildings (e.g., security kiosks, maintenance buildings, and outdoor equipment enclosures) shall be incorporated into and be compatible with the overall design of the project and the main buildings on the site.**
- d) With the exception of security kiosks, accessory buildings shall be located as far back from the front and street side yard setback area as possible.**
- e) Sea/train-type metal containers are prohibited.**
- f) Incidental outdoor storage, work, and loading areas shall be incorporated within the building design and located to the rear or side of buildings unless such building side(s) are adjacent to a public street where it would be prohibited.**

ii) Courtyards and plazas.

- a) Buildings should be arranged to create opportunities for open space amenities (e.g., plazas, courtyards, outdoor eating areas, etc.).**

b) Building orientation.

- i) The organization of buildings, parking areas, and landscaping shall recognize the existing characteristics of the site and shall relate to the surrounding development in scale and character.**
- ii) Buildings should be oriented in a manner that takes advantage of passive solar design.**
- iii) Buildings shall be oriented to provide a buffer between sensitive uses (i.e. residential, schools, parks, and medical facilities) and outdoor work areas, loading, and incidental storage.**

c) Site elements.

i) Fences and walls.

- a) Walls and fencing materials shall consist of wrought iron, tubular steel, stone, stucco, or brick, and shall be compatible with the overall design character/style of**

the development. The use of chain-link fence and similar materials is prohibited. See Figures 3 and 4.

- b) Walls and fences shall be integrated with landscaping along the base of the wall or fence.
- c) Wall heights and surfaces shall be articulated with varying facade depths or pilasters to promote architectural interest, and shall include a cap along the top of the wall.
- d) Landscaping shall be used in combination with walls and fences to visually soften blank surfaces and to deter graffiti. Additionally, all walls shall have an anti-graffiti coating to further deter graffiti, to the satisfaction of the City. See Figure 5.

ii) Screening.

- a) Loading bays and service areas shall be completely screened from public right-of-way(s) by building placement and/or decorative walls. Landscaping may be used in addition to such building placement and/or walls, but shall not be the sole means of screening. A sight-line analysis shall be taken from public right-of-way(s) to indicate screening of all items.
- b) Trash storage enclosures and outdoor mechanical equipment shall be completely screened from public view.
- c) Roof-mounted equipment shall be screened from public view through use of parapet walls or other approved screening devices. Special consideration shall be given to the screening of roof-mounted equipment on building rooftops that are visible from the public right-of-way. See Figure 7.

iii) Lighting.

- a) Outdoor lighting plans shall take into consideration the location and potential growth pattern of nearby trees (existing and planned) so that appropriate lighting levels are maintained over time.
- b) Energy efficiency shall be considered through use of proper light location and placement, as well as use of energy-efficient bulbs and/or fixtures.
- c) Lighting fixtures shall include hoods or other design techniques to reduce glare and light pollution, especially along major streets, and to prevent light spillover onto adjacent properties.
- d) Lighting shall be provided in project entryways, walkways, and parking lots to promote safety.
- e) Lighting may be mounted on poles or bollards, affixed to building walls, or placed within paved or landscaped areas. Appropriate materials and construction methods shall be used to ensure proper function of project lighting fixtures.
- f) Decorative light fixtures shall be consistent with the architectural design of the building.
- g) Truck and truck trailer parking areas shall incorporate lighting to increase real and perceived security.

d) Parking and access.

i) Parking.

- a) Parking lots shall not be the dominant visual element on the site.
 - b) Surface parking areas shall integrate trees and landscape improvements to reduce the heat island effect and to promote better visual aesthetics.
 - c) Large parking lots (usually over 100 spaces) shall be divided into multiple, smaller areas and provided with canopy trees located throughout the parking area to reduce the effects of heat and the visual impacts of large parking areas.
 - d) Parking lot design shall include water quality storm water facilities consistent with City standards.
- ii) Access.
 - a) The use of common (shared) access points and driveways is required for all service and loading areas pursuant to Traffic Engineering's Standard Plan No. 701 Access Management Requirements, to reduce curb cuts along streets. Additionally, placement of vehicle access points close to building entries shall be avoided to minimize pedestrian and vehicular conflicts.
 - b) Entry drives shall be clearly marked by special features, (e.g., enhanced paving, prominent landscape features, low-level decorative walls, and well-designed monument-type signs).
- 2) Landscaping.
 - a) Landscaping shall be in scale with adjacent structures, streets, and public spaces, and be sized appropriately when fully grown.
 - b) Landscaped areas should incorporate a three-tiered planting system:
 - i) Ground cover and flowering plants;
 - ii) Shrubs and vines; and, (iii) Trees.
 - c) Development on corner lots shall be enhanced with a combination of specimen trees, accent plantings, upgraded perimeter wall surfaces, hardscape treatments and landscape lighting adjacent to the street intersection.
 - d) Drought-tolerant and low-maintenance trees, vines, and groundcovers shall be used on-site. Drip irrigation systems shall be installed to ensure the highest possible level of water conservation.
 - e) Setbacks adjacent to sensitive uses shall include dense landscaping to provide visual screening and noise attenuation.
 - f) Landscaped berms along site edges shall be used to screen parking, loading and service areas and to serve as a sound reduction measure.
 - g) Surface parking lots shall be well-landscaped to reduce heat island effect and visually reduce the expanse of paved area.
 - h) Pervious paving materials are strongly encouraged for sidewalks, pathways, and parking lots or other paved surfaces on-site.
 - i) An automatic irrigation system using current equipment and technology shall be provided for planted areas.
 - j) Run-off retention and on-site water filtration/stormwater treatment features and bioswales should be a part of the overall landscape design, and can also serve as buffering methods for adjacent businesses.

- k) Trees shall be selected and placed to provide canopy and shade for walkways, pedestrian open spaces, and parking areas.**
- l) Tree and shrub planting shall be in large masses.**
- m) Plant material selected shall be suited to the specific soil and micro climatic conditions.**

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Ordinance Changes

Planning Commission Vote: 8/15/23

City Council Vote: 10/3/23

Chapter 1: Summary

- Section 1.04:
 - Introduced new regulations for Change of Use Applications.
 - Exempted municipal, county and state-owned properties from use and use district regulations.

Change of Use – Section 1.04(1): “Make it make sense!”

	Undeveloped	Underdeveloped	Developed
Existing Structure	N/A	All Regulations	Parking ONLY
Expanded Structure (Beyond 35%)	N/A	All Regulations	All Regulations
New Structure	All Regulations	All Regulations	All Regulations

- DEVELOPED PARCEL - A fully developed parcel or lot is a parcel of land with an existing development or use that is of a size that is within the range of density or intensity permitted within the underlying zoning classification, is generally similar in size to other developed parcels or lots within the immediate vicinity, and does not qualify within the definition of an undeveloped or underdeveloped parcel or lot. Any lot or parcel with an existing residential development or use that is below 8,500 square feet shall be classified as fully developed.
- UNDERDEVELOPED PARCEL - An underdeveloped parcel or lot is a parcel that contains a residential unit, commercial use or industrial use that does not take advantage of the full density or intensity permitted in the underlying zoning classification. For the purposes of this definition an underdeveloped parcel or lot shall refer only to a lot which is in a configuration which will allow the parcel or lot to be re-divided or utilized for additional development or use in conformance with the requirements of Table 4.4 of this ordinance and/or parcels with structures that are vacant for more than twelve (12) consecutive months. Lots used solely for shared parking arrangements shall be considered underdeveloped lots.
- UNDEVELOPED PARCEL - An undeveloped parcel or lot is one that does not contain structures and has the capacity to be developed for uses in compliance with the underlying zoning classification.



Example:

- A quick service restaurant wants to locate on the highlighted lot. The use is permitted in the zone.
- The lot is developed with a building and cannot reasonably feature additional commercial capacity. The lot is considered developed.
- Only parking regulations would take effect.



Example:

- An office wants to locate on the shown lot. The use is permitted in the zone.
- The lot is developed with three buildings, one in use by a quick service restaurant and two vacant.
- The lot is considered underdeveloped as it can feature additional commercial capacity.
- All zoning regulations would be applicable.



Government Exemption – Section 1.04(4)

Municipal, county, and state owned properties shall be exempt from all use and use district regulations set forth within this ordinance. This section shall not be construed to exempt such uses and structures from following development or supplemental regulations found herein. Utility providers are subject to all regulations found within this ordinance unless otherwise indicated.

Chapter 2: Summary

- Section 2.02:
 - Revised the Planning Commission Membership terms and term language per City Council and City Attorney request.
 - Introduced a new attendance policy.
 - Introduced required training for commissioners.
 - Removed the authority within this section for plat decisions, consistent with state law and City Council action in 2022.
 - Changed all language referring to a Administrative and Plat Committee to Technical Advisory Committee (TAC).
 - Removed inconsistent staff appeal language.
 - Revised language surrounding what a variance can be applied for.
 - Removed duplicate language.
 - Added Joint School/City Committee language (passed in August 2023).
- Section 2.06:
 - Added language from revised state law regarding hearing standards and requirements.

Planning Commission Membership – Section 2.02(8)

8) MEMBERSHIP.

~~a) The Planning & Zoning Commission of the City of Villa Rica shall be comprised of five (5) members who reside in, own property within, or operate and manage businesses within the city limits of Villa Rica, Georgia. The members shall be appointed for two (2) year terms, as shown below and every two (2) years thereafter. If a member is appointed to fill a vacancy during a term, the replacement member shall serve the remaining balance of that term. Each member of the Planning & Zoning Commission shall be denominated as a member for one of the five voting wards within the City. The City Council member representing that particular ward shall nominate candidates to fill the vacancy for that ward when they become available. Once nominated, the full Mayor and Council may approve that nomination or select an alternate candidate to fill the Planning & Zoning Commission position. All members shall continue to serve until their successor has been approved by the City Council.~~ The Planning & Zoning Commission of the City of Villa Rica shall be comprised of five (5) members who reside in the city limits of Villa Rica, Georgia. The members shall be appointed as shown below and every two (2) years thereafter. If a member is appointed to fill a vacancy during a term, the replacement member shall serve the remaining balance of that term. Each member of the Planning & Zoning Commission shall be nominated as a member for one of the five voting wards within the City. The City Council member representing that particular ward shall nominate candidates to fill the vacancy for that ward when they become available. Once nominated, the full Mayor and Council may approve that nomination or select an alternate candidate to fill the Planning & Zoning Commission position. All members shall continue to serve until their successor has been sworn in.

i) The current terms for the wards within the City are as follows:

- (1) Ward 1 – ~~01/01/2020 – 12/31/2022~~ 01/01/2020-12/31/2023
- (2) Ward 2 – ~~12/01/2019 – 12/31/2021~~ 01/01/2022-12/31/2022
- (3) Ward 3 – ~~01/01/2021 – 12/31/2023~~ 01/01/2021-12/31/2022
- (4) Ward 4 – ~~01/01/2021 – 12/31/2023~~ 01/01/2021-12/31/2022
- (5) Ward 5 – ~~01/01/2021 – 12/31/2022~~ 01/01/2023-12/31/2023

Planning Commission Attendance Policy – Section 2.02(8)

- c) Failure to attend three (3) ~~out of four consecutive~~ regularly scheduled meetings within a calendar year shall be considered automatic resignation from the Planning & Zoning Commission. Upon resignation by other means, or other vacancies occurring in office, the Chairman or Secretary (Zoning Administrator) shall inform the City Council of such occurrence as promptly as possible, so that the Council may appoint a replacement to fill the unexpired term.

Planning Commission Training Policy – Section 2.02(8)

- d) Members shall attend two (2) training classes during each term of office.

Preliminary Plat Procedure Correction

– Section 2.02(9)(i)

~~i) Decisions. Approve or deny plats, re plats, and amendments to plats consistent with the Georgia Planning Act (O.C.G.A. 45-12-200, et seq., and 50-8-1, et seq.);~~

Technical Advisory Committee

– Section 2.03(2)(n)

- n) Schedule of Meeting and Filing Dates. The Director shall maintain an annual Calendar of Meeting and Filing Dates for the Planning & Zoning Commission, Villa Rica City Council, and other established advisory/review committees. The existence of this calendar shall not be interpreted as prohibiting special meetings of the Committees, Commission, or Council.
 - i) Coordination of Calendars. The calendars of the ~~Administrative and Plat Committee~~ Technical Review Committee, other established advisory/review committees, and Planning & Zoning Commission shall be coordinated to ensure the efficient processing of applications.
 - ii) Conformance with Georgia Code. All meeting and filing dates shall be based on the requirements of this Ordinance and the laws of the State of Georgia.
 - iii) Approval of Dates. The Calendar of Meeting and Filing Dates shall be prepared by the Director and approved by the Planning & Zoning Commission and Villa Rica City Council ~~(the Planning & Zoning Commission shall be responsible for approving a coordinated calendar for the Administrative and Plat Committee or other advisory/review committees)~~. The calendar of meeting and filing dates shall be reviewed and updated annually by the Director.

Staff Appeals – Section 2.03(3)

3) APPEALING A DECISION OF THE DIRECTOR. Recourse from the decision of the Director shall be to the Villa Rica City Council on matters pertaining to zoning and shall be made in accordance with *Section 11.11 – Administrative Appeals Procedure* and the Villa Rica City Council Rules of Procedure. Recourse from the decision of the Villa Rica City Council shall be to the courts as provided by law.

~~a) Exception. - Recourse from the decision of the Director regarding administrative review of Development Plans shall be appealed to the Planning & Zoning Commission.~~

Variance Language Revision

– Section 2.04(2)(a)(i)(1)

2) DUTIES OF THE VILLA RICA CITY COUNCIL

a) For the purpose of this Ordinance the Council has the following specific responsibilities:

i) Development Standards Variances.

(1) The Villa Rica City Council shall approve or deny variances from ~~the development standards (such as height, bulk, or area)~~ all individual standards found within ~~of~~ the Zoning Ordinance in accordance with the Georgia Planning Act (O.C.G.A. 36-66-1, et seq.; 36-67-1, et seq.; and, 36-67A-1, et seq.). Variances shall not be granted from standardized procedural or administrative policies found within the Zoning Ordinance. A variance may be approved only upon a determination in writing that:

(a) the approval will not be injurious to the public health, safety, morals, and general welfare of the community;

(b) the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

(c) the strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.

(2) Variance procedures can be found in *Chapter XI: Petitions, Permits, and Procedures* and the Villa Rica City Council Rules of Procedure.

Duplicate Language Removed

- Section 2.04(2)(a)

- ~~i) Rezoning. To grant, approve or deny all petitions for rezoning as specified in each zoning district and under the procedures per *Chapter XI: Petitions, Permits, and Procedures* and the Villa Rica City Council Rules of Procedure.~~
- ~~ii) Annexation. The Zoning Procedures Law defines a "zoning decision" as, among other things, "The adoption of an amendment to a zoning ordinance by a municipal local government which zones property to be annexed into the municipality." Thus, adopting any zoning on an annexed property is subject to the ZPL.~~
- ~~iii) Comprehensive Plan Amendments. Amendments to the Comprehensive Plan can be initiated by the City Council as an annual update or for specific purposes, including the annexation of property into the city and modifications to the Future Development Map, under the procedures per *Chapter XI: Petitions, Permits, and Procedures*.~~
- ~~iv) Text Amendments. City staff, the Planning Commission, and the City Council can initiate a text amendment in whole or in part of the Villa Rica Zoning Ordinance. Procedures are subject to the requirements outlined in *Chapter XI: Petitions, Permits,* and subject the requirements of *Georgia Zoning Procedures Act (O.C.G.A 36-66)*, and are subject to the final approval of the City Council.~~
- ~~v) Final Plat. The City Council shall have the authority approve, approve with conditions, or deny a Final Plat that includes the dedication of public streets and infrastructure.~~

Revised State Law Language Added

-Section 2.04(2)(a)(ix)

ix) Adoption of Policies and Procedures Governing Hearings.

1. Local governments shall adopt policies and procedures which govern calling and conducting hearings required by Code Section 36-66-4, and printed copies of such policies and procedures shall be available for distribution to the general public. Such policies and procedures shall specify a minimum time period at hearings on proposed zoning decisions or quasi-judicial decisions for presentation of data, evidence, and opinion by proponents of each zoning decision and an equal minimum time period for presentation by opponents of each proposed zoning decision, such minimum time period to be no less than ten minutes per side.
2. In addition to policies and procedures required by subsection (a) of this Code section, each local government rendering a zoning decision shall adopt standards governing the exercise of the zoning power, and such standards may include any factors which the local government finds relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property. Such standards shall be printed and copies thereof shall be available for distribution to the general public.
3. In addition to policies and procedures required by subsection (a) of this Code section, each local government providing for a quasi-judicial officer's, board's, or agency's grant, denial, or review of a quasi-judicial matter may adopt specific standards and criteria governing the exercise of such quasi-judicial decision-making authority, and such standards shall include the factors by which the local government directs the evaluation of a quasi-judicial matter. Such standards shall be printed and copies thereof made available for distribution to the general public.
4. The policies and procedures required by subsection (1) of this Code section and the adoption of standards required by subsection (2) and permitted by subsection (2) of this Code section shall be included in and adopted as part of the zoning ordinance. Prior to the adoption of any zoning ordinance enacted on or after July 1, 2022, a local government shall conduct a public hearing on a proposed action which may be advertised and held concurrent with the hearing required by subsection (a) of Code Section 36-66-4 for the adoption of a zoning ordinance. The provisions of subsection (a) of Code Section 36-66-4 relating to notices of public hearings for the purposes of that subsection shall also apply to public hearings required by this subsection.

Hearing Standards and Requirements – Section 2.06

- *Applicability.* Public hearings held by the City Council as required by this ordinance with regard to rezoning requests (amendments to the official zoning map), applications for conditional uses, applications for variances, and appeals of any administrative decision shall be called and conducted in accordance with the procedures of this section. The City Clerk shall print and make available for distribution to the general public the procedures for the conduct of public hearings as well as the standards to be applied by the Council in making zoning decisions.
- *Presiding officer.* The presiding officer shall preside over the public hearing. In the case of the City Council, the Mayor shall preside, or in the absence of the Mayor the Mayor Pro Tempore shall preside, or in the absence of both the Mayor and Mayor Pro Tempore another member of the City Council shall be designated to preside, over the public hearing.
- *Opening of public hearing.* The presiding officer shall indicate that a public hearing has been called on one or more applications made pursuant to this ordinance shall summarize the processes required by this article (or call on the Zoning Administrator to summarize), and shall open the public hearing. Thereupon, the presiding officer shall call the first case and the City Council shall consider each application on an individual basis in succession as printed on the published agenda or as otherwise approved by the City Council; provided, however, that the presiding officer may at his discretion call and consider more than one application simultaneously when more than one application involves the same piece of property, and/or when proceedings would be efficiently completed by combining separately required public hearings and discussing more than one scheduled matter as a single group of applications.
- *Report of Zoning Administrator.* Upon opening the public hearing, the presiding officer may recognize the Zoning Administrator, who may provide a summary of the application and present any recommendations or results of investigations. Any member of the City Council upon recognition by the presiding officer may ask questions of the Zoning Administrator or designee or other city or planning commission representative providing a report or recommendations. The Zoning Administrator may be represented at the public hearing by written report in lieu of oral testimony.
- *Identification of speakers.* Prior to speaking, each speaker (including applicant, agent of applicant, and all others) must identify himself and state his current address for the record. The presiding officer may require a speaker to complete an information card supplying such information, prior to testifying.

(Continued)

Chapter 3: Summary

- “Nonconformities”
- No changes proposed.

Chapter 6: Summary

- Revised and updated the PUD procedures (6.03)
- Clarified what standards apply to PUDs in the absence of specific standards (6.05)
- Revised language referring to revisions of PUDs.
- Corrected the Preliminary Plat procedures to align with previous City Council action.
- Revised language throughout to refer to Preliminary Plat AND Development Plan procedures as the same; and revised the roles of the Planning Commission and Technical Advisory Committee.
- Removed the option for alternative submissions for Final Plat to align with our process (6.08)
- Introduced a subsection to restrict amendments to concept plans and final plats and provide regulations surrounding major and minor changes.
- Revised the PUD flow-chart accordingly.

Revised PUD Procedures – Section 6.03(1)

- Clarified and reworded the option for preliminary plat approval or the approval of a development plan based on the type of development.
- Inserted the City Council as the approving authority of PUD Final Plats in lieu of the TAC.

a) Plat Approval. The third step in the process is to submit either a Development Plan or a Preliminary Plat.

i) Development Plan. Preliminary Plat. The Detailed Development Plan is the third step in the process. In this step, The applicant prepares an overall plan for the site which will be reviewed by staff, the Technical Advisory Committee and approved by the Planning & Zoning Commission. For a Planned Unit Development that is going to be subdivided, this step also serves as the Preliminary Plat. A Development Plan should be submitted only for those PUDs that are not proposed to be subdivided further or consists of a mix of commercial/industrial and residential uses.

ii) Preliminary Plat. Submission of a Preliminary Plat, processed in the manner described in this Chapter, and the subsequent submission of a Final Plat for any portion of the approved Preliminary Plat the applicant wishes to develop. The Final Plat submitted according to this option shall be processed in the manner described in this Chapter. A Preliminary and Final Plat should only be submitted for PUDs that are detached residential single-family as the primary use of all structures.

b) Final Plat. The Final Plat is the final step in establishing a Planned Unit Development. During this step, the petitioner's specific plan for the entire site or a portion of the site is reviewed by the City Council. members of the Technical Advisory Committee. For a Planned Unit Development that is going to be subdivided, this step also serves as the Final Plat.

~~i) Options:~~

~~(1) Submission of a Preliminary Plat, processed in the manner described in this Chapter, and the subsequent submission of a Final Plat for any portion of the approved Preliminary Plat the applicant wishes to develop. The Final Plat submitted according to this option shall be processed in the manner described in this Chapter.~~

~~(2) Submission of a Final Plat without a Preliminary Plat, processed in the manner described in this Chapter.~~

Relationship between PUD Ordinance and Zoning Ordinance – Section 6.05(5)(b)

5. PUD ORDINANCE REQUIREMENTS

a. The PUD Ordinance shall address all of the development standards contained within, and may defer to, the City of Villa Rica Zoning Ordinance. At a minimum, the following requirements should be addressed:

- i. Location, size, orientation and shape of buildings;
- ii. Building materials and appurtenances;
- iii. Parking;
- iv. Signage;
- v. Exterior renovation or altering of existing structures;
- vi. Demolition of existing structures;
- vii. Landscaping;
- viii. Environmental and natural resource protection;
- ix. Erosion and sedimentation control;
- x. Vehicular and pedestrian circulation;
- xi. Outdoor lighting;
- xii. Minimum lot area;
- xiii. Minimum lot frontage;
- xiv. Minimum lot width;
- xv. Minimum front setback;
- xvi. Minimum side setback;
- xvii. Minimum rear setback;
- xviii. Maximum height of structures (principal and accessory);
- xix. Maximum lot coverage;
- xx. Minimum floor area;
- xxi. Site access;
- xxii. Site screening and buffering;
- xxiii. Location of dumpsters; and
- xxiv. Location of open spaces.

b. Should the PUD ordinance not address specific development standards and subsections as set forth within Section 7 and Section 9 of this chapter, then those standards shall apply.

Feedback from Applicant after P&Z Meeting

– Section (6.05)(7)(e)

- e) Revisions. Following Planning & Zoning Commission approval, the petitioner ~~shall~~ may submit revised copies of the PUD District Ordinance and the Concept Plan that address the comments and concerns of the Planning & Zoning Commission.

Revised Preliminary Plat Procedure for Consistency – Section 6.06

- 1) PURPOSE. The purpose of a ~~-Preliminary Plat or~~ Detailed Development Plan is to divide land into lots, blocks and common area.
- 2) APPLICATION. An application for Preliminary Plat shall be filed with the Secretary of the Planning & Zoning Commission by the owner, or his/her designee, of property for which the Planned Unit Development is proposed. The applicant shall refer to the application packet to determine the format and number of copies of the plans to be delivered and the application shall be in accordance with the established procedures of the Community Development department and shall contain, at a minimum, the following information:
 - a) Name, address, and phone number of applicant;
 - b) Name, address, and phone number of registered surveyor or registered engineer assisting in the preparation of the Preliminary Plat;
 - c) A survey of the tract that is to be developed;
 - d) Description of existing use;
 - e) Identification of the existing zoning district;
 - f) A vicinity map at a scale approved by the ~~Technical Advisory Committee Planning & Zoning Commission~~, showing existing property lines, streets, existing and proposed zoning, and such other items as the ~~Technical Advisory Committee Planning & Zoning Commission~~ may require to show the relationship of the Planned Unit Development to the Comprehensive Plan and to existing developments, schools and other community facilities and services;
 - g) A Preliminary Plat ~~or Development Plan~~ at a scale approved by the ~~Technical Advisory Committee Planning & Zoning Commission~~ showing topography at two (2) foot intervals; the approximate location and type of residential, commercial and industrial land uses; layout, dimensions, and names of existing and proposed streets, rights-of-way, utility easements, parks and open spaces; layout and dimensions of lots and building setback lines, areas of proposed buffering; preliminary improvement drawings showing: points of ingress/egress, water, sewer, drainage, electricity, telephone, and such other characteristics as the Planning & Zoning Commission deems necessary;
 - h) Proposed schedule for the development of the site, identifying phasing where applicable;
 - i) Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within five (5) years; including a statement of all the ownership and beneficial interests in the tract of land and the proposed development;
 - j) In the case of a residential planned unit development, the proposed density to which the Development shall be limited; and
 - k) In the case of office, commercial, industrial, or mixed-use planned unit development, a statement identifying the principal type of office, business, industrial, and/or other uses that are to be included in the proposed development.
- 3) TECHNICAL ADVISORY COMMITTEE. Once the Department has determined that it has received a submittal that is sufficiently complete for Technical Advisory Committee (TAC) review, the Department shall inform the petitioner of the time, date, and place of the meeting. Following TAC review, the applicant shall submit revised copies of the plans that address the comments and concerns of the TAC. ~~The Department shall inform the petitioner of the time, date, and place of the Planning & Zoning Commission meeting. The public hearing procedures shall be as established in the Villa Rica Planning & Zoning Commission Rules of Procedure.~~
- 4) ~~NOTICE~~
 - ~~a) Notice of Public Hearing. The notice of public hearing shall occur as established in O.C.G.A. § 36-36-36 et seq. As a minimum, the secretary shall, at least ten (10) days prior to the date set for the public hearing at the applicant's expense, publish a notice one (1) time in the City's Legal Organ. The notice shall set forth the time and place of the public hearing and a general description of the Planned Unit Development.~~

...Continued

- 5) ~~PUBLIC HEARING/PLANNING & ZONING COMMISSION~~ TECHNICAL ADVISORY COMMITTEE REVIEW AND APPROVAL
- a) After receipt of the Preliminary Plat or Development Plan, the Planning & Zoning Commission shall hold a public hearing within a reasonable period of time.
 - b) The ~~Planning & Zoning Commission~~ Technical Advisory Committee shall review the ~~preliminary~~ plan to determine if the Proposed Planned Unit Development is:
 - i) Consistent with the intent and purpose of this Ordinance;
 - ii) Whether the proposed development advances the general welfare of the community and neighborhood; and
 - iii) Whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations.
 - c) The ~~Planning & Zoning Commission's~~ Technical Advisory Committee approval in principle of the primary development shall be necessary before an applicant may submit a Final Plat.
 - d) Approval in principle shall not be construed to endorse the following:
 - i) A precise location of uses;
 - ii) Configuration of parcels;
 - iii) Engineering feasibility.
- 6) EXPIRATION. The Preliminary Plat/Development Plan approval shall expire in five (5) years unless final approval of all or part of the development is complete.

Final Plat Revisions (minor) – Section 6.07

REVIEW

- a) Review . The Technical Advisory Committee shall review Final Plats at a regular meeting. This shall not be a public hearing.
- b) ~~TAC Review Criteria~~, City Council Review Criteria. Before taking action, ~~TAC~~ City Council shall find that the facts submitted with the application and presented at the public hearing establish that:
 - i) The proposed development can be initiated within two (2) years of the date of approval;
 - ii) Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained, the uses proposed will not be detrimental to present and potential surrounding uses, but will have a trespass
 - iii) Beneficial effect which could not be achieved under standard district regulations;
 - iv) The streets as proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the Planned Unit Development;
 - v) Any proposed commercial development can be justified at the locations proposed;
 - vi) Any exception from standard district requirements is warranted by the design and other amenities incorporated in the Final Plat, in accordance with the Planned Unit Development;
 - vii) The area surrounding the development can be planned and zoned in coordination and substantial compatibility with the proposed development;
 - viii) The Planned Unit Development is in general conformance with the Comprehensive Plan of the City;
 - ix) The existing and proposed utility services are adequate for the commercial uses provided; and
 - x) The proposed open spaces are adequate and appropriate as identified in this Chapter.
- c) Action .
 - i) The ~~Technical Advisory Committee~~ City Council shall take action to:
 - (1) approve as presented;
 - (2) approve with supplementary conditions; or
 - (3) disapprove at a public hearing.
 - ii) Following ~~Technical Advisory Committee~~ City Council review, the applicant shall submit revised copies of the plans that address the comments and concerns of the City Council ~~Technical Advisory Committee~~. The applicant shall refer to the application packet to determine the format and number of copies of the plans to be delivered.

Removal of Alternative Plat Submittal Language – Section 6.08

Sec. 6.08 – ALTERNATIVE SUBMISSION FOR FINAL PLAT

1) APPLICATION. The applicant need not file a Preliminary Plat if filing a Final Plat for the entire site, incorporating all requirements of both the Preliminary and Final Plats as described in this Section. The Final Plat shall be filed with the Secretary of the Planning & Zoning Commission by at least one (1) owner, or his/her designee, of the property for which the Planned Unit Development is proposed. Each application shall be signed by the owner, attesting to the truth and exactness of all information supplied on the application for Final Plat, and submitted to the Planning & Zoning Commission for public hearing. At a minimum, the application shall contain the following information:

- a) A survey of the tract that is to be developed showing existing features of the property including streets, alleys, easements, utility lines, existing land use, general topography and physical features;
- b) A development plan showing the location and arrangement of all existing and proposed structures, the proposed traffic circulation pattern within the development, the areas to be developed for parking, the points of ingress and egress including streets where required, the relationship of abutting land uses and zoning districts, proposed lots and blocks, if any, and proposed public or common open space, if any, including parks, playgrounds, school sites and recreational facilities, screening, and areas to be left in their natural state;
- c) A statement of the proposed total gross floor area, and the percentage of the development which is to be occupied by structures;
- d) Floor plans of the proposed structures; Landscaping plans;
- e) When a Planned Unit Development is to be constructed in stages or units, a schedule for the development of such stages or units shall be submitted. When a Planned Unit Development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire Planned Unit Development as the stages or units completed or under development bear to the entire Planned Unit Development;
- f) Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land and the proposed Development;
- g) In the case of a residential planned unit development, the proposed density to which the Development shall be limited;
- h) In the case of Office, Commercial, or Industrial, a statement identifying the principal type of office, business and/or industrial uses that are to be included in the proposed Development;
- i) When a Planned Unit Development includes provisions for common open space or recreational facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed Chapters of Incorporation and bylaws of such entity shall be submitted; and
- j) Copies of any restrictive covenants that are to be recorded with respect to property included in the Planned Development District.

New Language to address Concept Plan and Plat amendments – New Section 6.08

Sec. 6.08– AMENDMENTS TO THE CONCEPT PLAN AND FINAL PLAT

- 1) No changes shall be made in the approved Concept Plan or plats unless in conformance with the following requirements. The term "minor changes" as used in this section is considered to represent changes that do not alter the overall characteristics of the total plan and that create no adverse impacts on adjacent uses or public services and facilities. Some examples of what can be considered as minor changes are:
 - a) Minor Change. The Community Development Director may authorize minor changes under the following conditions:
 - i) Changes in location and type of landscaping and/or screening so long as the approved character and intent is maintained;
 - ii) Changes in the orientation of portions of parking areas so long as the effectiveness of the overall site circulation and parking is maintained; parking areas shall be relocated not closer than twenty (20) feet to any residential structure or ten (10) feet to any street or right-of-way lines; and the number of parking spaces shall not be reduced by the relocation;
 - iii) Changes in the location of sidewalks and pathways, provided that continuity of pedestrian circulation remains;
 - iv) The reorientation, but not complete relocation of structures;
 - v) Changes that will not impact properties or uses outside of and adjacent to the PD; or
 - vi) Redesign of open space that does not decrease the recreational, buffering, or environmental benefits of the open space.
 - b) Prohibitions. No minor change authorized by this section may cause any of the following:
 - i) Change in the permitted uses or of development character;
 - ii) increased overall coverage of structures;
 - iii) increased density or intensity of use;
 - iv) increased demand for traffic circulation and public utilities;
 - v) decrease in public or private open space;
 - vi) decrease in pavement and sidewalk widths; or
 - vii) increased numbers of dwellings.
- 2) Major Change. All other changes to the approved Concept Plan or plats shall be deemed "major" and shall be approved only by the Council after review of a revised Final Development Plan and/or Map. No amendments may be made in the approved Final Development Plan unless the applicant establishes that such amendments are required as a result of:
 - a) changes in conditions that occurred after Final Development Plan approval;
 - b) changes in the development policy of the community; or
 - c) conditions that were reasonably unforeseen at the time of Final Development Plan approval.
- 3) Recording of Changes and Amendments. Any changes that are approved for the Final Development Plan and/or Final Plat shall be recorded as amendments to the previously recorded Plan and/or Map.

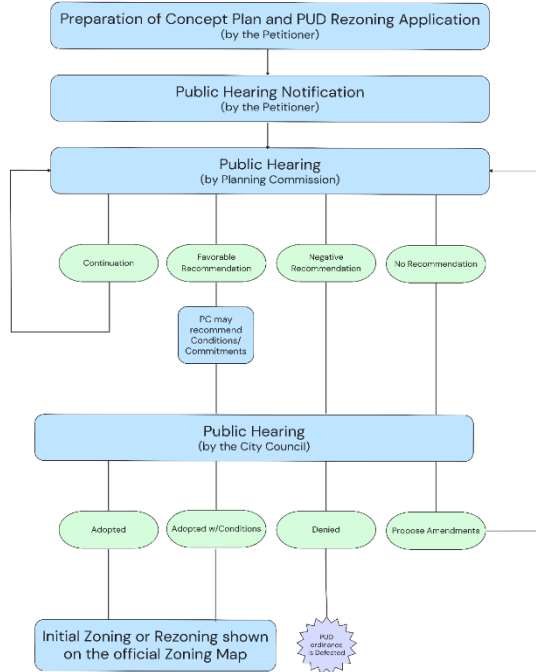
New Language is ported from the UDC

New Flow Charts (Figure 6.1 and 6.2)

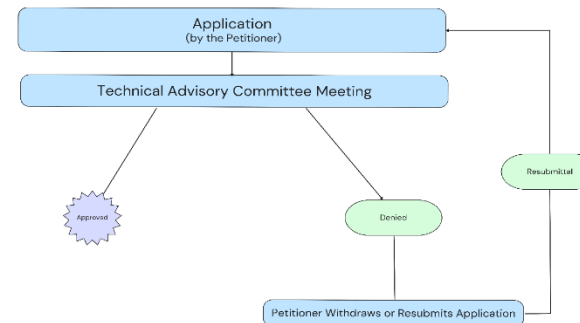
Pre-Submittal Meeting

Meet with City Staff to discuss the preparation of the Concept Plan

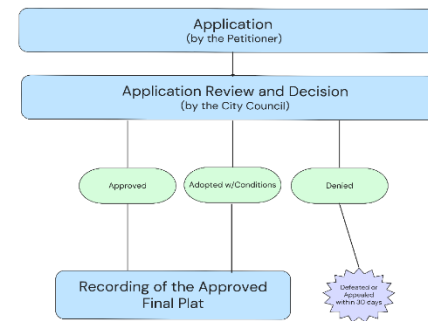
Initial/Rezoning to a PUD



Preliminary Plat/Development Plan Process



Final Plat Process



Chapter 7: Summary

- Inserted new language for changes of use (ported from 1.04)
- Revised Stacking Spaces for Drive-Throughs to be consistent throughout the ordinance.
- Removed References to Parking Lots in “Special Areas”.
- Introduced expanded parking requirements for Warehousing, Distribution or Flex Tenant spaces.
- Classified Redevelopment sites as undeveloped or underdeveloped (Section 7.07)
- Added additional amenity options for Single-Family Developments (Section 7.16)
- Moved portions of 9.02, 9.03 and 9.04 into three new subsections of Chapter 7 to address layout and site planning for residential, commercial and industrial uses (no new language). (Section 7.17, 7.18 and 7.19)

New Change of Use Language Added (7.01)

- Inserted new language for changes of use (ported from 1.04)

- a) All changes of use proposed within existing structures on developed parcels shall be exempt from all development regulations within this ordinance except parking requirements.
- b) All changes of use proposed within new structures or structures expanded beyond 35% of the existing structure's square footage on developed parcels shall be subject to all applicable regulations within this ordinance as set forth herein.
- c) All changes of use proposed within existing buildings, new buildings, or buildings expanded beyond thirty-five percent (35%) of the existing structure's square footage, and located on underdeveloped or undeveloped lots shall be subject to all applicable regulations within this ordinance as set forth herein.

Stacking Spaces For Drive-Through Businesses

– Section 7.02(15)

- Revised section on stacking spaces to refer to the existing Table 8.2 within the ordinance that already addresses stacking spaces.

1) STACKING SPACES FOR DRIVE-THROUGH BUSINESSES

- a) For the purposes of this Ordinance, one stacking space shall be construed as a minimum of nine (9) feet in width and nineteen (19) feet in length.
- b) Businesses utilizing drive-through windows or those that offer drive-through facilities shall meet the requirements set forth within Table 8.2: Stacking Space Schedule and all applicable regulations within Section 8.09 of the ordinance. ~~provide a minimum of:~~
 - ~~i) seven (7) stacking spaces per vehicular service window for restaurants and coffee houses;~~
 - ~~ii) five (5) four (4) stacking spaces per vehicular service window or automated teller machine for banks and other financial institutions;~~
 - ~~iii) seven (7) stacking spaces per service bay for car-washing establishments;~~
 - ~~iv) three (3) two (2) stacking spaces per fuel pump or air compressor for gas stations;~~
 - ~~v) five (5) stacking spaces per vehicular service window for all other uses.~~

Removed References to Parking Lots in “Special Areas”. – Section 7.02(21)

- No Special Areas in the city.

~~1) — PARKING LOTS IN SPECIAL AREAS. Refer to Chapter V: Infill Development Standards for additional parking standards.~~

Introduced New Parking Standards for Warehousing, Distribution and Flex Space

– Table 7.4

OLD:

Table 7.4: Minimum Parking Space Requirements	
Type of Use	Minimum Required Parking
Retail Businesses	
Business, Retail	one space for each three hundred (300) square feet of net floor area; minimum six (6) spaces
Supermarket / Convenience Store	up to 5,000 square feet: one (1) space for every two hundred fifty (250) square feet of net floor area greater than 50,000 square feet: one (1) space for every three hundred (300) square feet of net floor area
Hardware Store / Appliance Sales	one (1) space for every four hundred (400) square feet of net floor area
Apparel / Shoe Store	one (1) space for every three hundred (300) square feet of net floor area
Furniture Store	one and one half (1.5) spaces for every one thousand (1000) square feet of net floor area
Business, Wholesale	one (1) space for each five hundred (500) square feet of net floor area
Shopping Center / Big Box	
≤ 100,000 square feet gross leasable	one (1) space per three hundred (300) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
between 100,001- 500,000sq ft gross leasable area	one (1) space per three hundred fifty (350) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
> 500,000 sq ft gross leasable area	one (1) space four hundred (400) square feet
Industrial	
Manufacturing	one (1) space per employee on largest shift, plus one (1) visitor space per ten (10) employees
Research and Testing	
Salvage Yard	
Solid Waste Transfer Station	
Warehousing, Distribution, or Flex Tenant	

NEW:

Table 7.4: Minimum Parking Space Requirements	
Type of Use	Minimum Required Parking
Retail Businesses	
Business, Retail	one space for each three hundred (300) square feet of net floor area; minimum six (6) spaces
Supermarket / Convenience Store	up to 5,000 square feet: one (1) space for every two hundred fifty (250) square feet of net floor area greater than 50,000 square feet: one (1) space for every three hundred (300) square feet of net floor area
Hardware Store / Appliance Sales	one (1) space for every four hundred (400) square feet of net floor area
Apparel / Shoe Store	one (1) space for every three hundred (300) square feet of net floor area
Furniture Store	one and one half (1.5) spaces for every one thousand (1000) square feet of net floor area
Business, Wholesale	one (1) space for each five hundred (500) square feet of net floor area
Shopping Center / Big Box	
≤ 100,000 square feet gross leasable	one (1) space per three hundred (300) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
between 100,001- 500,000 sq ft gross leasable area	one (1) space per three hundred fifty (350) square feet for the first ten thousand (10,000) square feet and one (1) space per each four hundred (400) square feet thereafter
> 500,000 sq ft gross leasable area	one (1) space four hundred (400) square feet
Industrial	
Manufacturing	one (1) space per employee on largest shift, plus one (1) visitor space per ten (10) employees
Research and Testing	
Salvage Yard	
Solid Waste Transfer Station	
Logistics and Distribution Facilities (High Cube)	Vehicle Parking: one (1) space for every one thousand (1,000) square feet of Gross Floor Area (GFA) for the first twenty-thousand (20,000) square feet; one (1) space per two thousand (2,000) square feet for the second twenty-thousand (20,000) square feet; one (1) space per five thousand (5,000) square feet for that portion over forty-thousand (40,000) square feet. No additional spaces if office area is less than ten (10%) percent of the total building square footage. Office space rate if office area is over ten (10%) percent of the total building square footage. Truck and Trailer Parking: one (1) oversized truck space for every five thousand (5,000) square feet of GFA * *Truck docks shall not be included in this calculation.
Warehousing Facilities	one (1) space for every eleven-thousand (11,000) square feet of Gross Floor Area (GFA) for the initial forty-thousand (40,000) square feet; one (1) space per forty-one thousand (41,000) square feet of additional GFA greater than four-hundred-and-one-thousand (401,000) square feet; four (4) spaces per eleven-thousand (11,000) square feet of GFA of office space. Where multiple tenants and/or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use.

Classified Redevelopment Sites – Section 7.07(1)

- Redevelopment sites are obviously not “developed” sites yet. Added Language.

1) For redeveloped sites the Department of Planning and Development strongly recommends the developer, authorized registered professionals, design professionals and staff schedule a pre-submittal meeting with the department to discuss the potential of the site and any issues that may be present on the site. For the purposes of this chapter, a redeveloped site shall be considered any site that is not considered “developed” as defined within this ordinance.

Single-Family Amenities –Section 7.16

- Added “Pet Parks” and “Exercise Rooms or areas” as permissible amenity options to align with multifamily developments where possible.
- 2) Allowable Recreational Amenities:
 - a) Swimming pool sized to comply with NRPA standards.
 - b) Golf course.
 - c) Resident clubhouse.
 - d) Two tot lots with a minimum size of five-hundred (500) square feet per lot.
 - e) Basketball, volleyball, or other sport court.
 - f) Two picnic areas, with a minimum size of five-hundred (500) square feet per area, and including a minimum of two picnic tables and one (1) barbeque grill/pit per area.
 - g) Pet park, minimum of two-thousand (2,000) square feet.
 - h) Exercise Room or area to measure no less than four-hundred (400) square feet.
 - i) Other amenity approved by the City Council.

Introduction of *Section 7.17: Single-Family Detached Layout and Site Planning*

- Moved and Separated Layout and Site Planning from Architectural Standards (9.02) to a new 7.17 for Single-Family Detached Zoning Districts

Sec. 7.17 – SINGLE-FAMILY DETACHED LAYOUT AND SITE PLANNING

- 1) APPLICABILITY. These standards shall apply to new single-family and two-family dwellings in major and minor subdivisions. Existing residential structures that expand or are altered by more than fifty (50) percent of the existing square footage shall also comply.
- 2) LAYOUT AND SITE PLANNING.
 - a) Topography. Buildings shall be sited in relation to topography of the site, which minimizes cut and fill and limits maximum on-site slope to ten (10%) percent.
 - b) Attempts shall be made to preserve existing vegetation and natural features.
 - c) Building Orientation. Accessory buildings, including residential garages, storage buildings, etc., shall be located behind the primary building. No primary or accessory building shall have service doors, loading doors, or similar service entrances opening toward or oriented to a public or private street.
 - d) Distances between buildings shall be measured by a line perpendicular to the plane of the surface windows or exterior walls. The following distances shall apply to all multifamily developments:
 - i) The window-to-window distance between buildings or facing exterior walls shall not be less than twenty (20) feet for walls without windows.
 - ii) This distance shall be increased to thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose.
 - iii) This distance shall be increased to forty (40) feet for an exposure where a room is a bedroom, living room, kitchen or other common area.
 - iv) The Community Development Director shall have discretion to determine which offset between buildings shall apply and may grant exception to this subsection shall topographic, orientation or other site condition make the distance required impractical.
 - v) Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than five (5) feet. The orientation of the buildings should be varied in order to lessen the massing. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety-two (192) feet. No more than eight (8) townhome units shall be attached in a single row.
 - e) Off-street parking, driveway, drive aisles, carport, garage or service facilities may encroach into the side or rear yard as specified in but shall be no closer than ten (10) feet to any lot line. In no event shall parking be located in required landscaping areas.

Introduction of *Section 7.18: Multifamily and Single-Family Attached Layout and Site Planning*

- Moved and Separated Layout and Site Planning from Architectural Standards (9.03) to a new 7.18 for Single-Family Detached Zoning Districts

Sec. 7.18 – MULTI-FAMILY AND SINGLE-FAMILY ATTACHED LAYOUT AND SITE PLANNING

- 1) APPLICABILITY. All new multi-family developments (apartments, townhomes) of three (3) units or more are subject to the following standards.
- 2) LAYOUT AND SITE PLANNING.
 - a) Topography. Buildings shall be sited in relation to topography of the site, which minimizes cut and fill and limits maximum on-site slope to ten (10%) percent.
 - b) Attempts shall be made to preserve existing vegetation and natural features.
 - c) Building Orientation. Accessory buildings, including residential garages, storage buildings, etc., shall be located behind the primary building. No primary or accessory building shall have service doors, loading doors, or similar service entrances opening toward or oriented to a public or private street.
 - d) Distances between buildings shall be measured by a line perpendicular to the plane of the surface windows or exterior walls. The following distances shall apply to all multifamily developments:
 - i) The window-to-window distance between buildings or facing exterior walls shall not be less than twenty (20) feet for walls without windows.
 - ii) This distance shall be increased to thirty (30) feet for an exposure where a room is a bathroom or laundry/utility room, or is used as a community or group meeting room or for a similar purpose.
 - iii) This distance shall be increased to forty (40) feet for an exposure where a room is a bedroom, living room, kitchen or other common area.
 - iv) The Community Development Director shall have discretion to determine which offset between buildings shall apply and may grant exception to this subsection shall topographic, orientation or other site condition make the distance required impractical.
 - v) Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than five (5) feet. The orientation of the buildings should be varied in order to lessen the massing. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety-two (192) feet. No more than eight (8) townhome units shall be attached in a single row.
 - e) Off-street parking, driveway, drive aisles, carport, garage or service facilities may encroach into the side or rear yard as specified in but shall be no closer than ten (10) feet to any lot line. In no event shall parking be located in required landscaping areas.

Introduction of Section 7.19: Commercial and Industrial Layout and Site Planning

Sec. 7.19 – COMMERCIAL AND INDUSTRIAL LAYOUT AND SITE PLANNING

- 1) APPLICABILITY. All commercial and industrial developments, with the exception of warehouse, distribution, logistics and agricultural uses in agricultural zoning districts, shall meet or exceed the requirements of this section, in addition to all other applicable development standards established by this Ordinance.
- 2) SITE LAYOUT
 - a) Site planning which encourages compatibility between the site and the buildings and between all buildings on the site is encouraged. Where natural or existing topographic patterns contribute to a development, they shall be preserved and integrated. Modification to topography shall be permitted where it contributes to the overall development.
 - b) The orientation of buildings shall promote interaction with the street or city road and provide a pedestrian friendly environment. All primary and outparcel site buildings shall be arranged so that they complement existing development. The buildings shall frame a corner or enclose a "main street" type corridor. Buildings on islands surrounded by parking should be avoided.
 - c) Newly installed infrastructure and service revisions necessitated by exterior alterations shall be underground. To the extent possible, all existing overhead utilities shall be relocated underground.
- 3) ACCESS. Major and minor arterials and major collector streets must have reasonable restrictions as to the numbers and location of access points. To provide safe and sufficient traffic movement to and from adjacent lands:
 - a) Frontage roads, access roads, and other internal drives shall be constructed to create a hierarchy of roads for safe on-site circulation. These internal drives shall provide pedestrian access and landscaping.
 - b) Shared access shall be coordinated with contiguous lots. Access at the side or rear of buildings is encouraged.
 - c) New access points onto the major and minor arterials shall be coordinated with existing access points whenever possible and approved by the City Engineer.
 - d) Cross-access easements shall be required between adjacent compatible developments.
 - i) All curb cuts shall meet horizontal and vertical sight distance requirements as set forth in Section 304.4 of the City of Villa Rica Development Regulations. The distance from the centerline of the driveway entrance to the centerline of the nearest street intersection shall not be less than 150 linear feet.
 - ii) Opposing curb cuts shall align squarely or be offset no less than one-hundred twenty-five (125) feet.
 - iii) Stub Streets shall be built in all cases where adjacent lots have reasonable potential for development.
 - e) Entry Drive. The commercial entry drive should be appropriate to the size of the development, incorporate signage, lighting, landscaping and set the tone for the development.
 - f) No buildings or paved areas (other than access drives) may be located closer than fifty (50) feet to any area used or zoned for residential purposes.
- 4) PARKING LAYOUT. In addition to the minimum requirements, a maximum of fifty (50%) percent of the required parking shall be located between the front facade and the primary street. The balance

balance of the parking shall be to the rear or side of the primary building. Refer to Section 7.02 – Off-Street Parking and Loading for parking standards. CART CORRAIS. Cart corrals for developments over fifty-thousand (50,000) square feet shall be curbed, and may be landscaped and covered. PEDESTRIAN FACILITIES.

- 5)
- 6)
 - a) A connection shall be established from abutting streets with sidewalks to the entrance of primary structures through the use of sidewalks and special demarcation.
 - b) Pedestrian areas in parking lots or across interior drives shall be demarcated with special paving, color or height change, or striping for increased safety.
 - c) Sidewalks shall be a minimum of six (6) feet wide and shall connect the commercial areas to adjacent residential, office and recreational uses.
 - d) Sidewalks in Industrial Districts shall be required on at least one (1) side of each street.
 - e) Sidewalks adjacent to customer entries shall be a minimum of eight (8) feet wide.

- Moved and Separated Layout and Site Planning from Architectural Standards (9.04) to a new 7.19 for Commercial and Industrial Zoning Districts

Section 8.27 *Liquor Stores, Package Stores, and Liquor Outlets*

- Removal of the requirement for frontage along a state highway or major arterial road.

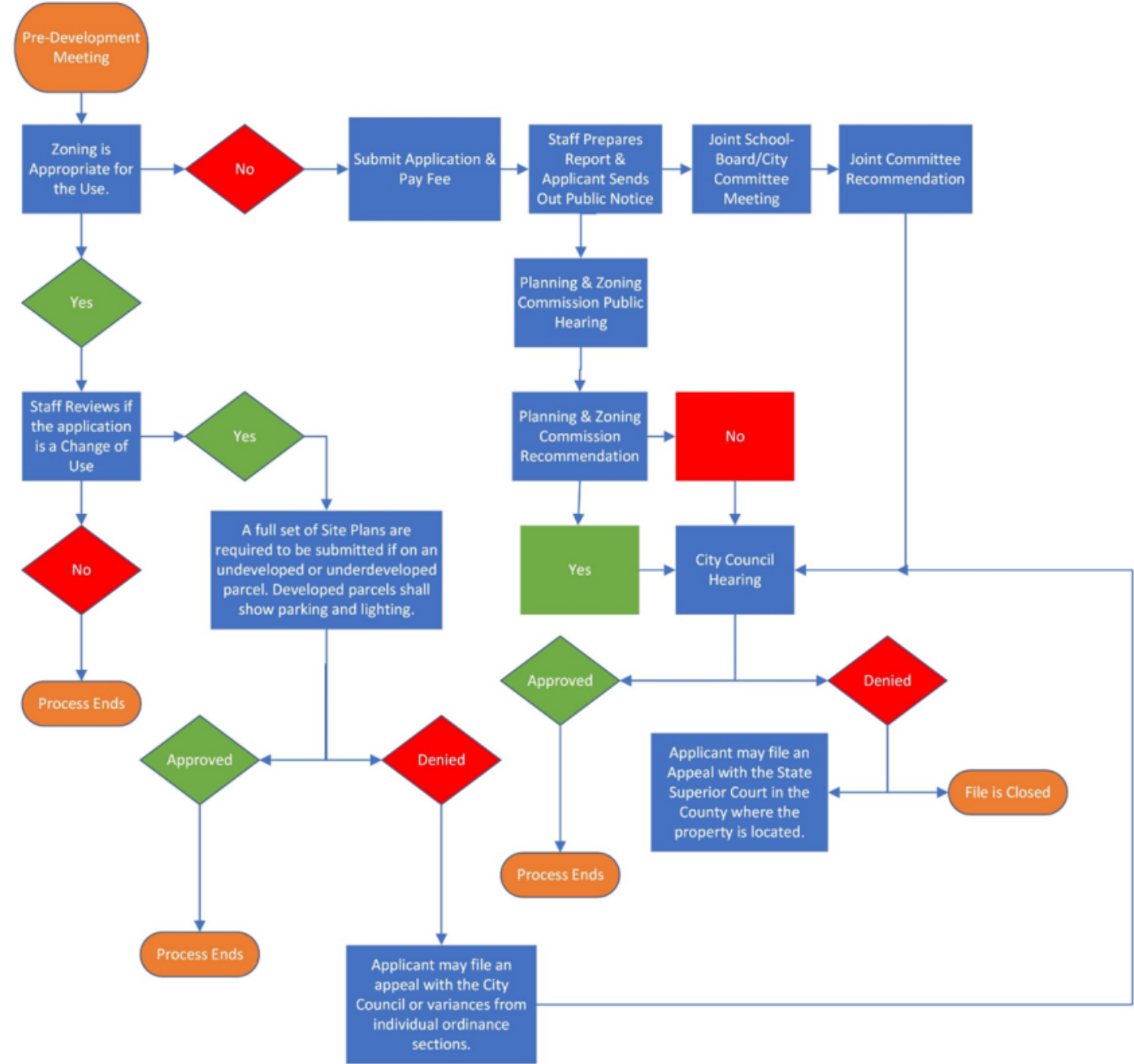
Sec. 8.27 – Liquor Stores, Package Stores, and Liquor Outlets

- 1) Package Stores are restricted to the C-1 Commercial Low Density, and C-2 Commercial Medium-Density zoning districts. In addition to being zoned C-1 or C-2, there are additional zoning requirements as follows:
 - a) The property must have a least two-hundred (200) feet of road frontage ~~on a state highway or major arterial~~, be at least one (1) acre in size, and must be used exclusively for the purpose of selling distilled spirits. This means that a package store shall not be part of a shopping center. It must be a stand-alone building.
 - b) Any building constructed on the property shall be:
 - i) be at least six-thousand (6,000) square feet – of which at least seventy-five (75%) percent shall be dedicated to public retail sales;
 - ii) Shall be occupied by a single tenant;
 - iii) shall have one entrance and one exit and these shall be located at the front of the building;
 - iv) shall have at least one hundred-fifty (150) square feet of plate glass (this excludes plate glass used in the door);
 - v) shall have no windows or doors on the sides or rear of the building.
 - vi) Shall not have living quarters or residential space on the premises.

New Language on Joint Committee - Section 11.05

- Added language on the role and the requirements of review for the Joint Committee.
- Added a new Zoning Process Flow Chart (Figure 11.2).

Figure 11.2: Zoning Process Flow Chart



Addition of Associated Definitions – Section 13.01

- DEVELOPED PARCEL - A fully developed parcel or lot is a parcel of land with an existing development or use that is of a size that is within the range of density or intensity permitted within the underlying zoning classification, is generally similar in size to other developed parcels or lots within the immediate vicinity, and does not qualify within the definition of an undeveloped or underdeveloped parcel or lot. Any lot or parcel with an existing residential development or use that is below 8,500 square feet shall be classified as fully developed.
 - UNDERDEVELOPED PARCEL - An underdeveloped parcel or lot is a parcel that contains a residential unit, commercial use or industrial use that does not take advantage of the full density or intensity permitted in the underlying zoning classification. For the purposes of this definition an underdeveloped parcel or lot shall refer only to a lot which is in a configuration which will allow the parcel or lot to be re-divided or utilized for additional development or use in conformance with the requirements of Table 4.4 of this ordinance and/or parcels with structures that are vacant for more than twelve (12) consecutive months. Lots used solely for shared parking arrangements shall be considered underdeveloped lots.
 - UNDEVELOPED PARCEL - An undeveloped parcel or lot is one that does not contain structures and has the capacity to be developed for uses in compliance with the underlying zoning classification.
 - PACKAGE STORE: An establishment engaged in the retail sale of packaged alcoholic beverages, such as ale, beer, wine, and distilled spirits for consumption off the premises and at which on-premises consumption is specifically prohibited. The term "package store" is considered synonymous with the term "liquor store" and "Liquor Outlets." A package store shall include any premises classified as Industry No. 5921 in the Standard Industrial Classification (SIC) Manual 1972, prepared by the Executive Office of the President, Office of Management and Budget. The term "package store" shall not include a "wine specialty shop" and shall not include a city food market.
- Insertion of new definitions to accompany the applicable changes.