

CITY COUNCIL
JEFF REESE, MAYOR
GIL MCDUGAL, MAYOR PRO-TEM
DANNY CARTER
SHIRLEY MARCHMAN
LESLIE MCPHERSON
MATTHEW MOMTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID
MECKLIN

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

MAYOR & COUNCIL MONTHLY MEETING AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
June 25, 2019 | 6:00 PM

Meeting Call to Order (Mayor Jeff Reese)

Invocation (Councilman Matthew Momtahan)

Pledge of Allegiance (Mayor Jeff Reese)

Ceremonial Presentations (Mayor & Council)

- Oath of Office: Mac Pilgrim - Planning & Zoning Commission
- Oath of Office: Matthew Momtahan - Downtown Development Authority

Adoption of the Agenda (Mayor Jeff Reese)

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)

Council Updates (Subjects of General Interest and Concern)

A. Governing Body (Mayor Jeff Reese)

1. Approval of Minutes
 - a. Special Called Meeting of May 13, 2019: Council Retreat Part I
 - b. Special Called Meeting of May 20, 2019: Council Retreat Part II
 - c. Meeting Minutes of May 28, 2019
 - d. Special Called Meeting of June 3, 2019: Council Discussion-Police Department & Administration
 - e. Special Called Meeting of June 10, 2019: Council Discussion-Public Works & Community Development
 - f. Meeting Minutes of June 11, 2019.

B. Community Development (Bobby Elliott, Director)

1. 527 North Avenue Rezoning Request
2. Variance to 75' Buffer 330 Industrial Court VA-04-19
3. Bid of Various Asphalt Repairs
4. Erosion and Sediment Control Ordinance Revision O-17-2019
5. Floodplain Management Ordinance Revision O-18-2019
6. Sheet Litter Ordinance Revision O-19-2019

7. HPC Architectural Design Standards O-21-2019

8. Sign Ordinance Revision O-20-2019

C. Economic Development (Janet Chumley, Manager)

1. 2019 Community Development Grant Disbursement

2. Modification to Pine Mountain Fee Schedule

D. Utilities (Pete Zorbanos, Director)

1. Bid Award for Construction of 2019 Water System Improvements

E. Finance (Sarah Hefty, CFO)

1. Financial Update: May 2019

F. City Manager (Tom Barber)

1. Proposed Action Related to a Member of the Historic Preservation Commission

G. City Manager's Report Tom Barber)

H. Executive Session (City Attorney David Mecklin)

1. Meeting to discuss or vote to enter into an option to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(E).

Adjournment

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CITY COUNCIL MONTHLY MEETING MINUTES

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
Tuesday, May 28, 2019 | 6:00 pm

Meeting Call to Order (Mayor Jeff Reese)

Mayor Jeff Reese called the meeting to order at 6:00 pm. Present: Mayor Jeff Reese, Councilman Danny Carter, Councilwoman Leslie McPherson, Councilwoman Shirley Marchman, and Councilman Matthew Momtahan. Mayor Pro Tem Gil McDougal was absent.

Invocation (Councilwoman Leslie McPherson)

Councilwoman Leslie McPherson gave the Invocation.

Pledge of Allegiance (Mayor Jeff Reese)

Mayor Jeff Reese led the Pledge of Allegiance.

Ceremonial Presentations (Mayor and Council)

- Mayor Reese reappointed Monroe Spake to the Housing Authority Board for a term of three years.
- Mayor Reese reappointed Michael Young to the Recreation Advisory Board for a term of three years.
- Appointed Andy Hill to the Downtown Development Authority for a term of four years.
- Appointed Matthew Momtahan to the Downtown Development Authority for a term of four years.
- Mayor Reese appointed Nancy Stolz-Jeffares to the Cemetery Commission for a term of three years.
- Mayor Reese recognized the students and coaches of the Villa Rica High School Academic Decathlon.

Adoption of Agenda (Mayor Jeff Reese)

Councilwoman Shirley Marchman made the motion to adopt the agenda.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Shirley Marchman, Councilwoman
SECONDER:	Danny Carter, Councilman
AYES:	Marchman, Carter, McPherson, Momtahan

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)

Two citizens made a public comment.

Council Updates (Subjects of General Interest and Concern)

Mayor Reese recognized District 2 Commissioner Clint Chance who was present for the meeting. Councilwoman Leslie McPherson announced that early voting has begun at the county office for the Commissioner Chair and

will end on June 14. Election day is June 18 and will be in Villa Rica. She also recognized some of the retail stores in downtown.

A. Governing Body (Mayor Jeff Reese)

1. Approval of Minutes: Meeting Minutes of May 14, 2019

Councilwoman Shirley Marchman made the motion of approve the Meeting Minutes of May 14, 2019.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Shirley Marchman, Councilwoman
SECONDER:	Leslie McPherson, Councilwoman
AYES:	Marchman, McPherson, Carter, Momtahan

B. Community Development (Bobby Elliott, Director)

1. Conditional Use Application: 716 Newport Drive

Public Hearing: None.

Councilwoman Leslie McPherson made the motion to approve the Conditional Use Application for a Family Daycare Home as presented.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Leslie McPherson, Councilwoman
SECONDER:	Danny Carter, Councilman
AYES:	McPherson, Carter, Marchman, Momtahan

2. Alcoholic Beverage Application for SA Vaping, Inc.

Public Hearing: None.

Councilman Danny Carter made the motion to approve the alcoholic beverage application for SA Vaping Inc., located 125 Commons Way, Suite 105, Villa Rica.

RESULT:	ADOPTED (VOTE: 3-1)
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Carter, Momtahan, McPherson
NAYS:	Marchman

C. Information Technology (Jim Chambers, Manager)

1. Council Chambers Audio/Visual (AV) Upgrade

Councilman Danny Carter made the motion to approve the upgrade to the AV system with 2 additional mics for \$3,453.47.

RESULT:	FAILED (VOTE: 2-2, MAYOR OPPOSED-MOTION FAILED)
MOVER:	Danny Carter, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Carter, Marchman
NAYS:	Momtahan, McPherson

***The vote was tied (2-2). Mayor Reese voted to oppose the motion. The motion failed.**

2. Council Chambers Audio/Visual (AV) Upgrade

Councilman Danny Carter made the motion to approve the upgrade to the AV system with an 86” monitor for \$6,425.89.

RESULT: **FAILED (VOTE: 2-2, MAYOR OPPOSED-MOTION FAILED)**
MOVER: Danny Carter, Councilman
SECONDER: Shirley Marchman, Councilwoman
AYES: Carter, Marchman
NAYS: Momtahan, McPherson

***The vote was tied (2-2). Mayor Reese voted to oppose the motion. The motion failed.**

3. Approval of SyncGlobal Re-Term

Councilman Danny Carter made the motion to approve the re-term with SyncGlobal for two years at a cost of \$7,366.40 a month.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Leslie McPherson, Councilwoman
AYES: Carter, McPherson, Marchman, Momtahan

D. Finance (Sarah Hefty, CFO)

1. Financial Update: April 2019

CFO Sarah Hefty presented the April 2019 Financial Update.

2. 2019 Budget Amendments

Councilman Danny Carter made the motion to adopt the ordinance approving an amendment to the budget for the fiscal year 2019 for the City pursuant to Section 2-71 of the City Charter with the provision as shown on Exhibit “A” stricken the audio/visual equipment.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Leslie McPherson, Councilwoman
AYES: Carter, McPherson, Marchman, Momtahan

E. City Manager (Tom Barber)

1. Agreement with Norfolk Southern to improve the Connors Road Railroad

Councilman Danny Carter made the motion to authorize the Mayor to execute an agreement with Norfolk Southern Railway Company to improve the Connors Road crossing for an amount not to exceed \$20,006.65.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Carter, Momtahan, Marchman, McPherson

City Manager’s Report (Tom Barber)

City Manager Tom Barber gave a report of city projects.

Adjournment

Councilman Danny Carter made the motion to adjourn, seconded by Councilman Matthew Momtahan.
Vote: 4-0. Motion approved.

Mayor Jeff Reese

Alisa Doyal, City Clerk



CITY OF VILLA RICA

City Council Packet

SUBJECT: RA-04-19 – 527 North Avenue

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 10, 2019

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: Bill Shotwell is requesting to rezone the property located at 527 North Avenue from Office-Institutional (OI) to Single Family Residential (R20) for use as a single-family home.

BACKGROUND: The City of Villa Rica's Future Development Map indicates that the above lot be considered for single-family development as "Traditional Neighborhood Character", and this request is in-kind with the map. The property was last leased as a doctor's office that has since moved to the Dallas Highway corridor. All properties on this block of North Avenue are single-family homes, and zoned single family except one lot that wraps the property on the east and south, which has a large frontage on Old Stone Road. The property owner has indicated that the property has been difficult to rent to medical uses as all such properties have located on Dallas Highway. The property was previously a single-family home and reserves the character of such.

STAFF RECOMMENDATION: Staff recommends approval of this rezoning.

IMPACT: N/A

MOTION: I make a motion to approve the rezoning request from Bill Shotwell to rezone the property located at 527 North Avenue from Office-Institutional (OI) to Single Family Residential (R20).



Planning & Zoning

Community Development Department

RA-04-19

Council Ward: 1

Planning Board Member: Willie Marchman

City Council Member: Shirley Marchman

Public Hearing Dates

Planning Commission: June 4th, 2019

City Council: June 25, 2019

Request: Rezone from Office-Institutional (OI) to Single Family Residential (R20) for a single-family home use.



Applicant: Bill Shotwell
2017 Lakeview Parkway
Villa Rica, GA 30180
770-630-6728

Acres: 1.07 +/- acres
Current Land Use: Medical Character Area
Future Land Use: Single Family Residential (R20)

Parcel Number(s): V050130009

Location: 527 North Avenue, in Land Lot 192 of the 6th District in Carroll County.

Project Description:

The applicant is requesting to rezone property located at 527 North Avenue from Office-Institutional (OI) to Single Family Residential (R20) for use as a single-family home.

Surrounding Properties:

Current Zoning		Land Use
North	Single Family Residential (R-20)	Single Family Residential
East	Office and Institutional (OI)	Future Medical Facilities
South	Office and Institutional (OI)	Future Medical Facilities
West	Single Family Residential (R-20)	Single Family Residential

Rezoning Review Standards:

The Code of the City of Villa Rica, Unified Development Code Section 2.03.B.4, requires all zoning amendment applications to be reviewed based upon the impact of the proposed rezoning with respect to each of the following matters:

A. *Whether the existing zoning was in error at the time of adoption.*

It does not appear that the existing Office Institutional zoning designation is in error. The applicant applied in 2006 for the parcel to be designated Office Institutional for a doctor's office use that has since left the premises. The property is currently vacant and appears as a single-family home other than a parking lot (approximately 9 spaces) in the front yard area.

B. *Whether the proposed change is consistent with, and in furtherance of, the implementation of the goals and objectives of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this Code and other city regulations and guidelines.*

Future Land Use Map

The subject property is currently located within City limits. The Future Land Use Development Map designations in the surrounding area are Medical Service Character areas and Single-Family Residential.

Relation to the Comprehensive Plan Policies:

Development Planning

DP Goal 1: Maintain small-town character and cultural identity while supporting growth.

DP Strategy 1.1: Use the Future Development Map to guide decisions for new development and redevelopment within Villa Rica, while planning for expansion and growth.

Social and Economic Development

SED Goal 2: Protect and enhance existing neighborhoods while supporting a diverse array of housing options to accommodate future growth.

SED Strategy 2.3: Maintain quality housing in a variety of dwelling types and densities to support the needs of the population.

C. Whether there is a community need for and benefit from the proposed rezoning; or

There are not any tangible needs or benefits that would be realized from the rezoning other than consistency with the Future Land Use Map. Rezoning the property to Office-Institutional (OI) would complement the existing institutional and medical uses in the vicinity. Tanner Medical facilities are in very close proximity, as well as other medical offices, and the Medical Support Overlay District (MSD). The Medical Support Overlay District was added to the Unified Development Code in 2011 to provide an area in the immediate vicinity of the Tanner Medical Center for future hospital expansion, hospital-related support services and medical uses. Being that the subject property is border by both the Office-Institutional Zone and Single-Family Zone on both sides, the use of the property as either a medical use or a single-family home is possible from a land use perspective. The single-family use would be more in-kind with other uses on this block of North Avenue.

D. Whether the proposed change is consistent with the character of the area in which the proposed rezoning is proposed.

The proposed rezoning is consistent with the character of the area, especially with its proximity to other single-family properties on North Avenue. This block of North Avenue has properties that all properties that are single-family in both use and character. The subject property was previously a single-family home and retains the scale and character of that use. Medical office uses would continue to complement uses in the vicinity at an appropriate scale.

The future land use designated for this parcel is "Traditional Neighborhood", which is directly compatible with this proposed application.

E. Whether the proposed zoning is compatible with the zoning and uses of property nearby.

The proposed zoning is compatible with nearby zoning and uses nearby. Tanner Medical Center, as well as other smaller medical offices can be found along nearby Old Stone Road. The property is a buffer property between two zones, OI and R-20, and the proposed single-family use is only permitted in the R-20 zone.

F. Whether the existing zoning is suitable for the development of the uses authorized under the existing zoning classification, will be conducive to proper community planning, and is a logical extension of an existing urban area or growth center.

The suitability of the subject property for medical uses is questionable because of the property fronting on North Avenue instead of Old Stone Road, which has all of the medical uses. A single-family property buffers this property from the Old Stone Road medical use zoning, however the vacant parcel in the rear and south of the subject property is zoned OI. It is a

logical extension of an existing single-family area more so than the bordering medical activity center.

G. Whether the public and community facilities, which may include, but are not limited to, sanitary and storm sewers, water, electrical service, police and fire protection, schools, parks and recreation facilities, roads, libraries, and solid waste collection and disposal, are available and adequate to serve uses authorized under the proposed zoning.

The subject property is currently provided with community facilities including public sewer and gas. These services should remain available, and seem to be adequate to serve uses authorized under the proposed zoning.

H. Whether the authorized uses will not adversely affect the capacity or safety of the street network in the vicinity of the property.

The proposed rezoning should not have a significant impact on the capacity of the road, as less traffic will be going to and from the use than a medical office or other commercial use.

I. Are there potential environmental impacts (e.g., excessive storm water runoff, water pollution, air pollution, noise pollution, excessive lighting, or other environmental harms) of authorized uses will be mitigated.

Based on the City's and County's available maps, no streams and rivers are located on the site. Therefore, Staff is of the opinion that there are currently no potential environmental impacts.

Staff Comments:

The applicant is requesting a rezoning of the subject property from Office-Institutional (OI) to Single Family Residential (R20). The proposed use for a single-family home will have a lower impact than a medical office on the surrounding residential community.

The Future Land Use Map designates the parcel as a "Traditional Neighborhood" Character Area which is compatible with the proposed single-family zoning.

The applicant applied for a rezoning in 2006 to the OI Zoning district for a medical office that operated on premises. The medical office is no longer located at the property and the property is now vacant. The property owner is having trouble leasing the property to another doctor's office and is proposing to now lease the property as a single-family home. As single-family homes are not permitted in the OI zone, a rezoning to R20 is required in order to move forward with a single-family use.

There are two parking lots located within the front yard property line that was used for the previous commercial tenant. These parking areas are not compliant with the parking for a single-family use in the R20 zone, however, as per *Section 7.07 Non-conforming Parking*, "the maintenance, repair and alterations of a use with non-conforming parking may be permitted provided the activity does not increase the need for off-street parking." As a single-family use has less parking required and less intensity than a medical office, this non-conforming parking exception may apply.

Recommendation:

Staff recommendation: **APPROVAL**

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 May 24, 2019; a sign has been posted on the subject properties; and all abutting property owners have received notification via certified mail.

Public Response:

In response to the public notifications, residents within the surrounding neighborhoods have not contacted the City at the time of this staff report.

Office of Community Development

Attachments:

1. Application
2. Campaign Disclosure Statement
3. Warranty Deed
4. Property Plat
5. Applicant Statement



CITY OF VILLA RICA

City Council Packet

SUBJECT: VA-04-19, Variance to the 75' Impervious section of Stream Buffer,
330 Industrial Court LLC

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 12, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: Any proposed encroachment into buffer areas with construction requires variance approval from City Council. The current application has been filed due to a hardship with expansion of additional buildings at 330 Industrial Court.

BACKGROUND: Several years ago, the City of Villa Rica expanded the buffer widths associated with State Waters streams due to some enforcement actions by Georgia EPD. The buffers are described as follows: 25' State stream buffer that requires State approval for a variance; 25' Villa Rica stream buffer that requires City Council variance approval; 25' Villa Rica Impervious buffer that requires City Council variance approval. This application is concerned with the last of the three scenarios. The level of encroachment is approximately 650 square feet. Failing to approve this variance will create a hardship in that the construction of the third building will be jeopardized.

STAFF RECOMMENDATION: Staff recommends approval of this variance.

IMPACT: N/A

MOTION: I make a motion to approve the variance request by 330 Industrial Court LLC to allow impact to the 75' impervious buffer by an amount of approximately 650 square feet.



Planning & Zoning

Community Development Department

VA-04-19

Council Ward: 3

Planning Board Member: Tom Flowers

City Council Member: Leslie McPherson

Public Hearing Dates

City Council: June 25, 2019

Request: Variance to encroach into the required 75' impervious buffer with approximately 650 square feet along the western boundary line.



Applicant: 330 Industrial Court LLC
4121 High Point Ct
Villa Rica, Ga 30180

Current Land Use: Industrial (Warehousing)
Future Land Use: Industrial &
Conservation/Open Space

Acres: 7.93+/- acres

Parcel Number(s): V03 0100020

Location: 330 W. Industrial Ct., in Land Lot 190 of the 6th District in Carroll County.

Project Description:

The applicant is requesting a variance from the 75' impervious buffer in order to construct three new buildings at its existing location at 330 West Industrial Court in order to meet a growing demand for aeronautical engine repair services. Due to existing site constraints and the need to provide adequate tractor trailer circulation in proposed site conditions, ICR is requesting a variance from the City of Villa Rica 75' impervious buffer with approximately 650 square feet of encroachment along the western boundary line. ICR will maintain the 25' City of Villa Rica no disturbance stream buffer as well as the 25' State stream buffer.

Surrounding Properties:

Current Zoning		Land Use
North	General Industrial (GI)	Industrial
East	General Industrial (GI)	Commercial
South	Norfolk Southern Line (N/A)	Norfolk Southern Line (N/A)
West	General Industrial (GI)	Industrial

Variance Review Standards: (From Section 2.03J(4) of the Unified Development Code)

A variance is not a right. It may be granted only upon finding that:

(a) Granting the variance will not substantially conflict with any City adopted plans or policies, or the purposes or intent as set forth in this code.

Granting the variance will not substantially conflict with the stream buffer requirements established in the Unified Development Code as the request is for 650 square feet.

(b) There are exceptional conditions creating an undue hardship, applicable only to the property involved, or the intended use thereof, which do not generally apply to the other land areas or uses within the zone district.

The current ordinance would prohibit construction of this building in its current location unless this variance is granted.

(c) The applicant cannot derive a reasonable use of the property without approval of a variance.

The applicant cannot derive a reasonable use of the property without approval of this variance, as submitted, without re-engineering the site.

(d) Granting the variance will not generally set a precedent for other applications (which would indicate that a text amendment to this code should be proposed and considered).

Granting this variance will not set a precedent for other applications due to the unique situation in this case.

(e) Granting the variance will not be detrimental to any adjacent properties or the area.

Granting the variance will not be detrimental to any adjacent properties or the area.

(f) Granting the variance will not be detrimental to public health, safety or welfare.

Granting the variance will not be detrimental to the public health, safety, or welfare. The City of Villa Rica's requirement for stream buffers is 25' along with the state's 25'

requirement, so encroachment will not endanger the safety and welfare as per state regulations.

OR

(g) In the event the basis or reason for the appeal is due to circumstances or a situation not created by the applicant (e.g., an undersized parcel was created, or a structure whose deficient setbacks were established, or a structure had setbacks which were conforming to requirements prior to the adoption of the current code requirements) the Council may approve a variance applying only b. above

This basis of this appeal is due to circumstances created by the applicant.

Staff Comments:

The applicant is requesting a variance for an encroachment into the 75' impervious buffer that the city's ordinance requires of all structures to abide by. The property owner proposes to construct three buildings on the lot to expand their business as the current building on the lot has reached capacity. The proposed layout of the lot would require for Building #1 to be located within the required impervious buffer zone by 650 square feet. This is required by the property owner in order for truck circulation on the site.

The 75' impervious buffer is a city ordinance that was enacted in circa 2010 as a voluntary settlement with the Georgia Environmental Protection Division after violations were found in enforcement of the 25' state buffer requirement. The city enacted two additional 25' buffers to accommodate the state. The 75' impervious buffer is not a state requirement. Villa Rica reserved the right to permit exceptions and variances to the 75' impervious buffer requirement, whereas the state reserves the right to permit exceptions and variances of only the 25' buffer.

The 650 square foot section of impervious coverage for Building #1 is an incidental change that will not have a substantial effect on runoff or pose a public safety risk to the public.

Recommendation:

Staff recommendation: **APPROVAL**

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 June 13, 2019; a sign has been posted on the subject properties; and all abutting property owners have received notification via certified mail.

Public Response:

In response to the public notifications, residents within the surrounding neighborhoods have not contacted the City at the time of this staff report.

Office of Community Development

Attachments:

1. Application

2. Campaign Disclosure Statement
3. Warranty Deed
4. Property Plat
5. Applicant Statement



CITY OF VILLA RICA

City Council Packet

SUBJECT: Various Asphalt Repairs – Service Cuts

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 11, 2019

PREPARED BY: Bobby C. Elliott. P.E.

FISCAL IMPACT:

ANNUAL – \$137,235.00

CAPITAL –

OTHER –

FUNDING SOURCE: Water/Sewer and Streets Operating Budget

PURPOSE: The purpose for the request for proposals is to secure a contractor that can make repairs to streets after utility cuts and significant potholes are made in City streets. We have been attempting to make these repairs “in-house” but can’t keep up with “in-house” resources.

BACKGROUND: As our water distribution system continues to deteriorate, service lines and mains continually leak and cause our streets to be cut and dug up. The number of City personnel just can’t keep these cuts repaired in a timely manner. We also have potholes appear from time to time that must also be repaired. An RFP for bidding out these repairs was posted and we have received five (5) proposals. **The proposals are based on the following parameters that we have estimated to be a year’s worth of repairs. It can be more or less than the amount shown below:**

- 1,800 LF of saw cutting pavement edges
- 12,000 Sq. Ft of excavation, GAB and Asphalt replacement
- 15 Valve box adjustments
- 6 Manhole adjustments

The bid proposals are as follows:

Proposer	Bid Price
Magnum Paving, LLC 1836 Carrollton Villa Rica Hwy Villa Rica, GA 30180	\$171,750.00

Abuck Asphalt Paving Co. P.O. Box 163 Lithia Springs, GA 30122	\$246,750.00
Chatfield Contracting, Inc. 2500 Dallas Hwy, Ste 202 Marietta, GA 30064	\$243,090.00
Lori's Transportation & Excavation, LLC 2475 Northwinds Pkwy Alpharetta, GA 30009	\$219,150.00
McIntosh Specialty Services 1656 N. Hwy 27 Carrollton, GA 30117	\$137,235.00

STAFF RECOMMENDATION: Staff recommends choosing the low bid from McIntosh Specialty Services for the amount of \$137, 235.00. The contract is also renewable with approvals from the City and the approved contractor.

IMPACT: Funding for these repairs will come from water/sewer and street maintenance operating budgets.

MOTION: I make a motion to approve the low bid from McIntosh Specialty Services in the amount of \$137,235.00 to make the Various Asphalt Repairs as needed based on the estimated yearly quantities. If quantities exceed this estimated amount, a new proposal will be brought back to City Council.

JEFF REESE, MAYOR
CITY COUNCIL:
GIL MCDUGAL, MAYOR PRO TEM
LESLIE MCPHERSON
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DANNY CARTER
MATTHEW MONTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

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

June 7, 2019
Various Asphalt Repairs-Service Cuts
Bid Opening 2:00 PM

Proposer

Bid Proposal

Magnum Paving, LLC.	
1836 Carrollton Villa Rica HWY	
Villa Rica, GA ^{Suite 209} 30180	
(770) 919-0911	total Pricing \$171,750.00
Abuck Asphalt Paving Co.	
P.O. BOX 163	
Lithia Springs, GA 30122	
(770) 948-0059	total Pricing \$246,750.00
Chatfield Contracting, INC.	
^{PMB 175} 2500 Dallas HWY SW STE 202	
Marietta, GA 30064	
(770) 948-1550	total Pricing \$243,090.00

Lori's transportation & Excavation, LLC.	
2475 Northwinds PKWY	
Alpharetta, GA 30009	
(678) 691-2036	total Pricing \$ 219,150.00
McIntosh specialty services	
1650 N. HWY 27	
Carrollton, GA 30117	
(678) 409-2733	
	total Pricing \$ 133,185.00



CITY OF VILLA RICA

City Council Packet

SUBJECT: Erosion and Sediment Control Ordinance O-17-2019 Revisions

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 12, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: The purpose for this ordinance revision is to align our local ordinance with the State model ordinance.

BACKGROUND: Several years ago, the Georgia Department of Natural Resources Environmental Protection Division required Local Issuing Authorities to adopt several model ordinances to be able to enforce state and local guidelines in various areas of environmental practice. One is the Erosion and Sediment Control Ordinance (Section 700 of Development Regulations). This is a significant revision and the written changes appear in blue in the attached ordinance.

STAFF RECOMMENDATION: Staff recommends approval of this revision.

IMPACT:

MOTION: I make a motion to approve the revisions to Section 700 of the Development Regulations (Erosion and Sediment Control Ordinance) as amended.

JEFF REESE, MAYOR
CITY COUNCIL:
GIL MCDUGAL, MAYOR PRO TEM
LESLIE MCPHERSON
SHIRLEY MARCHMAN
DANNY CARTER
MATTHEW MONTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

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VILLA RICA, GA. 30180
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ORDINANCE NO. 0-17-2019

WHEREAS, the City of Villa Rica through its Office of the City Engineer has revised Section 700 of the Development Regulations, Erosion and Sediment Control Ordinance; and

WHEREAS, the Mayor and Council do desire to adopt the revised Section 700 of the Development Regulations, Erosion and Sediment Control Ordinance for the City of Villa Rica as attached hereto and incorporated by reference herein.

NOW, THERFORE, be it ordained that the Mayor and Council of the City of Villa Rica do adopt the revised Erosion and Sediment Control Ordinance 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 revised Erosion and Sediment Control Ordinance attached hereto are hereby repealed.

This ordinance shall become effective immediately upon passage by the Mayor and Council and signature by the Mayor.

This 25th day of June, 2019.

Jeff Reese, Mayor

Attest:

Alisa Doyal, City Clerk

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): These include 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 Commission as of January 1 of the year in which the land-disturbing activity was permitted.

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.

Certified Personnel: A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Coastal Marshlands: Shall have the same meaning as in O.C.G.A. 12-5-282.

Commission: The State Soil & Water Conservation Commission.

CPESC: Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc., which is also referred to as CPESC or CPESC, Inc.

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 (DNR).

Design Professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land

surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.

Director: The Director of the Environmental Protection Division of the Department of Natural Resources or an authorized representative.

District: The West Georgia Soil and Water Conservation District.

Division: The Environmental Protection Division (EPD) 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 required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protection at least as stringent as the State General Permit, best management practices, and requirements in section 704 of this ordinance.

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

Final Stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

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.

NOI: [A Notice of Intent form provided by EPD for coverage under the State General Permit.](#)

NOT: [A Notice of Termination form provided by EPD to terminate coverage under the State General Permit.](#)

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.

Phase or Phased: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

Project: The entire proposed development project regardless of the size of the area of land to be disturbed.

Properly Designed: Designed in accordance with the design requirements and specifications contained in the “Manual for Erosion and Sediment Control in Georgia” (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.

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 District.

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 Wildlife Resources 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, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at www.epd.georgia.gov. 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. Temporary seeding, producing short-term vegetative cover; or
3. 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, "The Georgia Surface Mining Act of 1968";
- 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 (1) 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 (1) 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 (1) 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 twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries or by more than ten (10) 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 (5) 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.

5. The LIA may set more stringent buffer requirements than stated in C. 15, 16, and 17, in light of O.C.G.A. §12-7-6 (c).

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) and (17) 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; As used in this provision, the term 'ephemeral stream' means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, 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. There is established a 25-foot buffer along coastal marshlands, as measured horizontally from the coastal marshland-upland interface, as determined in accordance with Chapter 5 of Title 12 of this title, the "Coastal Marshlands Protection Act of 1970." And the rules and regulations promulgated thereunder, 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 Code Section 12-2-8, where an alteration within the buffer area has been authorized pursuant to Code Section 12-5-286, for maintenance of any currently serviceable structure, landscaping, or hardscaping, including bridges, roads, parking lots, golf courses, golf cart paths, retaining walls, bulkheads, and patios; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented, where a drainage structure or roadway drainage structure is constructed or maintained; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented, on the landward side of any currently serviceable shoreline stabilization structure, or for the maintenance of any manmade storm-water detention basin, golf course pond, or impoundment that is located entirely within the property of a single individual, partnership, or corporation; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented. For the purposes of this paragraph maintenance shall be defined as actions necessary or appropriate for retaining or restoring a currently serviceable improvement to the specified operable condition to achieve its maximum useful life. Maintenance includes emergency reconstruction of recently damaged parts of a currently serviceable structure so long as it occurs within a reasonable period of time after damage occurs.

Maintenance does not include any modification that changes the character, scope or size of the original design and serviceable shall be defined as usable in its current state or with minor maintenance but not so degraded as to essentially require reconstruction.

- 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; 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
- ii. The buffer shall not apply to crossings for utility lines that cause a width of disturbance of not more than 50 feet within the buffer, provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.
- iii. The buffer shall not apply to any land-disturbing activity conducted pursuant to and in compliance with a valid and effective land-disturbing permit issued subsequent to April 22, 2014, and prior to December 31, 2015; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented or any lot for which the preliminary plat has been approved prior to December 31, 2015 if roadways, bridges, or water and sewer lines have been extended to such lot prior to the effective date of this Act and if the requirement to maintain a 25 foot buffer would consume at least 18 percent of the high ground of the platted lot otherwise available for development; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.
- iv. Activities where the area within the buffer is not more than 500 square feet or that have a “Minor Buffer Impact” as defined in 391-3-7-.01(r), provided that the total area of buffer impacts is less than 5,000 square feet are deemed to have an approved buffer variance by rule. Bank stabilization structures are not eligible for coverage under

the variance by rule and notification shall be made to the Division at least 14 days prior to the commencement of land disturbing activities.

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. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as are applied to private persons and the division shall enforce such requirements upon the local issuing authority.

- D. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
- E. 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.
- F. The LIA may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. 12-7-7 (f) (1).

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 Local Issuing Authority must amend its ordinances to the extent appropriate within twelve (12) months of any amendments to the Erosion and Sedimentation Act of 1975.

- C. 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.
- D. 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.
- E. The District 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.
- F. The Division may periodically review the actions of counties and 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 county or 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 (e), the Division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 90 days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the county or municipality does not take necessary corrective action within 90 days after notification by the division, the division shall revoke the certification of the county or 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.

708. **Education and Certification**

- A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or 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.
- B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

- C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.
- D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

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 **Effectivity:** This Ordinance shall become effective on the _____ day of _____, 2019.
- 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.



CITY OF VILLA RICA

City Council Packet

SUBJECT: Floodplain Management/Flood Hazard Prevention Ordinance O-18-2019
Revision

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 12, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: The purpose for this ordinance revision is to align our local ordinance with the State model ordinance.

BACKGROUND: Several years ago, in order to participate in the Flood Insurance Rate Program, FEMA (Federal Emergency Management Agency) and the Georgia Department of Natural Resources Environmental Protection Division required Local Issuing Authorities to adopt several model ordinances to be able to enforce state and local guidelines in various areas of environmental practice. One is the Floodplain Management / Flood Hazard Prevention Ordinance (Section 600 of the Development Regulations). This is a significant revision and the written changes appear in blue in the attached ordinance.

STAFF RECOMMENDATION: Staff recommends approval of this revision.

IMPACT: N/A

MOTION: I make a motion to approve the revisions to the Floodplain Management / Flood Hazard Prevention Ordinance (Section 600 of the Development Regulations) as amended.

JEFF REESE, MAYOR
CITY COUNCIL:
GIL MCDUGAL, MAYOR PRO TEM
LESLIE MCPHERSON
SHIRLEY MARCHMAN
DANNY CARTER
MATTHEW MONTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

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ORDINANCE NO. 0-18-2019

WHEREAS, the City of Villa Rica through its Office of the City Engineer has revised Section 600 of the Development Regulations, Floodplain Management/Flood Hazard Prevention Ordinance; and

WHEREAS, the Mayor and Council do desire to adopt the revised Section 600 of the Development Regulations, Floodplain Management/Flood Hazard Prevention Ordinance for the City of Villa Rica as attached hereto and incorporated by reference herein.

NOW, THERFORE, be it ordained that the Mayor and Council of the City of Villa Rica do adopt the revised Floodplain Management/Flood Hazard Prevention Ordinance 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 revised Floodplain Management/Flood Hazard Prevention Ordinance attached hereto are hereby repealed.

This ordinance shall become effective immediately upon passage by the Mayor and Council and signature by the Mayor.

This 25th day of June, 2019.

Jeff Reese, Mayor

Attest:

Alisa Doyal, City Clerk

**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 within the City of Villa Rica.

Note: Section 605.3 regulates those areas adjacent to the future-conditions floodplain. By definition, these are not areas of special flood hazard. The proposed language remedies this discrepancy

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 those areas that are at or below either three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever higher, unless the area is hydraulically independent (meaning 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).

Note: This definition to be included per Metropolitan North Georgia Water Planning District (MNGWPD) guidance.

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, 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 see "[Structure](#)"

Note: This definition to be included per FEMA guidance

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 [September 1, 1986](#) 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 [September 1, 1986](#) 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.

Manufactured Home Park or Subdivision means a parcel (or continuous parcels) of land divided into two or more manufactured home lots for rent or sale.

Note: This definition to be included per FEMA guidance

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 [September 1, 1986](#) 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 [September 1, 1986](#) 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:
 - 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 **and substantial improvements** 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;

Note: Per minimum requirements of the National Flood Insurance Program (NFIP) no distinction is to be drawn between new construction and substantial improvements.

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;
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;
 - 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

New construction and substantial improvements 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 and substantial improvements shall have the lowest floor, including basement, elevated no lower than four feet above the base flood elevation or one 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).

Note: Per minimum requirements of the National Flood Insurance Program (NFIP) no distinction is to be drawn between new construction and substantial improvements.

2. Non-Residential Buildings

New construction and substantial improvements 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 and substantial improvements shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation, or at least as high as 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).

New construction and substantial improvements that have 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 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.

Note: Per minimum requirements of the National Flood Insurance Program (NFIP) no distinction is to be drawn between new construction and substantial improvements.

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 security devices, and has no permanently attached structures or additions); or
- b. [The recreational vehicle must meet all the requirements for Residential Buildings, 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 feet above the base flood elevation or one 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).

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 foot above the level of the base flood elevation or at least as high as 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).

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 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.
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.

SECTION 600 FLOODPLAIN MANAGEMENT /
FLOOD HAZARD PREVENTION

Any person violating any of the provisions of this article shall become liable to the city by reason of such violation.



CITY OF VILLA RICA

City Council Packet

SUBJECT: Litter Ordinance O-19-2019 Revision

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 12, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: The purpose for this ordinance revision is to align our local ordinance with the State model ordinance.

BACKGROUND: Several years ago, the Georgia Department of Natural Resources Environmental Protection Division required Local Issuing Authorities to adopt several model ordinances to be able to enforce state and local guidelines in various areas of environmental practice; one is a model Litter Ordinance. This is a minor revision and the written changes appear in blue in the attached ordinance.

STAFF RECOMMENDATION: Staff recommends approval of this revision.

IMPACT: N/A

MOTION: I make a motion to approve the revisions to Section 1200 of the Development Regulations (Litter Ordinance) as amended.

JEFF REESE, MAYOR
CITY COUNCIL:
GIL MCDOUGAL, MAYOR PRO TEM
LESLIE MCPHERSON
SHIRLEY MARCHMAN
DANNY CARTER
MATTHEW MONTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

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

ORDINANCE NO. 0-19-2019

WHEREAS, the City of Villa Rica through its Office of the City Engineer has revised Section 1200 of the Development Regulations, Litter Control Ordinance; and

WHEREAS, the Mayor and Council do desire to adopt the revised Section 1200 of the Development Regulations, Litter Control Ordinance for the City of Villa Rica as attached hereto and incorporated by reference herein.

NOW, THERFORE, be it ordained that the Mayor and Council of the City of Villa Rica do adopt the revised Litter Control Ordinance 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 revised Litter Control Ordinance attached hereto are hereby repealed.

This ordinance shall become effective immediately upon passage by the Mayor and Council and signature by the Mayor.

This 25th day of June, 2019.

Jeff Reese, Mayor

Attest:

Alisa Doyal, City Clerk

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 Packet

SUBJECT: Ordinance No. 0-21-2019, Architectural Review Guidelines for Historic Districts and Sites

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 10, 2019

PREPARED BY: Ronald Johnson, Planning and Zoning Specialist

FISCAL IMPACT: N/A

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: To establish guideline for the planning, review and approval of historic repairs/renovations, demolitions and relocations of residential and commercial properties located in historic districts and of historic sites within the City of Villa Rica.

BACKGROUND: The Historic Preservation Commission (HPC) and Planning Commission have recommended the *Architectural Review Guidelines for Historic Districts and Sites* for passage to establish guidelines for property owners in historic districts and owners of historic sites when conducting repairs requiring a Certificate of Appropriateness. The Historic Preservation Commission would utilize these guidelines to assist in reviewing applications to determine appropriateness to historical architectural styles, types and photographs.

STAFF RECOMMENDATION: Staff recommends passage of these guidelines.

IMPACT: Requires and/or encourages all local, state and nationally designated historic properties within the city to abide by certain standards for exterior repairs, additions and demolitions upon application for a Certificate of Appropriateness and issuance of a permit by the city.

MOTION: I make a motion to approve the Architectural Review Guidelines for Historic Districts and Sites to guide all repairs, demolitions and relocations of residential and commercial properties designated historic in the City of Villa Rica.

JEFF REESE, MAYOR
CITY COUNCIL:
GIL MCDUGAL, MAYOR PRO TEM
LESLIE MCPHERSON
SHIRLEY MARCHMAN
DANNY CARTER
MATTHEW MONTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

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VILLA RICA, GA. 30180
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ORDINANCE NO. 0-21-2019

WHEREAS, the City of Villa Rica through its Community Development Department, Planning and Zoning Commission, and the Historic Preservation Commission have created and revised the Architectural Review Guidelines for Historic Districts and Sites; and

WHEREAS, the Mayor and Council do desire to adopt the Architectural Review Guidelines for Historic Districts and Sites for the City of Villa Rica as attached hereto and incorporated by reference herein.

NOW, THEREFORE, be it ordained that the Mayor and Council of the City of Villa Rica do adopt the Architectural Review Guidelines for Historic Districts and Sites 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 Architectural Review Guidelines for Historic Districts and Sites attached hereto are hereby repealed.

This ordinance shall become effective immediately upon passage by the Mayor and Council and signature by the Mayor.

This 25th day of June, 2019.

Jeff Reese, Mayor

Attest:

Alisa Doyal, City Clerk

V I L L A R I C A

DESIGN GUIDELINES
FOR
HISTORIC DISTRICTS & SITES

G E O R G I A

Design Guidelines for Historic Districts & Sites

City of Villa Rica, Georgia



A Project of the Villa Rica Historic Preservation Commission
and the Villa Rica Department of Community Development
571 W. Bankhead Highway
Villa Rica, GA 30180
www.villarica.org

June 2019

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Acknowledgements

Villa Rica City Council

Jeff Reese, Mayor
Shirley Marchman, Ward 1
Matthew Momtahan, Ward 2
Leslie McPherson, Ward 3
Gil McDougal, Mayor Pro Tem, Ward 4
Danny Carter, Ward 5

Villa Rica Community Development Department

Bobby Elliott, PE, Director & City Engineer
Chris Montesinos, Deputy Director
Ronald Johnson, Planning & Zoning Specialist

Villa Rica Historic Preservation Commission

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Kim Poer
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David Rogers

Prepared By

Ronald Johnson, Planning & Zoning Specialist

Credits

We thank the cities of Gainesville, GA; Valdosta, GA; Hapeville, GA; Rochester, NH; Plainfield, NJ; Redhook Village, NY; Salt Lake City, UT; and Owen Sound, ON, CA for providing certain information for the compilation of these guidelines. Historical recollections are provided by the University of West Georgia's *Historic Inventory Assessment 2010*.

S E C T I O N I



I N T R O D U C T I O N A N D P U R P O S E

Introduction and Purpose

This publication is a guide to advance the goals of the Historic Preservation Commission (HPC) and property owners in Villa Rica's downtown historic district area in order to preserve the existing stock of buildings and influence reconstruction and new construction throughout the district. It also should ensure consistency in local decision-making, and benefit property owners by clarifying community expectations. These design guidelines are the legally adopted standards against which the HPC will review proposed projects. They offer information on rehabilitation and appropriate new construction to assist property owners in planning and designing their building projects. As such, they provide a common body of knowledge for all participants in the review process – property owners, commission members, architects and contractors, and city planning and zoning officials.

Commercial and institutional buildings are the centers of a community and retaining their historic character is vital to maintaining the identity of an area. Commercial and institutional buildings tend to be characterized by their style, rather than their type. Historic commercial buildings generally consist of two main elements: a storefront and an upper façade. The interior of the storefront consists of a large, open space for the presentation of goods. Offices, storage space, and residential space are located in the rear or upper floors. Similarly, churches, halls and public buildings have a large room for services and meetings, and other functions are irregularly arranged around this primary service. The downtown historic districts contain a variety of commercial and institutional buildings that reflect the changing character and aesthetics of the city over time, as well as the efforts of merchants and institutions to establish their uniqueness and character through architecture.

The Historic Preservation Commission recognizes that administering these design guidelines is often a challenging task. Design guidelines can provide an objective basis for the Commission's decisions, can increase public awareness of historically appropriate design, and discourage the worst kind of insensitive building. Design guidelines, however, cannot guarantee that all change and construction will be of good quality or meet the expectations of the Commission and city residents. Good architectural design cannot be achieved solely through the application of a set of rules. The challenge for the Historic Preservation Commission and property owners alike is knowing how to use the design guidelines to make good judgments that will preserve our historic resources, while allowing expressions of change and adaptation.

The historic architecture in Villa Rica is rich and varied, and the mix of old and new development contributes to the city's past and future development. Villa Rica's downtown has many different styles of architecture including, Spanish Mission, International, Italianate, late 19th century commercial buildings and early- to mid-20th century commercial buildings which reflects the downtown's involvement with the economic and physical growth of the city and West Georgia area at-large. Villa Rica's historic structures contribute to the overall integrity of the city, and with careful planning and design review guidelines, these historic structures will continue to contribute to Villa Rica's future.

Secretary of the Interior's Standards for the Treatment of Historic Properties

This guide makes use of the United States Secretary of the Interior's *Standards for the Treatment of Historic Properties*, which promotes best practices on how to preserve, rehabilitate, restore and reconstruct historic properties under federal programs. States and municipalities nationwide rely on these standards in order to craft standards in our own communities. The following standards are general principles that the Department of the Interior recommends for consideration in the planning stage of rehabilitation:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

HISTORY OF DOWNTOWN

SECTION II

VILLA RICA

The North Villa Rica Commercial District

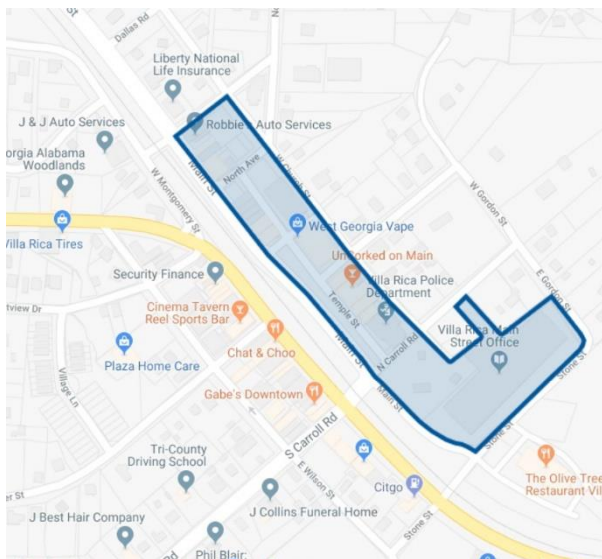
The North Villa Rica Commercial Historic District, centered on Temple Street in Villa Rica, Carroll County, Georgia, was listed in the National Register of Historic Places on December 31, 2002. The Villa Rica Downtown Development Authority sponsored the nomination and property owners prepared the nomination materials.

Although Villa Rica was settled by farmers and gold miners around 1830, the town's development did not coalesce until 1881 when the Georgia Pacific Railroad was laid. The next year, the town plan was established as a series of blocks laid out in a gridiron pattern with the railroad line running east to west through the center of the commercial district. The plan of streets, and the four intact blocks of commercial buildings north of the railroad.

The blocks within the district consist of mostly attached one-story brick commercial buildings constructed between 1900 and 1929. Typically, the buildings feature a center entrance flanked by display windows. Many of the commercial buildings are plain with little decorative detail but some, such as 141 Temple Street include arched windows and transoms and corbelled brickwork in the parapet. Villa Rica Lodge No. 72 is the only historic two-story commercial building in the historic district.

In addition to commercial buildings, the district contains several cotton warehouses. The Pope Brothers Warehouse at 301-319 Temple Street is typical. It is a large, one-story brick warehouse with pedestrian entrances and arched entrances for wagons. A brick addition that doubled the size of the Pope warehouse was built in 1949.

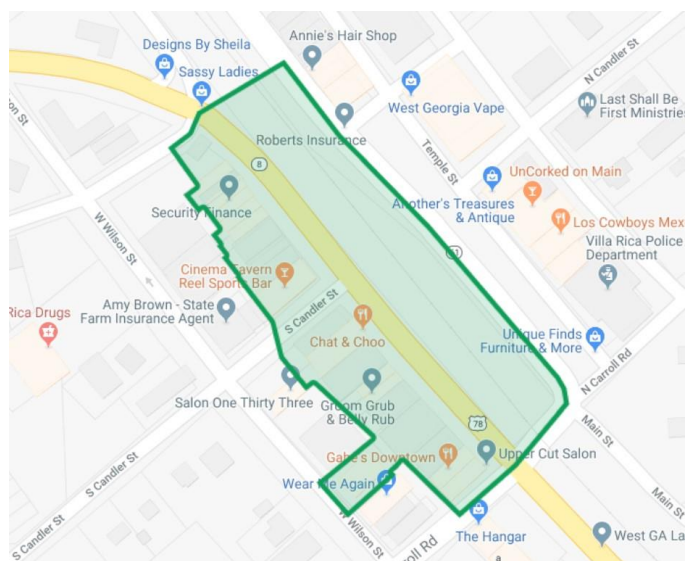
The National Register is the federal government's official list of historic buildings, structures, sites, objects, and districts worthy of preservation. According to Richard Cloues, Deputy State Historic Preservation Officer, listing in the National Register recognizes a property's significance and ensures that the property will be taken into account in the planning of federally funded or licensed projects. In addition, owners of income producing National Register properties may be eligible for rehabilitation tax incentives.



North Villa Rica Commercial District

The South Villa Rica Commercial District

West Montgomery Street is the only street included in this district. By 1923, the road was fully developed with stores, restaurants, a bank, and a motion picture house, although the 1923 Sanborn maps noted that it was not being used for as a motion picture house during this time period. The 1933 map shows the development of Bankhead Highway, which caused the loss of a dwelling that once occupied the corner of Montgomery Street and Westview Drive. Next door to the dwelling was a hotel. By 1933 it had become a rooming house. By 1944, the hotel had been either totally remodeled or rebuilt as a duplex. There was an automobile service station on the corner of East Montgomery Street and Bankhead Highway (previously known as Chambers Gulf Service Station, also known as Butterball's Auto Repair, now vacant). The 1933 map shows that the building on the corner of Candler and Montgomery (where the sports bar is now) was not only a movie theater, but also had an auto sales store



South Villa Rica Commercial District

in the front left corner of the store. The bank was attached to the movie house, and by 1933 a store had been built attached to the rear side. Berry's Pharmacy appears as a drugstore on the 1933 map. The original Villa Rica City Hall building, located at 216 W. Bankhead Highway is on the 1923 map. The 1944 map along with photographs taken prior to the Berry's Pharmacy explosion indicate the city hall building was a restaurant. Between 1923 and 1933, the buildings on both blocks of the district had been streamlined and attached, and some that had once been single retail had become double retail stores. The old bank building underwent a major renovation in the 1970s or 1980s. The bank has been severely compromised and does not retain any of its historic fabric. The rest of the buildings on this block have been compromised because of various renovation projects, particularly with the addition of stucco on the front façade of some of the buildings. The block with Berry's pharmacy has seen changes as well, in particular the end with buildings that were rebuilt after the 1957 explosion. Although Berry's has been remodeled to its original appearance, the buildings immediately adjacent to it retain their late-1950s appearance. Overall, the Berry's block retains more of its historic appearance than the other block, but there have still been compromises with appearance and use of materials.

S E C T I O N I I I



Definitions

(a) Words given customary meaning. For the purpose of interpreting this chapter, certain words or terms are herein defined. All other words used in this chapter shall carry their customary meaning.

(b) Interpretation of certain terms and words.

- Words used in the present tense include the future tense.
- Words used in the singular number include the plural, and words used in the plural include the singular.
- The word "person" includes a firm, co-partnership or corporation.
- The word "lot" includes the words "plot" and "parcel."
- The word "building" includes the word "structure."
- The word "shall" is always mandatory, and not merely directory.
- The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be used or occupied."

(c) Definitions.

Addition. Any expansion of a structure beyond the original footprint thereof or alteration in the roof line of the original structure where such alteration is attached to the original structure.

Alley. A public or private vehicular driveway generally located to the rear of lots providing access to parking, service areas, and outbuildings. Alleys may serve more than one building.

Alignment, horizontal elemental. An architectural feature which is required for structures on interior lots so that building elements will remain comparably proportional to existing neighboring structures.

Architectural design guidelines. A set of building guidelines adopted by the city providing site planning, design, and building regulations under a unified plan to promote aesthetically pleasing and economical viable land utilization.

Articulation. Vertical or horizontal offsets in the roof or facade of a designed structure comprised of architectural features created to provide visual relief in nonresidential structures and to introduce architectural character and prohibit establishment of blank building facades.

Basement. A story partly underground but having at least one-half of its height above the average level of the adjoining ground.

Big Box Store. A retail establishment with a floor area greater than 25,000 square feet.

Build-to line. The line generally parallel to the front lot line to which buildings shall enfront to the extent identified in this chapter and the underlying zoning. It is a requirement, not a permissive minimum, as is a setback, however, where a minimum and maximum build-to line exists, the building may enfront anywhere between the two lines. The line shall be measured from the back of the required sidewalk clear zone along all street frontages and not from the front lot line. For the purposes of this chapter, the build-to line shall exist even when not enfronted by a building.

Building. Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals or chattels (personal property).

Building, accessory. See definition of "Outbuilding."

Building, front line of. A line parallel to the street, intersecting the foremost point of the building, excluding steps.

Building, principal. A building in which is conducted the main use of the lot on which the building is located.

Bungalow. An architectural style characterized by: a long and low-form building, an irregular floor plan within an overall rectangular shape including such common features as an integral porch and low-pitched roof with wide overhang.

Bungalow, craftsman. An architectural style characterized by an asymmetrical open plan, emphasizing materials, especially woodwork, demonstrating how the structure is built, use of a wide variety of materials for the structure and detailing, a low-pitched roof, usually gabled, but sometimes hipped giving a horizontal effect, wide overhanging eaves with open exposed rafters, and large gables decorated and covered with half-timbered porches and short square columns of heavy masonry piers extending to the ground.

Carport. A roofed and open-sided structure that covers a driveway or other parking area.

Cellar. A story partly underground but having at least one-half of its height below the average level of the adjoining ground. See definition of "Basement".

City council. The Mayor and Council of the City of Villa Rica.

Commercial, infill. A single structure built in an existing business development characterized by limited lot size, limited frontage, and construction on an existing lot of record.

Commercial/mixed-use area. Generally, properties zoned for commercial and mixed-use development.

Converted, infill. A single structure rehabilitated from one use to another such as from a home to an office located in an existing building development characterized by limited lot size, limited frontage and construction on an existing lot of record.

Curb cut. Any interruption, or break, in the line of a street curb in order to connect a driveway to a street, or otherwise to provide vehicular access to abutting property. Alleys shall not be considered curb cuts, nor shall the relocation of an existing curb for the purpose of creating on-street parking.

Demolition, multi-structure. The process of eliminating more than one structure per lot requiring including a consideration of existing conditions on site and proposed build back options.

Demolition, single structure. The process of eliminating one existing structure per lot excluding permitted accessory buildings, which requires a permit but does not trigger application of Historic Preservation Commission review except where such structures are otherwise regulated by the Uniform Development Code.

Design. For the purposes of this chapter only, any application or project requiring a building permit, site plan or landscape plan excluding single structure demolition permits and remodeling.

Destruction. The involuntary loss of a structure by fire, storm, flood, war or other catastrophic event.

Design review committee. A group of persons charged with the task of reviewing all development designs, when such designs are required, to determine whether or not the same are consistent with the architectural design standards and to make recommendations on said designs where appropriate.

Door, main entry. An entry portal of a structure allowing pedestrian access to the street and located along an enfronting facade.

Dwelling. A building, or portion thereof, designed, arranged or used mainly for residential occupancy, but not including trailers, mobile homes or recreation vehicles.

Dwelling, one-family. A building designed, arranged or used mainly for residential occupancy, but not including trailers, mobile homes or recreation vehicles.

Dwelling, one-family attached. A type of residential development which includes a dwelling unit on a subdivided lot usually individually owned, though attached by a common party wall to another dwelling unit on an adjoining lot.

Dwelling, two-family. A building designed, arranged or used for occupancy by two families living independently of each other.

Dwelling, multifamily. A multifamily dwelling is a residential building designed, arranged or used for occupancy by three or more families living independently of each other.

Dwelling unit. A dwelling or portion thereof providing complete living facilities for one family.

Eave. The overhanging lower edge of a roof.

Enfront. To place an element such as a building along a build-to line. In the absence of a zoning build-to line requirement, enfront shall also mean to place an element along the front setback or side setback abutting a street.

Facade. The exterior vertical portion of a building.

Fenestration. The arrangement, size, proportion and design of transparent windows, doors and other openings.

Fiber cement siding. A construction product made from silica, cement, wood fiber, water, and other ingredients also known proprietarily as "hardy board/plank" or cementitious siding.

Floodplain. An area identified by the [U.S. Army] Corps of Engineers or other surveying agencies as subject to flooding once every one hundred (100) years and necessary for the flow of floodwaters.

Floor area. The sum of the gross horizontal areas of each floor/story of a dwelling unit, exclusive of porches and balconies, garages, basements and cellars, measured from the exterior faces of the exterior walls or from the center lines of walls or partitions separating dwelling units. For uses other than residential, the floor area shall be measured from the exterior faces of the exterior walls or from the center lines of walls or partitions separating those uses, and shall include all floors, lofts, balconies, mezzanines, cellars, basements and similar areas devoted to those uses.

Frontage. The length of the front lot line.

Garage. An accessory building or portion of a principal building used for vehicular storage only, and having a capacity adequate to accommodate the automobiles or light trucks owned and registered in the name of the occupants of the principal building.

Grids between glass. Dual-paned windows having a grid (muntins) between the two panes of glass. The muntins are a series of thin bars that simulate the look of window made up of several panes of glass. The muntins serve no functional purpose and are simply cosmetic.

Height. A vertical measurement from the average adjacent grade of the ground to the ridge line of a structure.

Lintel. A horizontal support of timber, stone, concrete, or steel across the top of a door or window.

Lot. A portion or parcel of land devoted to a single principal use, or occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same.

Lot, corner. A lot fronting on two or more streets at their intersection.

Lot coverage. The total horizontal ground area of a lot covered by all buildings on the lot and which is not open to the sky.

Lot coverage, maximum. The maximum permitted ratio of lot coverage to usable area of the lot. Usable area shall not include flood plains or slopes in excess of thirty (30) percent grade.

Lot depth. The mean horizontal distance between the front and rear lot lines, measured perpendicular to the front lot line.

Lot, double frontage. An interior lot having frontage on two parallel or approximately parallel streets not intersecting at a point common with the boundary lines of lot.

Lot, interior. A lot other than a corner lot.

Lot line, front. The lot line coincident with a street right-of-way line.

Lot width. The horizontal distance between the side lot lines, measured at right angles to the depth.

Space able to be occupied. Covered floor area utilized for any principal permitted use of the underlying zoning except parking, storage, digital industry switchboards, power generators, and other relay equipment.

Outbuilding. A building subordinate in nature, extent or purposes to the principal building on a lot, and used for purposes customarily incidental to those of the principal building. Said building may be connected to the principal building by an enclosed breezeway, and may include garages, home occupation, storage buildings, work studios, or living space for a family member or guest. Outbuilding footprints in connection with a single-family structure shall not exceed the lesser of six hundred (1,200) square feet and are unrestricted in the RD Zoning District.

Planning Commission. A group of five persons appointed by the mayor and council with the powers, duties, and responsibilities of site plan review and recommendations regarding text and map amendments to the zoning ordinance.

Porch. The covered portion of a building, with the sides exposed to the weather, in which furniture and a sitting area might occur as opposed to a stoop which serves as a covered area in front of a door to a building. Porches with less than forty (40) square feet of floor area shall be considered stoops.

Porte-cochere. A roofed structure covering a driveway at the entrance of a building and structurally connected to said building to provide shelter while entering or leaving a vehicle.

Ranch. A housing style characterized by: long, narrow, rectangle shapes, with or without projections, bedrooms usually clustered at one end, principal entry and living spaces located near the center of the house with a garage or carport often at the opposite end of the structure, typically with a low-pitched roof, often one story with a brick exterior.

Remodeling. The process of altering or renovating any structure where such work does not expand the footprint or roof line of the structure in existence before the renovation.

Remodeling, commercial. The process of altering or renovating a structure used for any nonresidential function where such work does not expand the footprint or roof line of the structure in existence before the renovation.

Remodeling, exterior. The process of altering or renovating the portion of a structure designed to be exposed to the elements and subject to the architectural design standards.

Remodeling, interior. The process of altering or renovating a portion of a structure designed not to be exposed to the elements and not subject to the architectural design standards.

Remodeling, residential. The process of altering or renovating a structure used for a dwelling for human beings where such work does not expand the footprint or roof line of the structure in existence before the renovation.

Residential, infill. Small-scale single-family residential development consisting of a single structure in developed neighborhoods constructed on an existing lot of record.

Setback. The distance from the public right-of-way to the nearest point of a building.

Sidewalk, required. The new sidewalk that is required to be constructed by a developer in accordance with the architectural design standards or the underlying zoning. Where a conflict exists between the architectural design standards and the underlying zoning, the wider sidewalk standard shall constitute the required sidewalk.

Spandrel. The space between the top of a window in one story and the sill of the window in the story above.



The graphics above show spandrels on both contemporary building designs (left) and traditional designs (right) to demonstrate the different ways in which they may be designed.

Stoop. A small platform of less than forty (40) square feet, or a staircase leading to the entrance of a house or building.

Street. A public way for vehicular traffic which affords primary means of access to abutting property.

Street, centerline. A line surveyed at the direction of the mayor and council and designated as an official street centerline, or in the absence of such line, a line drawn parallel to and midway between the right-of-way lines of any mapped street.

Story. The portion of a building included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, the space between any floor and the ceiling next above it. A basement shall be counted as a story for height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet. A cellar shall not be counted as a story for height measurement.

Story, half. A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of that story.

Structure. Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. Structures include, but are not limited to, the following: site-built buildings, industrialized buildings, modular homes, manufactured homes, mobile homes, billboards, swimming pools, advertising signs, satellite dishes, fallout shelters, telecommunications towers and facilities, and satellite communication facilities.

Trash receptacle. A container designed for household or business garbage but not designed for hard goods, negative trimming, industrial debris or large unwanted items as opposed to a dumpster which is a device design to hold large amounts of household and other debris.

Use, accessory. A use subordinate in nature, extent or purpose to the principal use of a building or lot, and customarily incidental thereto.

Use, conditional. A use of a building or lot that is permitted only if the mayor and council specifically approve that use, and all plans, specifications, written conditions or written restrictions are complied with on a continuing basis.

Use, nonconforming. Any lawful use of a building or lot which does not comply with all of the regulations of this chapter governing the use at that particular location.

Use, principal. The main use of a building or lot.

Window, fixed. An opening in a building to allow the entry of air and light with non-movable glass fixtures inserted.

Window, movable sash. An opening in a building to allow the entry of air and light with a mobile structure holding glass.

Yard. An unoccupied space, open to the sky, on the same lot with a building.

Yard, front. A yard measured at right angles from the front lot line to the nearest point of the principal building, exclusive of steps, and extending the full width of the lot.

Yard, rear. A yard measured at right angles from a rear lot line to the nearest point of the principal building, exclusive of steps, and extending the full width of the lot.

Yard, side. A yard measured at right angles from a side lot line to the nearest point of the principal building, exclusive of steps, and extending the front yard to the rear yard.

S E C T I O N I V



Historic Preservation in Villa Rica

Reminders of the City's past are evident today in its residential neighborhoods, churches, schools, civic buildings, parks and commercial areas. These historic resources are not just a legacy of the past, but assets for the present and future. In contrast to its recently constructed sprawling subdivisions, Villa Rica has all the basic ingredients so heralded in town planning – a strong core of well-constructed and architecturally distinctive buildings; a street system and lot sizes that were laid out with a pedestrian scale and a sense of neighborhood in mind; and a town center with shopping, civic and cultural activities, and are within proximity to the historic residential neighborhoods surrounding it.

Historic preservation should be a fundamental part of the City's efforts to preserve its housing stock and neighborhoods, revitalize its downtown, and support dynamic cultural institutions. The community has recognized the importance of its historic resources through its comprehensive plan and zoning regulations, historic preservation commission, designation of historic districts and sites, and support for restoration of City-owned historic structures.



Fullerville Jail

Spearheaded by citizen activists and neighborhood associations, the City Council enacted its first historic preservation ordinance in 2008 and officiated its first Historic Preservation Commission meeting on May 6th, 2008, in order to guide the City's efforts in historic preservation. By 2002 the first historic districts had been designated – North Villa Rica Commercial District. This district was also successfully nominated to the Georgia Register of Historic Places and the National Register of Historic Places.

Recently, Villa Rica has established itself as a leader in West Georgia through expansion of its historic preservation program. With the help of the University of West Georgia, the City of Villa Rica commissioned a Historic Resources Survey, which was completed in November 2011. The historic resources survey is the foundation for municipal historic preservation planning. The city wide survey provides historical documentation for 600 structures, and recommends individual properties and historic districts for listing on the National Register of Historic Places as well as local designation under the City's historic preservation ordinance. In 2016, Villa Rica was the 96th municipality in Georgia to be granted Certified Local Government status. The Certified Local Government Program, a federal program administered by the Department of the Interior through

the State Historic Preservation Office, affords eligible local governments preferential funding for historic preservation projects and participation in State and National Register reviews.

In addition, three new sites were added to the National Registers of Historic Places, including the Dorrough Round Barn and Farm (1980), Williams Family Farm (2005), and Pine Mountain Gold Museum (2008).

In 2018 the City adopted a new Comprehensive Plan outlining several goals to preserve and protect Villa Rica's historic and cultural resources., which are on equal standing with other community planning concerns. Today there are approximately 39 designated historic properties in Villa Rica that are protected and regulated by the City's historic preservation ordinance. Many more properties are eligible for designation as historic districts and sites.

Two site markers are located in Villa Rica that commemorate a local historical event and a local musician. Thomas A. Dorsey, "the father of gospel music" was raised in Villa Rica and was born here in 1899. He created the gospel genre and composed over 400 blues and gospel songs, of which "Take my Hand, Precious Lord", written in 1956, became the most popular gospel song of all time. A marker is present on W. Bankhead Highway and was commemorated in 1994 by the Georgia Historical Society.

The Villa Rica Explosion, which occurred in the present day South Villa Rica Historic District at 130 West Montgomery Street, was listed by the Villa Rica Downtown Development Authority, Georgia Historical Society and the City of Villa Rica in 2007.

Historic Preservation Commission

The Villa Rica Historic Preservation Commission (HPC) was created in 2008 by municipal ordinance to promote historic preservation in Villa Rica, to advise the Planning Commission and City Council on applications for development within Villa Rica's historic districts and sites, and to review building permit applications for proposed repairs, additions, alterations, new construction, demolition and relocation. Comprised of five volunteer citizen members appointed by the Mayor, HPC members have expertise in architectural design, construction, and local history. The HPC reviews all work that will change the exterior appearance of designated historic properties, including principal buildings, garages, carriage houses, gazebos and other auxiliary buildings, fences, walls, driveways, sidewalks, signs, and parking lots. The HPC issues Certificates of Appropriateness if it finds that the work proposed is appropriate to the historic district and conforms to the Design Guidelines. The Commission strives to assist applicants with their projects. Applicants are encouraged to schedule an informational meeting with the HPC prior to submitting an application, particularly if the project is a large addition or new construction.

The commission also has five overarching goals as outlined in the Villa Rica Unified Development Code:

- In support and furtherance of its findings and determination that the historical, cultural and aesthetic heritage of the City of Villa Rica is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people;
- In order to stimulate revitalization of the business districts and historic neighborhoods and to protect and enhance local historic and aesthetic attractions to tourists and thereby promote and stimulate business;
- In order to enhance the opportunities for federal or state tax benefits under relevant provisions of federal or state law; and
- In order to provide for the designation, protection, preservation and rehabilitation of historic properties and historic districts and to participate in federal or state programs to do the same;
- The Villa Rica City Council hereby declares it to be the purpose and intent of this Ordinance to establish a uniform procedure for use in providing for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, objects, and landscape features having a special historical, cultural or aesthetic interest or value, in accordance with the provisions of the Ordinance.

In addition, the commission is authorized to:

- Prepare and maintain an inventory of all property within the City of Villa Rica having the potential for designation as historic property;
- Recommend to the Villa Rica City Council specific districts, sites, buildings, structures, or objects to be designated by ordinance as historic properties or historic districts;
- Review application for Certificates of Appropriateness, and grant or deny same in accordance with the provisions of this Ordinance;
- Recommend to the Villa Rica City Council that the designation of any district, site, building, structure or object as a historic property or as a historic district be revoked or removed;
- Restore or preserve any historic properties acquired by the City of Villa Rica;
- Promote the acquisition by the City of Villa Rica of façade easements and conservation easements, as appropriate, in accordance with the provisions of the Georgia Uniform Conservation Easement Act of 1992 (O.C.G.A., Section 44-10-1 through 5)
- Conduct educational programs on historic properties located within the City and on general historic preservation activities;
- Make such investigation and studies of matters relating to historic preservation, including consultation with historic preservation experts, the Villa Rica City Council or the Commission itself may, from time to time, deem necessary or appropriate for the purposes of preserving historic resources;
- Seek out local, state, federal or private funds for historic preservation, and make recommendations to the Villa Rica City Council concerning the most appropriate uses of any funds acquired;
- Submit to the Historic Preservation Division of the Department of Natural Resources a list of historic properties of historic districts designated;
- Perform historic preservation activities as the official agency of the City of Villa Rica historic preservation program;

- Employ persons, if necessary, to carry out the responsibilities of the Commission;
- Receive donations, grants, funds, or gifts of historic property and acquire and sell historic properties. The Preservation Commission shall not obligate the City of Villa Rica without prior consent.
- Review and make comments to the Historic Preservation Division of the Department of Natural Resources concerning the nomination of properties within its jurisdiction to the National Register of Historic Places; and
- Participate in private, state and federal historic preservation programs and with the consent of the Villa Rica City Council, enter into agreements to do the same.

Obtaining HPC Approval for your Project

A Certificate of Appropriateness issued by the HPC is required if a property is located within a historic district, or is an individual historic site. Any change that will affect either the exterior architectural or environmental features of a historic property or any building, structure, site, object or landscape feature within a historic district, such as:

- A reconstruction or alteration of the size, shape or façade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;
- Demolition or relocation of a historic structure;
- Commencement of excavation for construction purposes;
- A change in the location of advertising visible from the public right-of-way; or
- The erection, alteration, restoration or removal or any buildings or other structure within a historic property or district, including walls, fences, steps and pavements, or other appurtenant features, except exterior paint alterations.

The following work on historic sites does not require HPC approval:

- Any work to the interior of buildings.
- Any work that is not visible from a public street.
- Ordinary maintenance that does not require replacement of existing materials.

Planning your Building Project

- Check Available Documentation. Knowing the history of your building can help you make informed decisions about your project. Check with the Carroll County Tax Assessor, Villa Rica Library and other sources to find out about your building's origins and changes over time, and to see photographs and views of the building in the past.
- Consult Preservation Publications. There is a wealth of readily available material, in libraries and on the Internet, on preservation do's and don'ts, as well as practical guidance on repair techniques and where to find products and materials for historic buildings.
- Evaluate the Historic Character and Physical Condition of the Building. Identify the materials and features of the building that contribute to its historic character, and that need to be preserved. Are there any physical problems that threaten the structure? Are there historic features hidden behind later alterations?
- Plan for the Work. Hire an architect or contractor who has experience with historic building work. Review the Design Guidelines, and consult with the HPC before you complete your designs to make sure that your project will meet the Design Guidelines.

To Apply for a Certificate of Appropriateness from the HPC:

The HPC holds regular monthly meetings, and the schedule is posted in City Hall and on the website. All required forms are available in City Hall, in the Department of Community Development. You may also download the forms from the HPC's website at www.villarica.org.

- Plan your building project (see advice in Planning Your Building Project above).
- Gather a detailed list of all proposed work, building plans prepared by your contractor or architect, and photographs of the building and site.
- Apply for a construction permit (if required).
- Fill out the application for a Certificate of Appropriateness.
- When your application is complete, attend your scheduled HPC public hearing to present your proposed work. Bring plans, photographs, sample materials, catalog cut sheets and any documents necessary to illustrate the proposed design and construction details.
- Upon approval, the HPC will issue a Certificate of Appropriateness within 10 working days of the hearing. The Certificate of Appropriateness is required before a construction permit can be issued.
- When a structure or improvement requires immediate repair to preserve the continued habitability of the structure and/or the health and safety of its occupants or others, consult the Division of Planning to see if emergency repairs may be performed in accordance with city codes without first obtaining Certificate of Appropriateness. An application and an appearance before the HPC will still be required to document the emergency work.

S E C T I O N V



Applicability

These design guidelines are applicable in the North Villa Rica Commercial District and the South Villa Rica Commercial Districts, as well as all local, state and national individually-listed historical sites. Please see the map on page 30 showing the historic districts.

Individually-Listed Historic Property Guidelines

- A. All individually-listed historic properties as set forth in *Section III Applicability* that are used for commercial purposes and located in residential zones must follow the requirements set forth in the residential guidelines below. Individually-listed historic properties used for residential purposes and located in a commercial zone must follow the requirements set forth in the downtown historic districts (commercial) section below. See **Table 1** in order to determine an individually listed property's proper regulation.

Table 1 Individually-Listed Historic Property Regulation Table

Property Use	Zone Type	Regulation
Residential	Commercial	Commercial/Downtown Historic District Design Standards
Residential	Residential	Residential Design Standards
Commercial	Residential	Residential Design Standards
Commercial	Commercial	Commercial/Downtown Historic District Design Standards

Should a property be abandoned or have a revoked Certificate of Occupancy, the last use of the property shall dictate the use for the purposes of these design standards.

- B. All cemetery properties must come before the Historic Preservation Commission for approvals. Based on the style of headstone and placement of graves, all headstones should blend with the surrounding headstones in style, height, color and materials.
- Style. The style of each headstone should have curved tops with flat bottom sections, and should exemplify a style pursuant to the time period of all surrounding tombstones, if possible.
 - All historic sections of the Hillcrest Cemetery should have tombs either in-ground or above ground and made of uncut rock.
 - Material. Each headstone must be made of a material that is durable, and consisting of granite, sandstone, or limestone.

- c. Height. No tombstone may be taller than 4' in height and no monument may reach a height exceeding 6'.
 - d. Color. The color of each tombstone should exemplify a naturally occurring color range found in stone materials, based on the material selected. No tombstone or monument shall be dyed.
 - i. The New Hope Cemetery has elements of white granite style tombstones in the front of the cemetery. All new tombstones and monuments shall continue with a white and off-white material.
 - e. All plats shall be outlined with either handmade brick, machine cut brick, machine cut granite, or naturally occurring granite rock material.
- C. Individually Listed Sites. The following sites have been individually listed on the local historic registers and the guidelines and standards found herein apply to each. Resolutions for each property were passed by the Villa Rica City Council on May 14, 2019:
- a. 727 Spring Street (Baptismal Font only, all other structures exempt)
 - b. 614 Magnolia Street/605 Dallas Highway (Connelly- Marchman House only)
 - c. 519 Main Street (First Presbyterian Church)
 - d. 611 Rockmart Road (Fullerville Jail only, all other structures exempt)
 - e. Parcel number: V070090005 (Hillcrest Cemetery, Chambers Burial Ground section only)
 - f. 200 Old Liberty Road (New Hope Primitive Cemetery)
 - g. Parcel Number: V05 0110055 (Old Villa Rica Cemetery)
 - h. 318 Westview Drive (Powell-Marchman House)
 - i. 631 Spring Street (Villa Rica City Hospital)
 - j. 212 W. Wilson Street (Wicks Tavern)

Special Design Areas Map



Historic District/Special Design Area Map



Section VI:
Commercial Design
Guidelines

Downtown Historic Districts

The storefront is the most prominent architectural feature of most commercial buildings. Alterations to storefronts are common because storefronts play an important role in advertising and merchandising. These alterations, however, can completely change or destroy a commercial building's historic character. Conversely, sensitive rehabilitation of historic storefronts will enhance the character of the overall building and make the storefront more attractive to shoppers.

The following standards are required in the North Villa Rica Historic District and South Villa Rica Historic District areas as identified in *Section V: Applicability* above.



Commercial Site and Setting

Commercial Streetscapes

Sidewalks

All new construction must include a sidewalk, matching the location, width and materials of adjacent sidewalks. If no sidewalks are located nearby, the regulations of the zoning district should be followed.

Curbing is to be made of concrete and should connect to and match existing curbing.

Modular masonry materials such as brick, slate, and concrete pavers, or gridded cast-in paving materials such as concrete slabs, should be used on sidewalks, pedestrian walkways, pathways, crosswalks, public or semipublic plazas, courtyards and open spaces.

The landscaped area shall be adjacent to the curb and is intended for the placement of trees, street furniture (including utility poles, waste receptacles, fire hydrants, traffic signs and newspaper vending boxes), bus shelters, bicycle racks, public kiosks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

Sidewalks should maintain the overall streetscape by matching the location, width and materials of adjacent sidewalks.

All historic sidewalks should be maintained and preserved.

Street Furniture

Street furniture, such as trash receptacles and benches, should use compatible, simple designs that are appropriate to the district and easy to maintain. All patios, tables and chairs placed in the city's right-of-way shall be subject to City Council review, whereas Historic Preservation Commission review is only necessary for permanent patios and not individual tables and chairs.

Patio Setup and Operation: These patio setup and operation guidelines shall be followed in order to ensure that the setup and operation of all sidewalk patios are to be an equally high standard for all proponents. The following guidelines address physical setup and maintenance.



Patios should be located in a safe location and all tables and chairs should be made of a durable material that compliments the façade of the building.

Patio setup must always consider accessibility of the adjacent pedestrian path and of the patio itself; all citizens have the right to enjoy the City's sidewalk patios.

Patios shall be situated in the public right-of-way without interfering with the free and comfortable movement of pedestrian and vehicular traffic.

Patio furniture shall not interrupt pedestrian or vehicular sightlines or block street signage.

Patios shall be situated so that the adjacent pedestrian path weaves as little as possible, and so that straight path alignment is maximized.

Patios shall not encroach upon the frontage of neighboring establishments, without explicit consent.

Patio design must be tasteful and compliment the façade of the building to which the patio is accessory, as well as the architecture of the surrounding buildings.

Tables, Chairs and Benches

All patio furniture used must be made out of sturdy and weather resistant materials (e.g., wrought iron, aluminum, steel, weatherproof fabrics); plastic/vinyl furniture is not permitted.

All street furniture must allow for a continuous 4' wide adjacent path for pedestrian and ADA access.

Patio umbrellas may be added to a sidewalk patio design, but shall not extend beyond the designated patio area; umbrellas shall be tastefully designed and implemented, and shall display no permanent advertising or brand logos.

Patio tables, chairs, and other amenities shall never obstruct or protrude onto the pedestrian path, throughways, opens pace areas, or building entrances.



A 4' wide path shall be maintained for pedestrian and ADA access.

Bike Racks

All bike racks shall high quality and located in a covered, well-lit, publicly visible area.

Bike racks must be of a metal material and be powder-coated with black paint.

Fencing

Fencing enclosures shall generally be required for large patios, with 15 tables or more.

Where possible the requirement for fencing shall be minimized to reduce visual clutter.

Fencing shall be:

- 3' to 3.5' in high above grade;

- Have considerations for accessibility, with openings to accommodate a wheelchair at a minimum width of 4';

- Be removable at all times;

- Free of jagged edges and other safety threats brought on by poor design or construction;

- Discrete and tastefully composed, with an infusion of heritage-inspired design; and

- Sturdily constructed with aluminum, steel, wrought iron, or other solid material; use of wood, chain-link, and vinyl fencing or fencing material is prohibited.



Fencing must be removable at all times and no more than 3.5' in height.

Sidewalk/Patio Amenities

Refuse Receptacles. No garbage or recycling containers shall be placed within a patio area. Refuse receptacles located on the street shall be made of a durable, metal material and black in color.

Signage. There is no advertising or signage permitted on patio fencing, furniture, umbrellas, or surrounding street furniture.

Patio Lighting. Pedestrian scale lighting is permitted within the limits of the patio area. Lighting must be directed downward, and shall not present a tripping hazard in any way. Electrical cords shall not be placed across the pedestrian pathway, without proper placement of cords in cable mats.

Outdoor Heating Devices: Heating devices may be permitted within the patio area. Additional insurance may be required for these items.

Street Trees and other Plantings

All planters shall be tasteful, well-maintained, and removable.

Larger planters may be used to help define patio area boundaries and fill void sidewalk areas.

No existing City planters or greenery may be moved, removed, or altered without explicit consent of the Villa Rica City Council.

Placement of planters in a patio area is encouraged as a means of enhancing the area and the entire streetscape.

Planters shall not encroach upon the required 4' pedestrian right-of-way, and shall not impede free pedestrian movement or present a tripping hazard.



Planters help enhance areas and the entire streetscape.

Rear and Auxiliary Spaces

Alleys

Rear alleyways downtown are readily visible to passersby and should retain and preserve historic features, such as windows, doors and architectural detailing.

If a solid door is necessary for security or safety, a solid metal door that is painted a dark color is the most appropriate option. A simple metal security door or a historic door is acceptable.



Alleyways can be activated by plantings and historic lighting elements in order to serve as additional entrances or expanded areas for your business.

Exterior staircases, balconies, or additions should be located at the rear of the building.

Alley and rear entrances can be developed as service and customer entrances, using small awnings and/or signs to indicate the business.

Alley and rear entrances can also serve as a good location for handicapped-accessible entrances and ramps.

Historic lighting elements and/or string lighting should be encouraged on alleyways to provide safe passage.

All alleys should be kept clean and tidy.

Parking

All on-site parking spaces should be placed to the rear of a commercial building.

No parking spaces shall be permitted on or over the public sidewalk or within a front yard setback area.

Parking areas should be screened from view by a fence or landscaping. Large parking areas should have landscaped islands to reduce the visual impact of pavement.

Mechanical Systems and Service Facilities

Mechanical systems, such as HVAC units, should be concealed by landscaping, framed lattice panels, or board-on-board privacy fences, painted a dark color.

Dumpsters should be similarly screened, and coordination between neighboring businesses to share a trash collection location is encouraged.

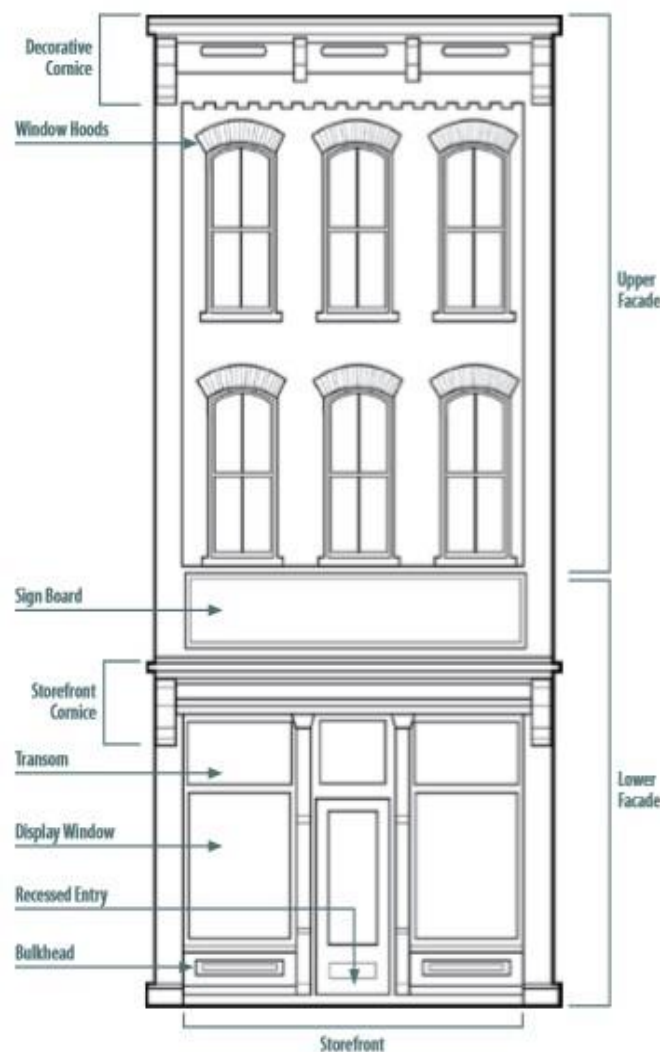
All dumpster areas should be located in the side or rear yard areas of the building and shall not be located beyond the front building setback line.



Dumpster facilities should be enclosed and out of view of the public.

Commercial Rehabilitation

Commercial Storefronts



Commercial storefronts were historically designed to be aesthetically pleasing to the pedestrian shopper and to enticingly display goods, drawing consumers into the store. The historic storefront was often one of the first features of a building to be altered, as shopkeepers attempted to keep in style. Retaining and repairing the functional and decorative features of the storefront, including windows, sash, doors, transoms, kick plates, rooflines, cornices, and signs are required where possible. All replacement features should match the size, scale, materials and design of the original. Accurate storefront restoration based on historical research and physical evidence are encouraged but not required. Where original storefronts no longer exist, or where there is no evidence to document the storefront's original or early appearance, the design of a new storefront should be compatible with the size, scale, color, material and character of the building. Conjectural designs that have no historical basis, or designs that copy traditional features from other buildings, create a false historical appearance and are not permitted. Do not introduce inappropriate historical themes on storefront rehabilitations. Small windowpanes, colonial doors and mansard overhangs are examples of stylistic elements that do not belong on most 19th and 20th century storefronts.

Display Windows

Historic display windows should be preserved and maintained.

All display windows should maintain the size, shape, and spacing patterns on the façade.

Tinted glass should not be used on historic storefronts. Only clear glass is appropriate for historic commercial buildings. Awnings, interior blinds, or interior shades can be used for shade and privacy.

Window mullions or framing should be constructed of wood, copper, bronze metal, cast iron, or steel. Raw aluminum is generally not appropriate.

Raw aluminum may be appropriate in limited situations only for mid-20th century, International-inspired commercial buildings.

Replacement display windows should match the original in size and shape.

Replacement display windows should have a traditionally scaled and transparent appearance, with large lights and minimal structural divisions.



The above storefronts all are tasteful, simple and compliment the building's design. Show windows are clear and open for shoppers to look through and have tasteful building colors and elements that are appropriate for a historic building.

Transom Windows

Historic transom windows should be preserved and maintained.

Transom windows should not be obscured with air conditioning equipment or solid signage.

Doors

Historic doors and entries should be preserved and maintained.

Replacement doors and entries should match the original in design, materials, and placement.

Solid doors are not appropriate for historic commercial buildings.



Historically significant features include the doors, bulkheads and transom windows on all historic buildings.

The style of the door should be appropriate to the style of the building. Highly decorative doors are rarely appropriate for a historic commercial building.

A wood door with a large single light is usually the most appropriate replacement for a historic commercial building. The size and shape of the glazing and the kick plate panel should be proportional to the rest of the storefront.

A metal door with a dark or bronze anodized finish and a wide stile is also acceptable. Raw aluminum or other silver metals are not appropriate.

Doors framed in raw aluminum are appropriate in limited situations, only for mid-20th century, International-inspired commercial buildings.

Bulkheads

Historic bulkheads should be preserved and maintained.

Replacement bulkheads should match the original in design, size, shape and materials.

New bulkheads should be constructed of wood, brick, painted metal or glazed tile. New bulkheads should be appropriate to the style of the building.

Lintels

Historic lintels should be preserved and maintained.

Lintels should separate the upper from ground floors clearly and consist of a durable brick, wood, stone or prestressed concrete.

All ornaments and arches on lintels should be preserved.

Upper Facades

The upper stories of commercial buildings were traditionally used as offices, residential and storage areas. Maintaining the character of these spaces is important to preserving Villa Rica's distinctive atmosphere.



Windows

Upper façade windows should be retained and maintained.

Deteriorated windows should be repaired, rather than replaced.

Historic window surrounds and detailing should be preserved.

Windows should not be enclosed or covered.

Boarded or bricked windows should be reopened to reestablish the architectural rhythm.

When the historic window design is unknown, replacement windows should be appropriate to the architectural style and the historical period of the building. One-over-one, double hung wood sash are recommended for replacement windows in most buildings. The top section of all double hung windows should have the same or higher delineation of individual lights to the bottom section of such windows.

Installing or replacing weather-stripping is the recommended treatment to prevent air infiltration through windows.

The addition of storm windows can be used to seal windows and improve thermal efficiency. Storm windows provide superior energy efficiency, often surpassing new windows.

Replacement windows should fit the window opening. Arched openings should have arched windows.

Window Accessories

Screen or storm windows should either be full view or should have meeting rails that correspond to the meeting rail of the window. Raw aluminum storm windows are inappropriate. Wood or aluminum with an anodized or baked-on enamel finish are appropriate framing materials.

Interior storm windows can be used to maintain the building's exterior appearance.

The addition of storm windows can be used to seal windows and improve thermal efficiency. Storm windows provide superior energy efficiency, often surpassing new windows.

Shutters should not be installed unless physical or photographic evidence indicates that the building had shutters in the past.

Shutters should be constructed of louvered wood, operable, and completely cover the window opening when closed.

Cornices and other architectural features

Historic cornices and other architectural features should be preserved and maintained.

Sensitive repairs should be made to historic architectural materials, such as masonry, wood, cast iron, pressed tin, decorative glass, and terracotta.

Historic cornices or other architectural features can be replaced based on a physical or documented evidence.



Interior windows can help seal old historic windows from the elements.

Cornices and other architectural features should not be added where none existed in the past.

Cornices should not be reconstructed with stucco materials, or covered with stucco.

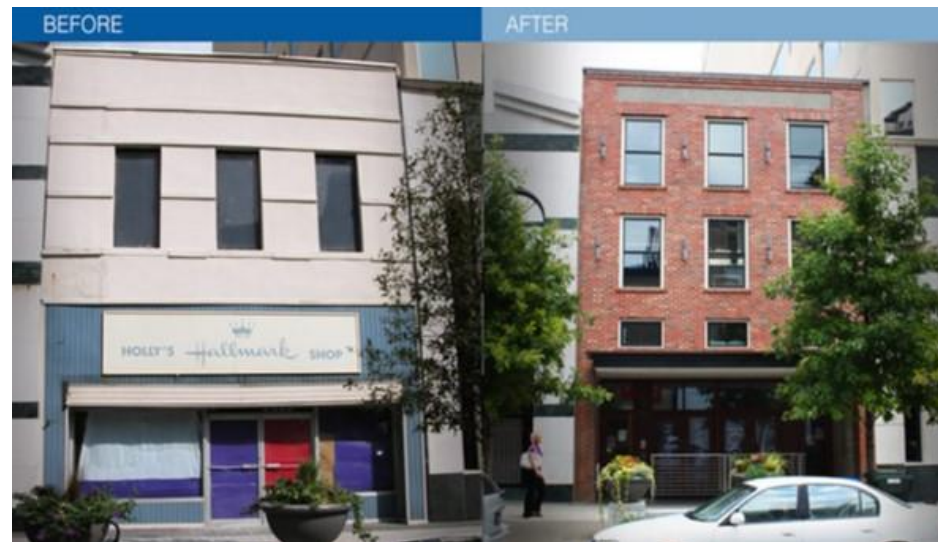


Cornices are important features that should be preserved and maintained. Cornices should not be added to buildings that historically never had them.

Commercial Buildings

Exterior Building Materials

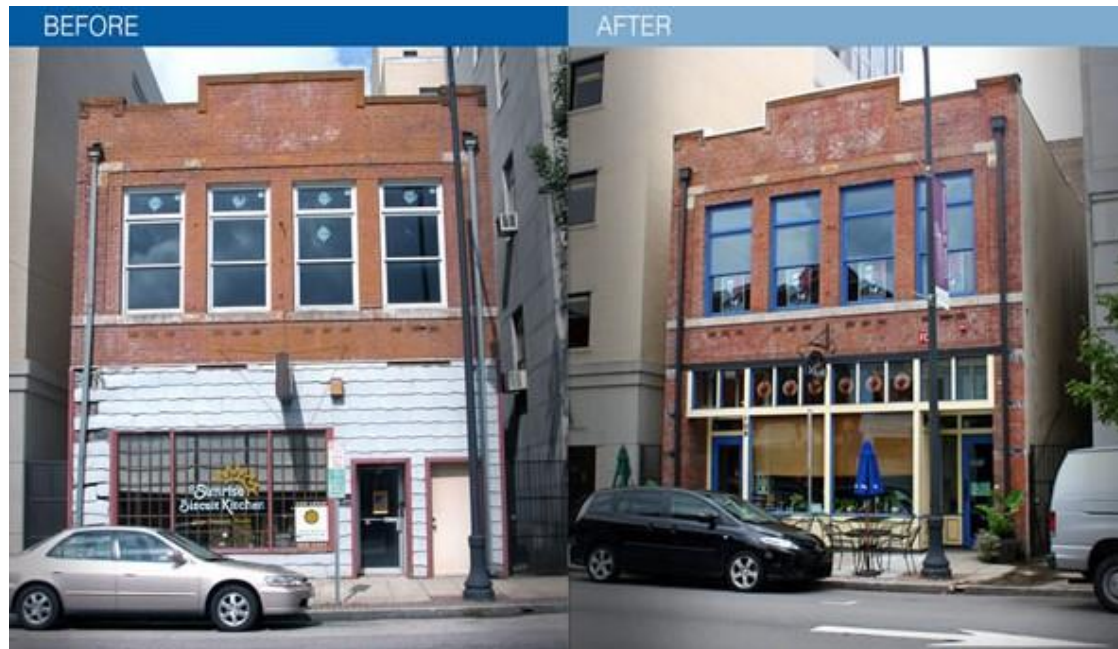
Historic exterior materials should be maintained and preserved. Most historic commercial buildings in downtown Villa Rica are constructed of brick or stone, and some buildings have been historically covered with stucco. Crumbling mortar should be repointed using a historic mortar mix with a low content of Portland Cement in order to prevent damage to softer masonry materials.



Repointed mortar joints should match the original in composition and appearance.

Deteriorated masonry units should be repaired rather than replaced. If replacement is necessary, the replacement should match the original in color, size, shape, texture, and chemical composition.

Painted masonry surfaces should remain painted and unpainted surfaces should not be covered with any material, including paint or stucco.



Masonry should be cleaned using the gentlest means possible. Sandblasting, pressure washing, or any other abrasive methods should not be used, as the masonry will be damaged.

Historic stucco should not be removed. Stucco repair should not use synthetic stucco.

If painting of unpainted brick is necessary due to severe deterioration, the paint color should match the natural color of the brick.

Where a windowless wall is necessary, the uninterrupted wall can be relieved by 12" offsets, masonry articulation, false windows, trellises, recessed or projecting display cases, and landscaping.

Masonry should be cleaned using the gentlest means possible. Sandblasting, pressure washing, or any other abrasive methods should not be used, as the masonry will be damaged.

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Roofs

Historic roofing materials, configuration, and details should be preserved and maintained.

Metal, slate or clay tile roofs should be preserved when possible.

New roofs of rolled or built-up asphalt are acceptable, as long as the roof is not visible from the street façade.

Roofs and their water treatment systems should be maintained.

Aluminum gutter and downspout systems should be avoided in favor of copper gutters and downspouts. Buildings with box gutter systems should continue to use the box gutters.

Awnings

Awnings are appropriate for both the storefront and upper façade windows.

Historic awnings should be retained and maintained.

Awnings can be added to historic buildings in traditional designs, materials, and locations.



Awnings are appropriate for both the upper and lower façade, and canvas or fabric awnings are the preferred materials.

Fixed or retractable awnings are acceptable on upper levels where appropriate, if they do the following:

- a. Complement the building's architectural style, materials, colors, and details;
- b. Do not conceal architectural features, such as cornices, columns, pilasters, or decorative details;
- c. Do not disrupt the balanced look of the façade;
- d. Are designed as an integral part of the façade.

Canvas awnings are the preferred material, although other durable fabrics may be used. Metal or aluminum awnings are not recommended.

Awnings should be individually located within its respective bay, rather than covering architectural features.

Awnings should be placed between the display windows and a transom window.

Shed awnings are the most appropriate for most historic buildings. Bubble, concave, and convex forms are not appropriate.

Shed awnings should be installed to have an approximately 45-degree angle. Inappropriately angled awnings detract from the historic character of the district.

Arched awnings may be used in arched openings.

Internally lit awnings are not appropriate. Wood, vinyl, plastic, and fiberglass are inappropriate materials for awnings.

Awnings should be aligned with the bottom of awnings on adjacent buildings.

An awning should cover no more than 1/3 of the storefront, from the top of the display windows to the sidewalk.

An awning should not extend more than 2/3 the width of the public sidewalk in front of the building. The awning should not encroach on vegetation or trees located within the public right-of-way.

An awning cannot block or impede the flow of pedestrian traffic on the public sidewalk.

An awning cannot be supported by poles or any other material in the sidewalk. Awnings should be supported by the building to which they are attached.



An awning can cover no more than 1/3 of the storefront and 2/3 of the sidewalk area.

Signs

Historically during the 19th and early 20th century, signs were a key feature of storefronts and continue today to shape the character of a business district. Within the General Business District, signage should be compatible in design with the historic character of the district and should be installed in a manner that does not diminish or damage important architectural features. Size, materials, graphics, and legibility of the typeface, color, and method of attachment must be considered when designing new signage for the historic commercial area. In commercial areas, signage is often multiplied by merchants' perceptions that most signs and bigger signs will improve their business. In fact, legibility is often improved by sign controls that reduce the visual clutter and "noise" in the vicinity of the store. Limiting letter size and the number of signs permitted per establishment can further these goals.

Sign Guidelines

Preserve and maintain existing historic signs, including historic wall signs on masonry surfaces and historic mid-20th century signs.

New signs should use traditional designs and materials, as appropriate for the type and style of the building.

Appropriate materials include wood, glass, and brass or copper letters. Plastic, plywood or other unfinished wood products are not appropriate materials for signs.

Appropriate sign locations, size and installation considerations are summarized in the table on page 50-51.

Lettering should not exceed 18 inches. Simple, easy-to-read fonts are recommended. Lettering should not exceed more than 60% of the total sign area.

Internal or flashing lighting is not appropriate for signs within the historic district. Spot or up-lit lighting is appropriate to illuminate signs within the historic district. Exposed neon is acceptable for the downtown area.

No sign shall have a single face that is larger than 25 square feet in area.

Seasonal window signs are not subject to HPC approval, and do not need a sign permit.



Tasteful signage should be implemented on a storefront and be simple, with appropriate colors that complement the building. Plastic, plywood or other unfinished wood lettering are not appropriate materials.

Sign Colors:

The use of color is an important factor in effectively communicating a message. Colors have different meanings and work in various ways in contrast with each other and together. Contrast between the foreground and background is an important component in creating legibility. If colored text is used on a bright background the contrast will be weak. For optimal contrast results, white text against dark colored backgrounds works best. In sign design color can be a combining factor in harmonizing the sign with the environment. Color will distinguish signs from each other and can offer an indication of the message without having to be able to understand the language of the sign.

Sign colors should complement the colors of the building.

- The number of colors used on a sign should be limited. In general, no more than three (3) colors should be used, although accent colors may also be appropriate.
- Sign colors should be coordinated with overall building colors.
- Color should be used both to accentuate the sign design and message, and also to integrate the sign or lettering with the building and its context.

Strong primary colors should be used primarily as an accent.

- Sign panels should avoid the extensive use of primary color or significant areas of white or cream, which would have the effect of visually detaching the sign from the building.
- Primary colors should be used sparingly

It is preferred that dark or medium colors be used for the main, background part of the sign and that light colors be used for the lettering. Use of white or light colors for the background is discouraged, especially for larger signs, reflective signs, and illuminated signs.

Many signs use gold leaf for lettering. With a dark background, gold leaf can bring much beauty to a sign. One need not be concerned about the gold being scraped off as the amount that could be collected would be virtually worthless.

Use of the following colors is encouraged:

- Nature blending colors
- Earth tone colors
- Neutral colors
- Pastel colors

The following colors are generally best limited to accent areas:

- Bright colors
- Primary colors
- Metallic colors

Use of the following colors palettes is discouraged:

- High intensity colors
- Fluorescent colors

Suggested background colors are burgundy red, forest green, chocolate brown, black, charcoal, and navy blue. Suggested letter colors are ivory, white, or gold.



Example of an earth tone color palette

Form and Lettering:

Signs should be viewed as part of an overall graphics system for the building. They do not have to do all the “work” by themselves. The most effective signs work with the building, not against it. The Villa Rica Commercial Historic Districts contain buildings constructed over a long period of time, by different owners for different purposes; the buildings reflect different architectural styles and personal tastes. These factors are what give the districts a diverse and distinct quality that is unique to Villa Rica. Likewise, it is encouraged that designers and owners create signs that complement these different architectural styles and celebrate the diversity of the district.

- Letter styles and sizes should be selected that will be compatible with the building front.
- Except on large buildings along arterial streets, sign lettering should be determined based on the legibility from the pedestrian way, and not the street.
- A sign letter of lesser height will be appropriate depending upon the scale of the street frontage.

Letters that create signs that are out of character with the historic district or building, or that would alter the character of the historic district would be considered inappropriate.

- Use letters and fonts that enhance rather than detract from the historic design of the building.
- Lettering and fonts should emphasize legibility rather than any sort of stylistic agenda.

Table 2 Sign Design Guidelines

Location	Size Consideration	Size Rule	Installation Considerations
Window (Seasonal)	Should not overly obscure the display window	May not cover more than 40% of the window on which it is painted and pertains to holidays and seasonal events are permitted (the window sign must be removed within 10 days after the event/holiday).	Should not damage the display window; should be removable.
Window (Permanent only)	Should not overly obscure the display window.	May not cover more than 25% of the window area and only 1 permitted per tenant frontage.	Should not damage the display window or framing.
Cornice	Should be compatibly sized for the cornice. Should be incorporated into the cornice rather than covering the cornice.	Must fit within an existing signage location within an existing historic cornice or within a traditionally-scaled location of a restored cornice. The sign face area permitted is 2:1 Primary, 1:1 Secondary (Square Feet: Linear Feet).	Should not damage or obscure any existing architectural features.
Wall signs, Single Tenant	Should be located above the transom windows and below the beltcourse. Should be compatibly sized to building, location, and other signs on the block.	Must fit within the historic "signboard" location. May not extend into the second floor, cornice or storefront areas. The sign face area permitted is 2:1 Primary, 1:1 Secondary (Square Feet: Linear Feet).	Should not damage or obscure any existing architectural features.
Wall Sign, Multiple Tenant	Should be located above the transom windows and below the beltcourse. Should be compatibly sized to building, location, and other signs on the block.	Must fit within the historic "signboard" location. May not extend into the second floor, cornice or storefront areas. The sign face area permitted is 1.5:1 Primary,	Should not damage or obscure any existing architectural features.

		1:1 Secondary (Square Feet: Linear Feet).	
Awning	Should be painted or printed on the awning. Any graphics on the slope of the awning should be compatibly sized for the building and location.	No larger than 50% of the awning. Lettered printing on the awning valance is recommended.	Should not damage a historic awning.
Projecting	Should be small & pedestrian scale.	No larger than 12 square feet. Should not project more than 4' from front elevation.	Should be attached with wood or metal bracket. Should be mounted into mortar, rather than brick.

Commercial Additions

Additions to existing historic buildings are often a necessary feature, in order to allow the building to remain useful in the contemporary era, as safety and functional requirements for existing buildings are different than in the period in which they were built.



Location

New additions should be located on the rear of an existing building.

Size

A new addition should be smaller than the historic building.

A new addition should not exceed the height, width, or length of the existing building.

Building Material

New additions should use materials that are compatible with the historic building materials. In Villa Rica, most historic commercial buildings are constructed of brick.

Design

An addition should be designed to minimize the removal or damage of existing historic materials.

An addition should have a compatible design that complements the existing building without replication.

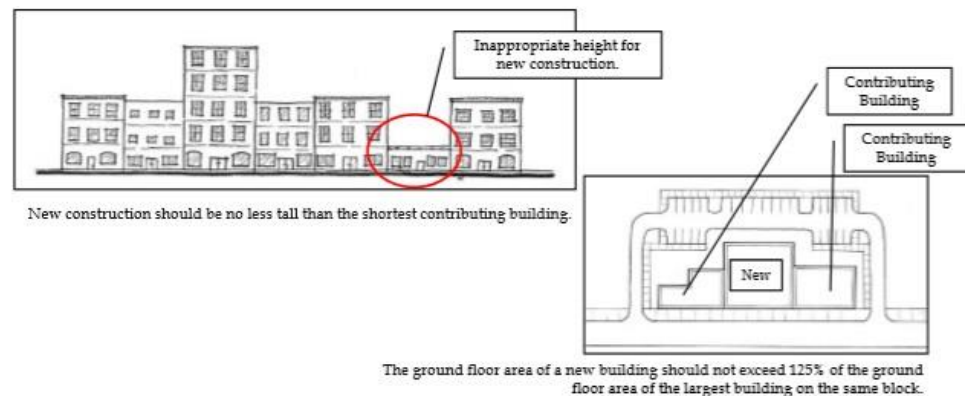
Commercial New Construction

The construction of new commercial buildings within the Villa Rica Commercial Historic Districts have a significant and long-lasting effect on the visual character of the city. Consequently, compatible new construction is key to maintaining Villa Rica's built heritage for the future.

Key Elements of a Compatible Building

Placement: Setback, Orientation & Rhythm

New construction should have a setback that is consistent with the setback of other contributing commercial buildings on the same block, which will most likely be a zero lot line setback.



New construction should follow the established pattern of buildings along the same block by maintaining the rhythm of side yard setbacks. Most commercial buildings should have no side yard setback.

New construction should have a floor-to-ceiling height that is compatible with other commercial buildings on the same block.

The main entrance of the new building should be oriented to the street façade and the pedestrian.

Parking should be placed at the rear of a new commercial building, in order to accommodate a zero lot line setback and a street façade orientation. A smaller rear entrance can be developed to accommodate customers.

Scale, Proportion and Massing

New construction should have proportions that are compatible with other contributing buildings on the same block.

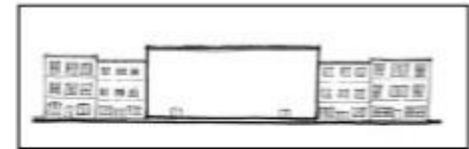
New building should be no shorter than the shortest contributing building on the same block, and building height should not exceed the tallest contributing building by more than 5 feet.

The width of a new building should be compatible with the width and proportions of other contributing buildings on the same block.

If a new building will have a front façade longer than 50 feet or wider than nearby contributing buildings, the façade should be broken up into bays, using architectural features.

The proportions of a building should be appropriate to its design.

The ground floor area should be compatible with the ground floor area of contributing historic buildings on the same block. New construction may not have a ground floor area that is larger than 125% of the contributing building on the same block having the largest ground floor area.



Inappropriate building with too wide façade (above) and appropriate use of architectural features to break up a wide façade (below).



Design

Contributing buildings along the same block should be used as inspiration for the design of new construction. Creative compatibility, without historic reproduction, is encouraged.



New construction should have a separated upper and lower façade and resemble, but not duplicate, historic features, scale and design. The façade of the above building is separated vertically to resemble multiple small buildings, which is most appropriate for a downtown environment.

The new construction should not detract from the historic character of the district, but the new building should be easily distinguishable as a more recent construction.

New commercial construction should have a flat or shed roof concealed behind a parapet wall.

The front elevation should be divided into a storefront and an upper façade. The storefront should have large display windows in order to be compatible with the historic character of the district.

The placement and rhythm of door and window openings and other architectural features should be compatible with contributing historic buildings on the same block.

Window and door openings should not exceed the height to width ratio of nearby buildings by more than 10%.

Window and door designs should be compatible with contributing buildings on the same block.

If a new building spans several lots in width, the façade should be separated into bays or use other vertical divisions to be compatible with the rhythm of the historic commercial buildings.

Building Materials

New construction should use building materials that are compatible with the historic character of the Villa Rica Historic District.

Brick and cut stone are the most compatible building materials for new construction.

New construction should be compatible with contributing historic buildings in factors such as mortar joint width and shape, brick size, color and texture.

The material used should be compatible with the design of the new building.

Windows should not have flush or pop-in muntins. New muntins should create a textured plane similar to historic divided lights.



Section VII:
Residential Design
Guidelines

While Villa Rica does not have a residential historic district, it does have several individually-listed historic residential properties and also properties that were constructed as residences that are now used for offices and other commercial uses. Those structures shall follow the residential architectural design guidelines and standards. The style of each structure shall determine which guideline is required.

Residential Home Types in Villa Rica

Architectural Type refers to the interior floor plan of a building. The arrangement and number of rooms determines the type of a building. Cottage and house are the most common type classification: typically a one-story residential building is a cottage and a two-story residential building is a house. A double-pile building is two rooms deep, while a single-pile building is only one room deep.

Villa Rica has predominately Bungalow, American Small House and New South Cottage home styles in areas closest to the downtown historic district on both the north side of downtown and the south side of the downtown. These areas are being considered for future historic district designation. The following home types, amongst others, can be found within the future designation areas:

New South Cottage

Similar to the Queen Anne Cottage, the New South Cottage is also a double-pile cottage with a central block with projecting gables. The New South Cottage does have central hallway and a symmetrical arrangement of rooms. The building type was most popular in urban areas from the 1890s through the 1920s. Important characteristics of the New South Cottage include:



- Square central mass with projecting gables on the front and side.
- Symmetrically arranged interior floor plan with central hallway.
- Central entrance.
- Hipped or pyramid-shaped roof.
- Interior chimneys are most common.
- Front porch or wraparound porch.
- Often built in the Folk Victorian or Queen Anne styles.

Georgian Cottage

The Georgian Cottage is a double-pile cottage, consisting of a central hallway flanked by two rooms on either side. The building type was popular throughout Georgia from the 19th century through the 20th century. Important characteristics of the Georgian Cottage include:



- Central hallway flanked by two rooms on either side.
- Hipped or pyramid-shaped roof is the most common form.
- Usually has two interior chimneys.
- Front porch or wraparound porch.
- Often built in the Folk Victorian or Queen Anne styles.

Hall-Parlor

The Hall and Parlor style is a traditional British folk form that dominated pre-railroad folk housing over much of the southeastern United States. Houses were built in heavy timber framing in the Tidewater South and hewn log walls in the vast Midland region. The Hall and Parlor floor plan was relatively common in early colonial American houses, particularly during the latter half of the 17th and the early part of the 18th Centuries. Important characteristics of the Hall-Parlor include:



- Simple side-gabled.
- Typically, two rooms wide and one room deep, with the central front door opening into a small vestibule or interior porch.
- The vestibule has a stairway and two interior doors leading to the hall and the parlor, respectively.
- The hall typically served as the center of family activity, while the parlor usually housed the best furniture and the main bed.
- Prominent, large chimney located in the center of the house to serve both rooms.

English Cottage

The English Cottage has a cross-gabled roof that barely projects from the front façade. The cottage has an irregular floor plan, and the rooms cluster around the small entrance vestibule. The English Cottage type was popular in suburban areas during the 1930s and 1940s. Important characteristics of the English Cottage include:



- Cross-gabled, steeply-pitched roof with minimal projection from front façade.
- Prominent chimney.
- Lack of a front porch but often includes a side porch.
- Irregular floor plan, clustered around the entrance vestibule.
- Almost always constructed in the English Vernacular Revival style.

Bungalow



The Bungalow is a long, low, rectangular residential building with an irregular floor plan. Bungalows were extremely popular throughout Georgia in the early to mid-20th century, in both rural and urban areas. Important characteristics of the bungalow include:

- Front or side-gabled roof types are most common.
- Wide, low-pitched gables.
- Long, low, rectangular form.
- Integral porches are common.
- Irregular interior floor plan.
- Most often constructed in the Craftsman style.

American Small House

Despite its misnomer, the American Small House is compact, double-pile rectangular cottage with an irregular floor plan of four to six rooms. The American Small House was developed immediately after World War II as an economical and modern building type to fulfill the need for large quantities of new housing, and the building type remained popular through the mid-1950s. Important characteristics of the American Small House include:



- Compact, rectangular form containing four to six rooms in an irregular floor plan; wings sometimes added to side elevations.
- Medium-pitched roof and minimal eaves.
- No front porch.
- Application of decorative shutters, especially on front elevations.
- Use of modern materials, such as metal-framed windows, metal balustrades, and asbestos siding.
- Often includes elements of the Colonial Revival or English Vernacular Revival styles.

Queen Anne Cottage

The Queen Anne Cottage is a double-pile cottage with a central block with projecting gables and an irregular floor plan without a central hallway. The building type was popular in both urban and rural areas from the 1880s through the beginning of the 20th century. Important characteristics of the Queen Anne Cottage include:



- Square central mass with projecting gables on the front and side.
- Asymmetrically arranged interior floor plan with no central hallway.
- Asymmetrically placed front entrance.
- Hipped or pyramid-shaped roof.
- Interior chimneys are most common.
- Front porch or wraparound porch.
- Often built in the Folk Victorian or Queen Anne styles.

Gabled Wing Cottage

The Gabled Ell Cottage is a T or L-shaped house that consists of two wings, attached at a right angle. Gabled Ell Cottages are also sometimes known as Gable Front-and-Wing Cottages. Common in both rural and urban environments, the Gabled Ell Cottage was common throughout the state from the late 19th century through the early 20th century. Important characteristics of a Gabled Ell cottage include:



- Two linear wings, attached at a right angle to form a T or L shaped cottage.
- Gabled roofs.
- Shed or hipped-roof front porch.
- Exterior and interior chimneys common.
- Often includes elements of the Folk Victorian style.

Central Hallway Cottage

The Central Hallway Cottage is a common housing type in Villa Rica. Central Hallway Cottages have a single entrance into a hallway that provides access to a room on either side. Central Hallway Cottages were a popular housing type throughout Georgia from the early 19th century up through the early 20th century. Important characteristics of a Central Hallway Cottage include:



- Central hallway flanked by a single room on either side.
- Central Entrance.
- Chimneys most commonly located on one or both ends of the house.
- Shed or hipped roof, full-façade, front porch.
- Often includes elements of the Folk Victorian style.

Saddlebag Cottage

The Saddlebag Cottage is an important historic housing type that can be found across Georgia in both rural and urban environments. A Saddlebag Cottage has two rooms, usually equally sized, with a central chimney. Most existing Saddlebag Cottages date from the mid-19th through the early 20th centuries. Important characteristics of a Saddlebag Cottage include:



- Two rooms, arranged side-to side.
- Central Chimney.
- One or two front entrances.
- Side-gabled roof.
- Front porch is most often a shed-roofed full length porch.
- Sometimes includes elements of the Folk Victorian style.

Pyramidal Cottage

A Pyramidal Cottage is a four-room house without a hallway and with one or two front doors and a steeply pitched pyramidal roof. It takes its name from its distinctive roof made of four equilateral triangles joined together in hip-roof fashion to form a pyramid. Important characteristics of a Pyramidal Cottage include:



- One-story, square house.
- Pyramid shaped roof.
- Always made of wood.
- Sometimes a chimney through the center of the pyramid roof.
- A cousin to the more imposing American foursquare in style and materials.

Residential Home Styles in Villa Rica

Architectural Style refers to the exterior ornamentation of a building. A “High Style” example will have the appropriate form and decoration of a style applied in a systematic pattern across the building. Other buildings can have elements of a style, meaning that some decorative details correlate to a specific style.



Folk Victorian

The Folk Victorian Style was extremely popular across Georgia during the late 19th century. The Folk Victorian style is essentially the application of Queen Anne stylistic details to simpler house forms. The Folk Victorian Style can include:

- Decorative spindlework or jigsawn woodwork applied to the porch.
- Decorative brackets may be used under the eaves.
- Patterned shingles or other details may be applied to gable ends.
- Intricate brick work may be used on the chimney or foundation.
- Decorative front-facing gables applied to a simpler house form.

Neoclassical Revival

The Neoclassical Revival Style became popular in the early 20th century as a reaction against the picturesque Victorian styles that had dominated in the late 19th century. Although the style was largely derived from the earlier Greek Revival and Early Classic Revival styles, the Neoclassical Revival Style brought classical elements to residential architecture in new and interesting combinations. Features of the Neoclassical Revival Style include:



- Rectangular shape.
- Full-height front portico with classical columns.
- Symmetrical façade.
- Side porches and porte cocheres are common features.
- Elaborate entrance, including elements such as transoms, sidelights, fanlights, pilasters and columns.
- Low-pitched hipped roof, which may have a balustrade.
- Cornice detailed with dentils or modillions.

Greek Revival

Popular roughly between 1810-1855, the Greek Revival style is considered to be a subset of the larger Neoclassical period.



- Gable or hipped, low-pitched roof.
- Dentil cornice emphasized with wide band of trim.
- Porches or porticos have square or rounded columns- typically four, six or eight columns.
- Temple-front entryway with entry door surrounded by rectangular transom and sidelights.

Gothic Revival

Popular in the 1840s – 1860s, and usually in a wood-frame form. The Gothic Revival can be traced back to England in 1749 to romanticize medieval styles there, and the romanticized simplicity of medieval times. The Gothic Revival style had the first appearance of picturesque (asymmetrical and unpredictable) floor plans, indicating the rise of the Romantic Era in America by the 1840s. Important features of the Gothic Revival include:



- Steeply pitched roof, cross-gabled.
- Decorated Vergeboards.
- Point-arch windows.
- Sometimes stained glass.
- Gothic window above entry.
- One-story porch with flattened, gothic arches.

English Vernacular Revival

The English Vernacular Revival Style drew upon the tradition of medieval and vernacular house forms in England. Most commonly applied to English Cottage type buildings, the style was popular in residential neighborhoods during the 1920s and 1930s. Features of the English Vernacular Revival include:



- Steeply pitched gable roof.
- Half-timbering in the gable.
- Masonry veneer walls.
- Variety of materials, including stone.
- Massive chimney, prominently displayed.
- Tall, narrow casement windows, often grouped together.
- Use of round arches within porches and doorways.

Residential Site Design

Sidewalk and Streetscapes

Historic walkways and other historic materials within the streetscape should be preserved and maintained.

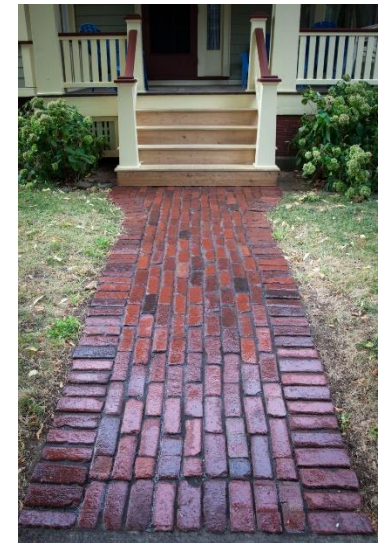
New walkways are encouraged if possible to use appropriate materials, such as brick, or hexagonal pavers to create a more historic and more permeable surface.

New walkways should run to the street and the sidewalk, rather than be oriented towards a driveway. An additional walkway to the driveway is acceptable.

New construction should include a walkway.

Sidewalks should be maintained, and new construction should include a sidewalk of similar width, color and materials as nearby sidewalks or as delineated in the regulations of the zoning district.

Existing historic curbing, should be maintained and preserved. Any new construction or project that requires removal of historic curbing should reinstall the curbing after project completion. All curbing should be the same color and material as existing curbing.



Driveways and Parking

If a historic driveway and parking area exists, it should be maintained and repaired.

Parking should be located at the side or rear of a residential building. Parking in the front yard is not appropriate.

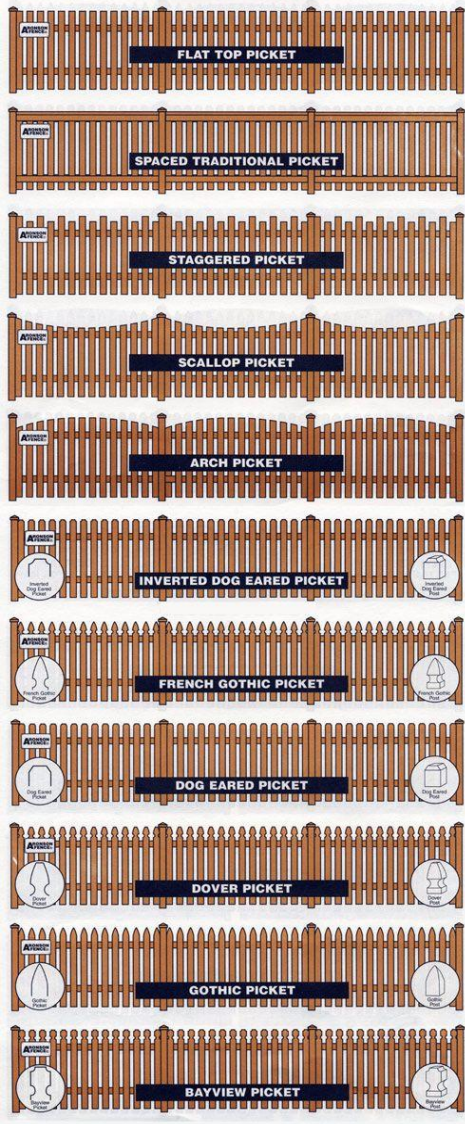
New driveways and parking areas associated with new construction should be placed to the side and rear of a building, respectively.

Gravel or pea stone are the preferred materials for driveways, as these materials are inexpensive, historically appropriate, and environmentally friendly. Concrete tracks are another driveway alternative that creates minimum intrusion and allows stormwater absorption. Poured concrete is a non-preferred option that may also be used for driveway construction;



however, the colors of all concrete driveways shall not conflict with the aesthetic quality of the site.

Parking areas should be screened through the use of hedges, shrubs, trees or fencing.



Fences and Walls

Historic fences should be preserved and maintained.

Front yard fences should be constructed of wooden pickets, white vinyl or cast iron, as appropriate for the residence and location. Front yard fences may not exceed 4 feet in height.

Front yard fences are discouraged for buildings that were constructed from c. 1920 to c. 1960, as these resources were designed to have open front yards.

Rear fences and fences along non-visible secondary elevations can be constructed of alternate materials, such as wooden planks, brick, stucco or chain link, up to a height of 6 feet. Rear and secondary elevation fences should start behind the house. Fences surrounding swimming pools shall be at least 5' in height with either solid or nonsolid style fencing.

Vinyl-coating or natural vegetation can be used to improve the appearance of chain link fencing.

Historic retaining walls should be retained and repaired.

New retaining walls should be constructed of brick, constructed of concrete and faced with brick, or constructed of concrete and covered with stucco.

Accessory Buildings and Recreational Structures

Historic outbuildings should be preserved and maintained.

New accessory buildings are subject to design review by the Villa Rica Historic Preservation Commission.

New accessory buildings, such as sheds, should be placed to the rear of the residential building.



Garages should be detached and have a compatible design to the main structure.

Garages and carports should be located to the rear of the residential building.

Attached garages or carports are not permitted on historic properties dating earlier than 1920.

Just as residential new construction, new garages, carports, and sheds should be compatible in design and proportion to the existing historic structure. The accessory building or structure should be smaller than the historic building.

Recreational structures, such as a swimming pool or tennis court, must be located at the rear of the property and screened from view. Swimming pools must be surrounded by a wall or fence at least 5 feet high.

Mechanical Systems

Transformers, condensing units, and other modern mechanical equipment should be located at rear or secondary elevations for new installations where a unit is not being replaced. For replacements, the side, rear or secondary elevations are appropriate.

Mechanical equipment on a secondary elevation that is visible from the street should be screened with fencing or landscaping.

Roof-mounted mechanical systems should be located on the rear of the building.

Satellite dishes should not be installed on front elevations, within front yards, or on visible side elevations.

Landscape Features and Plantings

Historic landscape features and plantings should be maintained.

Plant materials should be kept away from building facades to prevent damage via moisture infiltration. Foundation plantings are not a historic feature of most buildings in the Villa Rica historic districts because of the moisture problems they create.

The planting of traditional and native plants is encouraged.



Residential Rehabilitation

According to the National Park Service, rehabilitation can be defined as the act or process of making possible a compatible use of a property through repair, alterations, and additions, while preserving those portions or features which convey its historical, cultural or architectural values.

Foundations

Foundations that retain their historic configuration should be maintained in their existing form. Historic foundations should not be replaced.



Crumbling mortar should be repointed with mortar joints that match the existing in color, texture, width, and profile.

Unpainted masonry should remain unpainted. Painted masonry surfaces should remain painted.

Historic foundation infill (more than 50 years old) should be maintained as part of the historic character of the foundation.

If the replacement of foundation members is necessary, the new masonry units should match the original in color, size, shape, texture, and chemical composition.

If supplementary foundation support is necessary, infill sections should be recessed behind the original pier foundation to reduce the visual impact. Brick is the preferred infill material

within Subarea I. Painting or stuccoing concrete block infill will help to reduce the impact.

Lattice panels, set between or behind the existing piers, may be used to screen the foundation. Lattice panels should be painted a dark color to reduce their visibility. Sheet metal or corrugated fiberglass are not appropriate screening materials.

Masonry infill sections should include ventilation at regular intervals to avoid moisture and rot problems.

Siding

Wood siding should be retained whenever possible.

Damaged or deteriorated siding should be repaired or replaced in-kind.

Replacement boards or sections of siding should match the original in size, style, shape, proportion and reveal.

Repaired or replacement materials should be installed using similar construction methods as the historic siding.

The cause of the damage or deterioration of siding, such as faulty gutters, should be identified and rectified.

Small sections of siding, rather than an entire façade, can often be replaced.

Decorative wooden features, such as shingles, cornices or brackets, should be maintained, and deteriorated features should be repaired or replaced in-kind. The minor replacement of deteriorated wood is preferred.

Wood siding should not be covered with an alternative material, such as aluminum, vinyl, masonry veneer, or any other material.



Siding should be repaired in-kind using the same materials and similar construction methods.

Masonry Walls

Masonry should be maintained and repaired.

Crumbling mortar should be repointed using a historic mortar mix with a low content of Portland Cement in order to prevent damage to softer masonry materials.

Repointed mortar joints should match the original in composition and appearance.

Deteriorated masonry units should be repaired rather than replaced. If replacement is necessary, the replacement should match the original in color, size, shape, texture, and chemical composition.



Replacement masonry should be worked into the existing masonry pattern to reduce the visual impact.

Painted masonry surfaces should remain painted and unpainted surfaces should not be covered with any material.

Masonry should be cleaned using the gentlest means possible. Sandblasting, pressure washing, or any other abrasive methods should not be used, as the masonry will be damaged.

Porches

Existing porches should be maintained. Porches should be repaired rather than replaced.

Front porches or readily visible side porches should not be enclosed with windows, glass, siding or masonry.

Porches may be enclosed with recessed screens. Screens should be wood-framed and minimal framing should be used in order to preserve the open appearance of the porch.

Historic porch elements and details should not be removed. Deteriorated features, such as columns, brackets, spindlework or balustrades, should be replaced in-kind.

Metal, resin, fiberglass, or plastic replacements for porch elements are not appropriate. In limited situations, metal porch elements may be part of the historic design of a building.



Historic porch floors should be maintained, repaired, and replaced in-kind if necessary. Wooden porch floors should not be replaced with masonry. Porch steps should be maintained, repaired, and replaced in-kind if necessary. Precast concrete, concrete block, and metal stairs are not appropriate replacements.

The construction of porch balustrades and handrails are discouraged if they did not historically exist on the building, unless required for safety or access reasons.

No porches should be constructed on the front façade that did not historically exist. Side and rear decks or porches are permitted if they are not readily visible from the street. Roof decks are not appropriate.

Roofs

Historic roof shapes should be preserved. Roof replacement, repair or additions should not result in any change to the visible historic roof shape.

Historic roofing material should be maintained, repaired, and replaced in-kind.

Asphalt shingle roofs may be replaced as necessary. Rolled asphalt roofing is not appropriate and should be replaced with asphalt shingles.

Metal roofs may be used to replace asphalt shingle roofs, if appropriate to the house type and/or style. Craftsman bungalows, English Vernacular Revival cottages, and American Small Houses should not be covered with metal roofs.



An example of a poor replacement of slate shingles that is not “in-kind” with the original shingles. All shingles should be the same shape in this example.

Skylights, solar panels, roof decks, balconies, vents, and new dormers should not be placed on any readily visible roof elevation.

Decorative features, such as finials or balustrades, should be maintained and repaired.

Chimneys

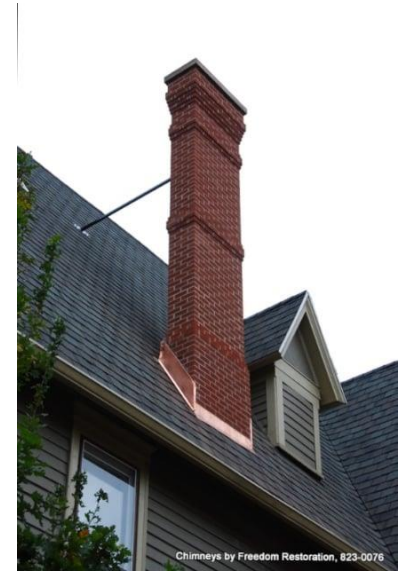
Historic chimneys should be retained and maintained.

Historic chimneys should not be removed below the roof line.

Decorative features, such as corbelled brickwork, should be retained and maintained.

Repair and repointing of historic masonry should use a compatible mortar with a low content of Portland Cement in order to not damage softer historic masonry.

Chimney caps should not damage or cover historic features and should have a compatible design.



Windows

Historic windows and their surrounding features should be retained and repaired as needed.



Damaged or deteriorated windows should be repaired rather than replaced.

Repair work should match the historic features in design, size, dimension, scale, material and location.

Tinted, mirrored, or plastic glass is not appropriate for historic buildings.

Installing or replacing weather-stripping is the recommended treatment to prevent air infiltration through windows.

The addition of storm windows can be used to seal wood windows and improve thermal efficiency. Storm windows provide superior energy efficiency, often surpassing new windows.

Entrances and Doors

Historic doors and their surrounding features should be retained and repaired as needed.

Damaged or deteriorated features should be replaced in-kind.

If a replacement door or surrounding feature is required, the new door or surround should relate to the historic character and style of the house and should use a complementary design.

Decorative features should be maintained and replaced in-kind.

Glazing for the historic door, transoms, sidelights, or other features should be replaced in-kind.

Tinted, mirrored, or plastic glazing is not appropriate for historic buildings.

Historic door hardware is a significant feature that should be preserved.

Window and Door Accessories

Installing or replacing weather-stripping is the recommended treatment to prevent air infiltration through windows.

Storm or screen windows should be framed in wood, baked enamel, or anodized aluminum. Raw aluminum is not appropriate for historic windows.



Entrance doors should be made of wood, and relate to the historic character and style of the house using a complementary design.

Storm or screen windows should either be full view or correlate with the meeting rail of the historic window.

The addition of storm windows can be used to seal wood windows and improve thermal efficiency. Storm windows provide superior energy efficiency, often surpassing new windows.

Avoid the use of metal bars over windows if possible.

Shutters should not be applied to any building that would not have had shutters in the past.

New shutters should be sized appropriately so that they would be able to cover the windows.

Doors



Screen or storm doors should be framed in wood, baked enamel, or anodized aluminum. Framing should be painted to match the door on which it is placed.

Full-view storm doors are the most appropriate for historic buildings. Screen doors are historic features, and a wider variety of styles are compatible.

The use of metal security doors is not recommended.

Awnings



Awnings are sometimes used within the historic district to protect entrances from rain or to shade windows.

Awnings should be canvas, vinyl-coated canvas or acrylic. Metal awnings may be appropriate on some residential buildings, dating from the mid-20th century.

An awning should fit the opening that it is covering. Shed or arched awnings are appropriate for the historic district

Handicap Ramps



Ramps and any other equipment required for handicap accessibility should be placed at a side or rear entrance. If impossible, care must be taken to ensure that the character of the historic building is maintained.

Ramps or other equipment should be constructed of compatible materials, generally wood, that blend with the existing character of the building.

Landscaping can be used to conceal or minimize handicap ramps.

Exterior Stairs



Exterior stairs, sometimes required for access or safety in adaptively reused buildings, should be located to a rear or a side entrance that is not readily visible.

Exterior stairs should be constructed of a compatible material, generally wood, that blends with the existing character of the building.

Prefabricated metal stairs are not appropriate for the Villa Rica Historic District.

Residential Additions

Additions to historic residential buildings often become necessary to accommodate modern uses, contemporary interior aesthetics, and growing families. However, additions can be constructed to complement the existing historic building, rather than damage its historic character.

Additions

The design of an addition should minimize the loss of historic materials and architectural elements from the existing building.

Additions should not alter the historic character of the existing building.

Additions should be placed to the rear of a building.

The size and scale of an addition should be smaller than the existing building and should not obscure or overshadow the existing building or any of its significant features.

Additions on front elevations, visible secondary elevations or roof tops are not appropriate for historic buildings.

Additions should not alter the orientation of the existing building.

Additions should be compatible to the existing building in design and materials, yet contemporary. Additions should be representative of their period of construction and not a copy of the existing building.

Additions should be constructed of compatible materials. Fiber cement siding (i.e. Hardieboard) of a similar size, shape, and reveal as the existing wood siding is permitted for additions to a wood-sided building within Subarea II. Vinyl or aluminum siding is not appropriate. 6-inch fiber cement siding is usually more appropriate than 8-inch siding.

Garages should not be attached to historic buildings.



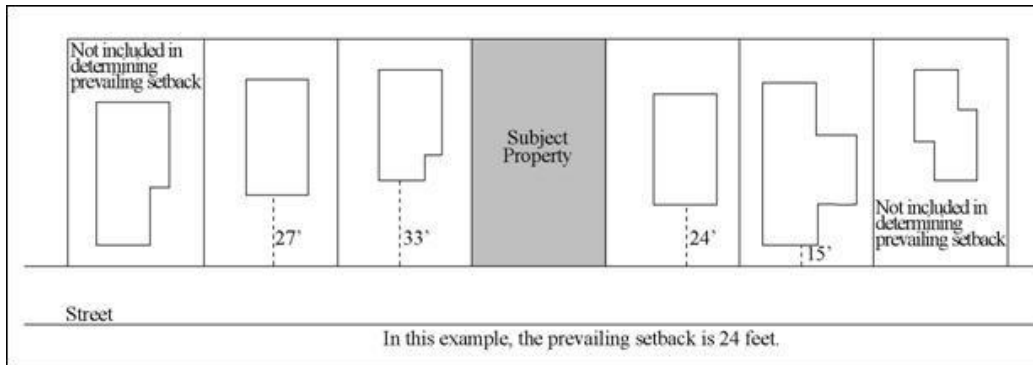
Additions should blend with the general design of the house and use the same façade materials.

Residential New Construction

New construction within the Villa Rica Historic Districts can contribute to the vitality of the area, but the design of new residential buildings must be sensitive to the historic fabric of the existing neighborhood to preserve the character and heritage of the Villa Rica Historic Districts.

Placement

New construction should have a setback that is consistent with the setback of other contributing residential buildings on the same block or within 600' of the subject lot. The prevailing setback should be calculated by adding together the setback



New construction should follow the pattern of buildings along the same block by maintaining the rhythm of buildings and side yards.

New construction should have a floor-to-ceiling height that is compatible with other residential buildings on the same block.

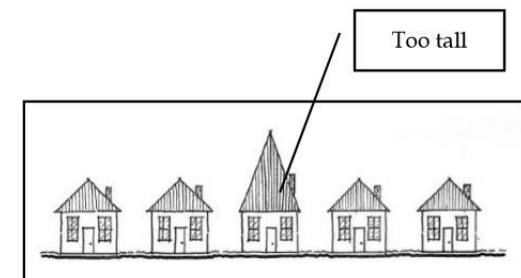
New construction should have a raised foundation that is compatible with other foundation heights along the same block. Foundation heights should be at least one foot above grade. No building should be constructed at grade. No foundation should extend outside of the exterior wall.

The main entrance of the new building should be oriented to the street façade.

Scale

New construction should have proportions that are compatible with other contributing buildings on the same block.

New construction should be no less tall than the shortest contributing building on the same block, and building height should not exceed the tallest contributing building on the same block by more than 5 feet.

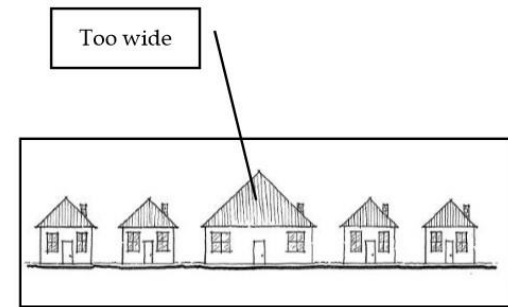


New construction should not exceed the height of the tallest contributing building by more than 5 feet.

The width of a new building should be compatible with the width and proportions of other contributing buildings on the same block.

The proportions of a building should be appropriate to its design.

The ground floor area should be compatible with the ground floor area of contributing historic buildings on the same block.



The width of new construction should be compatible with the width of other contributing buildings on the same block.

Design

Contributing buildings in the same neighborhood and block should be used as inspiration for the design of new construction. Creative compatibility, without historic reproduction, is encouraged.

The main entrance of the new building should be oriented to the street façade.



A porch should be included as part of the front elevation on most new construction. The porch should be appropriate to the design of the building.

Porches should have a depth of at least six feet.

A front porch is not required if the new construction derives its design inspiration from the English Vernacular Revival style or the American Small House.

An attached garage may not be included as a part of the design. Garages should be located within accessory buildings.

New construction should have a compatible roof form and slope to other contributing buildings on the same block.

The placement and rhythm of door and window openings should be compatible with contributing historic buildings on the same block. Window and door openings should not exceed the height to width ratio of nearby buildings by more than 10%.

Window and door designs should be compatible with contributing buildings on the same block.

Building Materials

New construction should use materials compatible with the historic materials used on contributing buildings in the same area as the new construction.

Clapboard is often the most appropriate exterior material for new construction, but fiber cement siding (Hardieboard) is an acceptable alternative. Vinyl or aluminum siding is not appropriate.

Brick or stucco may be an appropriate exterior material if the new design is derived from a 20th century style, such as Spanish Colonial Revival. The exterior material should correlate to the design of the new building.

New brick construction should be compatible with contributing historic buildings including factors such as mortar joint width and shape, brick size, color and texture.

New stucco construction should use a cement and lime-based mix. Synthetic stucco is not appropriate for the historic district.

New foundations of concrete or concrete block should be faced with brick or covered with paint or stucco.



Porches should be constructed of wood and brick. Stucco, metal, or other materials are only acceptable if the design of the new building is inspired by mid-20th century resources and if the location of the new building is compatible with these materials.

Roofs should be constructed of asphalt shingles, clay tile, or metal.

Windows should not have flush or pop-in muntins. New windows should have muntins that create a textured plane similar to historic divided lights. Wood sash windows are most appropriate within the Villa Rica Historic District.



Section VIII:
Relocation &
Demolition

Relocation and Demolition

Moving a historic building to another location is seldom the most desirable form of preservation. Many of a building's historic associations come from its physical setting and its relationship to other nearby buildings. Relocation severs those relationships and preserves only the form of a building. More drastic yet, demolition represents the irrevocable loss of a structure. Preservation of a building in its existing location is preferable to its relocation. When relocation is unavoidable, the building, as well as adjacent buildings, must be stabilized to protect important architectural and structural features.

Relocation and demolition both have important implications for adjacent building and landscape areas. Consequently, relocation – or finally, demolition and salvage – should be considered only as a last resort when preserving and rehabilitating a building in its original location and setting are not possible. The impact of demolition can be lessened by documenting a building's appearance and salvaging historic materials.

General

Make every effort to preserve rather than demolish a historic building. Thoroughly evaluate all rehabilitation and use alternatives, including moving. Undertaking salvage operations prior to demolition can save important decorative features and building materials that may be useful in other rehabilitation projects.

Undertake thorough documentation of a building prior to its relocation or demolition, including:

- Professional photographic documentation of its present appearance,
- Dimensions of the overall building and its major features, and
- Relationship of the building to its site and adjacent buildings.

Submit a copy of all documentation to the Villa Rica Historic Preservation Commission (HPC) for archival purposes.

Relocation

Hire a licensed professional building moving contractor experienced in moving historic structures to undertake the relocation of a historic building.

Select a setting for a relocated building that is compatible with its character, even if the new site is not included in a historic district.

Comply with relevant guidelines governing the siting and design of infill construction when relocating a historic building to another site within the district.



Historic structures should be moved intact with care by licensed professionals.

Plan the relocation route carefully to:

- Avoid narrow, winding, or steeply inclined roads,
- Comply with height, weight, or size limitations, and
- Identify overhead utilities that might pose clearance problems.

Move buildings intact whenever possible. If the structural condition of the building or conditions of the relocation route preclude moving a building as a single unit, then partial disassembly into the largest workable components is preferable to total disassembly.

Protect buildings or building components from damage during the actual move. This may involve, for example, the boarding up of doors and windows or the provision of additional bracing to prevent racking.

Contact the Villa Rica Community Development Department or Georgia Historic Preservation Department for assistance when considering the relocation of a building that is listed in the Georgia Landmarks Register and/or the National Register to determine how to ensure that the building remains listed during and after its move.

The HPC must recognize the following items when reviewing a request for demolition:

- That the purpose and necessity of the demolition are in accordance with the district,
- That loss of the structure will not be adverse to the district or the public interest by virtue of its uniqueness or its significance,
- That demolition will not have an adverse effect on the character and surrounding environment of the district, and
- Where a development plan for a new use of the site is proposed and submitted, the board shall review the proposed development conforming to the regulations of the district.

Save important features of a historic building slated for demolition when efforts to relocate it fail. Important items to save may include:

- Windows, doors, and trim,
- Mantels and stairways,
- Columns, baseboards, and cornices,
- Paneling and decorative wall or ceiling finishes,
- Other decorative interior and exterior wood and metalwork, such as metal ceilings,
- Hardware and light fixtures,
- Flooring,
- Heavy timbers, and
- Bricks, stone, and other masonry elements.

Use salvaged elements for repair, maintenance, and rehabilitation projects involving similar buildings within the historic district whenever possible.



CITY OF VILLA RICA

City Council Packet

**SUBJECT: Ordinance No. 0-20-2019, Villa Rica Sign Ordinance,
First Reading**

CITY COUNCIL AGENDA DATE: June 25, 2019

DATE: June 13, 2019

PREPARED BY: Chris Montesinos AICP
Deputy Director of Community Development

FISCAL IMPACT:
ANNUAL – N/A
CAPITAL – N/A
OTHER – N/A

FUNDING SOURCE: N/A

PURPOSE: It was determined that the Villa Rica's existing Sign Ordinance is deficient, and does not adequately provide the signage protections needed for the city. Over the past several months, City staff rewrote the entire sign ordinance in-house, saving the City thousands of dollars. Not only does the new Sign Ordinance address sign standards and restrictions across the city, it also provides signage guidelines for the downtown commercial (and historic) district.

BACKGROUND: The existing Villa Rica Sign Ordinance has been problematic for years. Not only does it not effectively regulate all general signage types – such as window signs – where all legislative restrictions are absent – but that it puts an additional burden on the applicants, staff, and City Council by having to grant Variances to the existing code. Since the current code is disjointed, incomplete, substantively ineffective, it was decided early in the process to rewrite the entire code from scratch. Sign codes from other cities were considered for comparison – including Canton, Woodstock, Fayetteville, Hampton, Brookhaven, Chamblee, East Point, and Hapeville. Ultimately, the general structure of the new ordinance is formatted on the Brookhaven ordinance, but includes some of the better parts of ordinances from the other jurisdictions. Following the final drafting of Villa Rica's new Sign Ordinance, staff did an analysis to see how the last two years of approved sign applications fared against the new code. As a result, 23% of previously approved applications failed to pass the proposed code – demonstrating the new code's strengthened regulatory controls. Further, the new ordinance provides design guidelines for the Historic Preservation Commission to use when considering Certificates of Appropriateness for new signs downtown. The new Sign Ordinance was distributed to the Mayor and City Council, and Planning Commission in March, and was presented at the Downtown Development Authority meeting on

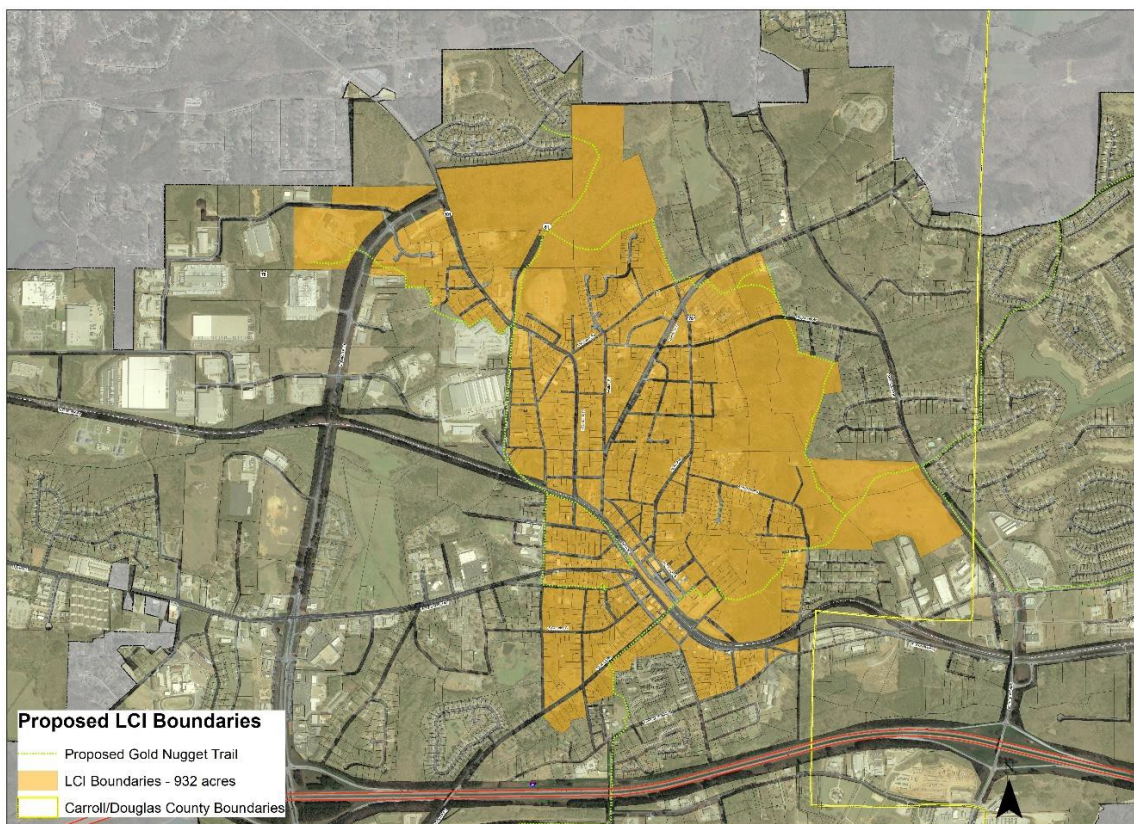
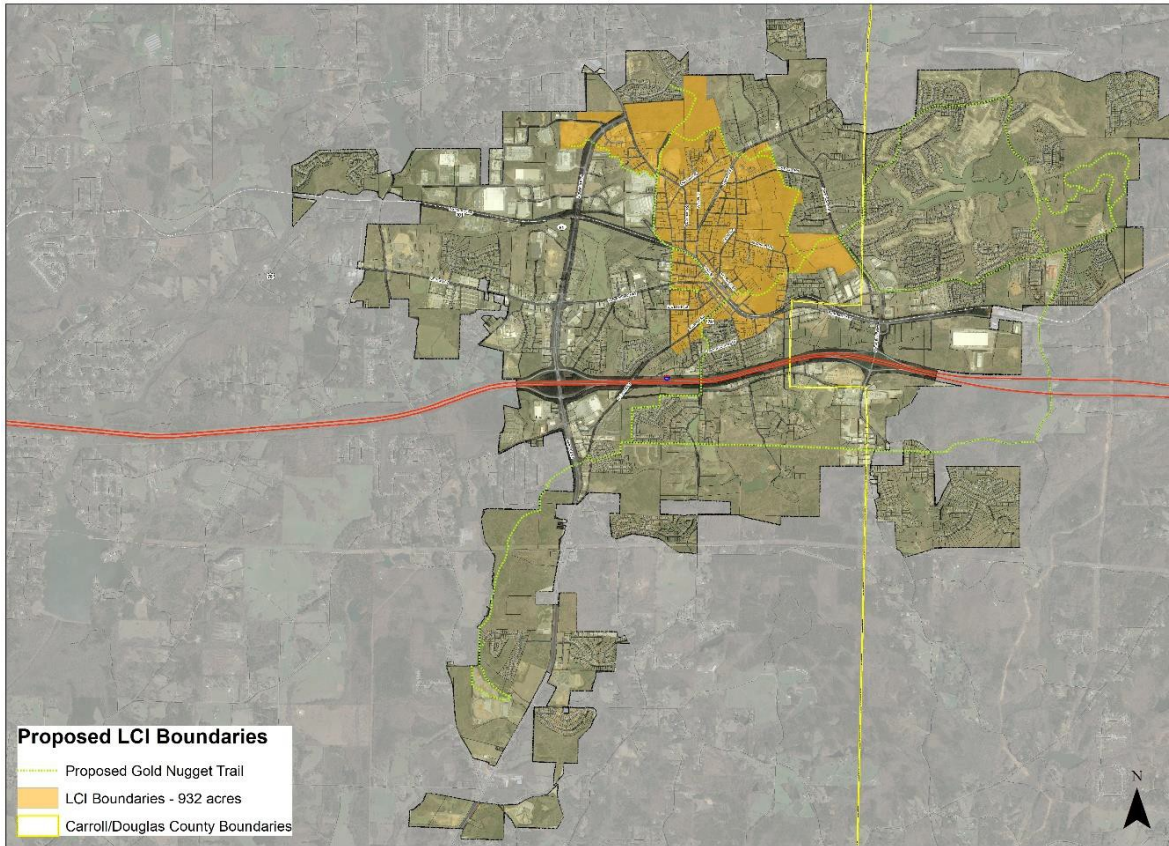
April 22, 2019. Also, the Sign Ordinance was presented at the May 7th Planning Commission meeting.

STAFF RECOMMENDATION: Staff is available to present and respond to questions from the Mayor and City Council and attending public and recommends approval of this Ordinance.

IMPACT: The new Sign Ordinance will more effectively control signage erected in the city. It is a more clearly illustrated ordinance that is easier to understand by sign companies, businesses and the interested public. The new ordinance will be more effective and efficient for staff, and cut down on the need to seek a Variance from the Mayor and City Council.

MOTION: This is a first reading. Final Reading for adoption is scheduled for July 9, 2019.

Preliminary LCI Planning District Map



JEFF REESE, MAYOR
CITY COUNCIL:
GIL MCDUGAL, MAYOR PRO TEM
LESLIE MCPHERSON
SHIRLEY MARCHMAN
DANNY CARTER
MATTHEW MOMTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

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

ORDINANCE NO. 0-17-2019

WHEREAS, the City of Villa Rica through its Community Development Department, Planning and Zoning Commission, and the Historic Preservation Commission have created and revised Article 9 of the Unified Development Code, Sign Regulations, and hereby replace it with the Villa Rica Sign Ordinance; and

WHEREAS, the Mayor and Council do desire to adopt the Sign Ordinance for the City of Villa Rica as attached hereto and incorporated by reference herein.

NOW, THERFORE, be it ordained that the Mayor and Council of the City of Villa Rica do adopt the revised Sign Ordinance 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 Sign Ordinance attached hereto are hereby repealed.

This ordinance shall become effective immediately upon passage by the Mayor and Council and signature by the Mayor.

This 9th day of July, 2019.

Jeff Reese, Mayor

Attest:

Alisa Doyal, City Clerk

ARTICLE 9

Sign Ordinance

City of Villa Rica, Georgia

571 W. Bankhead Highway
Villa Rica, GA 30180

Phone: (770) 459-7000
Email: info@villarica.org



City of Villa Rica, Georgia

Mission Statement

The City of Villa Rica provides a home town charm with a golden history serving its citizens effectively by ensuring quality services and a safe environment.

Vision Statement

Villa Rica will be a thriving city focusing on quality of life and planned growth by blending its past and future.

Sign Ordinance – Intent

This Article is intended to regulate the location, erection, maintenance and use of signs in all land use districts, regardless of type or size, and to insure that no sign shall constitute a safety hazard.

The intent of this Article is to create a balanced system of sign control that accommodates both the needs for a well-maintained, safe and attractive community, and the need for effective business advertising, identification, and communication. This balance will assist in promoting the economic health of the community through increase tourism and property values.

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Sec. 9.01 – PURPOSE AND FINDINGS

- 1) The City Council finds that signs provide an important medium through which persons may convey a variety of noncommercial and commercial messages. However, left completely unregulated, the number, size, design characteristics, and locations of signs in the city can become a threat to public safety as a traffic hazard and a detriment to property values and to the city's general public welfare, as well as create an aesthetic nuisance. The city, further, finds that signs have become excessive and that many signs are distracting and dangerous to motorists and pedestrians, are confusing to the public and substantially detract from the beauty and appearance of the city. The city finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address these concerns through the adoption of the following regulations. The purpose and intent of the governing authority of the city in enacting the ordinance from which this chapter is derived are as follows:
 - a) To protect the health, safety and general welfare of the citizens of the city, and to implement the policies and objectives of a comprehensive development plan of the city through the enactment of a comprehensive set of regulations governing signs in the city;
 - b) To regulate the erection and placement of signs within the city in order to provide safe operating conditions for pedestrian and vehicular traffic without unnecessary and unsafe distractions to drivers or pedestrians;
 - c) To preserve the value of property on which signs are located and from which signs may be viewed;
 - d) To maintain an aesthetically attractive city in which signs are compatible with the use patterns of established zoning districts;
 - e) To maintain for the city's residents, workers and visitors a safe and aesthetically attractive environment and to advance the aesthetic interest of the city;
 - f) To establish comprehensive sign regulations that effectively balance legitimate business and development needs with a safe and aesthetically attractive environment for residents, workers, and visitors to the city;
 - g) To provide fair and reasonable opportunities for advertisement by the business community located within the city so as to promote the economic vitality of local businesses;
 - h) To ensure the protection of free speech rights under the state constitution and the United States Constitution with the city;
 - i) To establish a permit system to allow specific types of signs in zoning districts consistent with the uses, intent and aesthetic characteristics of those districts;
 - j) To allow certain signs that are small, safe, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter but without a requirement for permits;
 - k) To provide for temporary signs in limited circumstances;

- l) To place reasonable controls on nonconforming signs that are by definition contrary to the public health, safety and welfare while protecting the constitutional rights of the owners of said nonconforming signs; and
- m) To provide for the maintenance of signs, and to provide for the enforcement of the provisions of this chapter.

Sec. 9.02 – DEFINITIONS

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

Abandoned Sign means any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, and for which no person accepts maintenance responsibility. Also, any sign advertising an activity, business, product or service no longer conducted and/or any sign associated with a business or commercial use that has ceased operations for twelve (12) months or more.

Animated Sign means a sign that all or any part thereof visibly moves or uses movement or a change of lighting to depict action or to create a special effect or scene. This includes signs that rotate or revolve or signs that display a message in more than one direction. Provided, however, that official traffic control devices and warning signs conforming to the Manual of Uniform Traffic Control Devices are excluded from this definition. Electronic signs are excluded from this definition.

Banner means a sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners. Standard informational signs are excluded from the definition of a banner.

Beacon means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard, Traditional means a sign which may be supported by a pole structure, with an area of more than seventy-two (72) square feet but not more than six hundred seventy-two (672) square feet. The billboard directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the billboard is located. The billboard may either be illuminated or non-illuminated. This sign type does include dynamic digital billboards as defined by the ordinance.

Business Day means any day during which city government offices are open for public business. The term "business day" shall not include any day during which city government offices are closed after a partial business day due to a holiday, emergency, inclement weather, or the like.

Candela means a unit of luminous intensity equal to 1/60 of the luminous intensity per square centimeter of a blackbody radiating at the temperature of solidification of platinum (2,046K).

Canopy Sign means a sign affixed to, superimposed upon, or painted on any roof or roof-like structure which is extended over a sidewalk, walkway, or vehicle access area. Canopy sign may also mean awning sign.

Changeable Copy Sign means any sign that incorporates changing letters or images to form a sign message or messages, whether such changes are accomplished electronically or manually. Changeable copy signs shall not incorporate changing lights or electronic images. (Prohibited, except for a church/place of worship or school)

Commercial Message means sign copy which advertises or directs attention to a business, product, service or transaction, whether conducted on- or off-site, whether existing or proposed.

Directional Sign means a sign specifically placed to manage and avoid conflicting vehicular movements.

Director means the Director of the Community Development Department, or a designee thereof.

Double-Faced Sign means a sign which has two display areas placed back to back against each other and the interior angle formed by the display areas is not greater than sixty (60) degrees, where one sign face is designed to be seen from one direction and the other face from another direction.

Electronic Sign means a message on a lawfully permitted sign, the electronic portion of which may be changed at intervals by electronic process or by remote control.

Facade means the exterior wall of a building or tenant space.

Flag means any fabric containing colors, patterns, or symbols used as symbol of government or other entity or organization.

Flagpole means a freestanding structure or a structure attached to a building or to the roof of a building on a parcel of record and used for the sole purpose of displaying flags.

Ground Sign means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A permanently affixed sign which is wholly independent of a building for support with a base of a width not less than the width of the sign face. The base of the sign face shall be flush with the supporting base, and the supporting base shall be flush with the ground and extend the full width of the sign. The term "ground sign" shall not include sidewalk signs.

Historic Sign means a sign deemed worthy of preservation under **Section 5.29 of the Unified Development Code** because of its value to the city for one or more of the following reasons:

- (1) It is an outstanding example of a sign representative of its era;
- (2) It is one of the few remaining examples of past sign design or style;
- (3) It is a sign associated with an event or person of historic or cultural significance to the city; or
- (4) It is a sign of esthetic interest that is continuing to contribute to the cultural or historical development and heritage of the city.

- (5) Building names, year built, and cornerstones are exempt from sign regulations so long as they are determined to be a part of the architecture of the structure.

Home-Based Business means a business based in the dwelling and/or accessory structures of its owner or operator which results in limited business practices within certain single family residential districts, the scope and character of which is defined by the requirements of the Home Business standards of this Ordinance.

Home Occupation means a business based in the dwelling of its owner or operator which results in minimal business practices within residential zoning districts, the scope and character of which is defined by the requirements of the Home Occupation standards of this Ordinance.

Illegal Sign means any sign that was erected in violation of the laws, as they existed at the time the sign permit was issued or signs that were not built in conformity with the issued permit or signs requiring a permit that were erected without a permit first having been obtained.

Illuminated Sign means a sign that has light cast upon the sign from a source either internal to the sign or from an external light source directed primarily toward such sign.

LED Sign means an electronically controlled sign utilizing light-emitting diodes or similar technology to form some or the entire sign message. LED signs are a form of electronic signs.

Luminance means a measure of the brightness of a luminous surface, measured in candelas per unit area.

Monument Sign means a ground sign with a base constructed of brick, stone, or other architectural masonry material. The sign shall constitute a solid visual block from the base to the top of the sign.

Multi-faced Sign means a sign structure with more than two sign faces situated so that each sign face is facing a different direction.

Nits means a unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter.

Nonconforming Sign means any sign, legal at the time of erection, but which does not conform to the provisions of this chapter.

Out of Store Marketing Device is any facility or equipment which is located outside of a primary building on a site zoned for nonresidential uses, which is used for the primary purpose of providing a product or service without the owner's or agent's immediate presence, and which is manufactured to include a color, form, graphic, illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths.

Pennant, Streamer means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Planned Commercial Center means any commercial, office, industrial or mixed-use development that contains any combination of offices, residences, retail or industrial uses with a common entry from a public street and are managed as a whole and in accordance with all applicable requirements of the zoning ordinance set forth in the Unified Development Code.

Portable Sign means any sign which is not permanently affixed to the ground or to a structure, including but not limited to signs on trailers or signs mounted or painted or wrapped on vehicles which are parked in such a manner as to serve the purpose of an advertising device, or not routinely parked at the immediate premises of the business or entity indicated, advertised or identified by said sign. Portable signs are prohibited, except for authorized public safety use.

Projecting Sign means any sign which is attached perpendicular to a building or other structure and extends more than twelve (12) inches horizontally from the plane of the building wall.

Pump-island Sign means a sign located on, affixed to, or under a canopy over pump islands of a service station or convenience store with gas pumps.

Right-of-Way (R.O.W.) means a strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric distribution or transmission line, telephone line, oil or gas pipeline, water line, sanitary or storm sewer and other similar uses.

Right-of-Way Line means the limit of publicly owned land encompassing a public facility, such as a street or an alley.

Road, Accessible means any road or street that provides a means of ingress and egress to the lot.

Roof sign means a sign attached to or supported by the roof of a building that extends above the immediately adjacent roof line of the building or a sign that is wholly or partially above the roof line of a building.

Rotating Sign. See Animated sign.

Sidewalk Signs are defined as an A-frame or easel style sign to be placed on or adjacent to the sidewalk in conjunction with a business establishment.

Sign means a device, structure or representation for visual communication which is used for the purpose of bringing the subject thereof to the attention of others. For purposes of this chapter, the term "sign" shall include the structure upon which a sign face is located. Flags and banners shall be included within this definition only as provided elsewhere herein. Seasonal holiday decorations shall not be included within the definition of "sign" and regulated as such.

Sign Copy means the visually communicative elements, including but not limited to words, letters, numbers, designs, figures or other symbolic presentation incorporated into a sign with the purpose of attracting attention to the subject matter or message.

Special Event shall be defined for the purpose of this chapter any organized for profit or nonprofit activity having as its purpose entertainment, recreation, and/or education which takes place on public property or takes place on private property but requires special public services such as the use of parks, public streets, rights-of-way, or sidewalks. Special events may include, but are not limited to, activities such as run/walk events, cycling events, street festivals, parades, triathlon/biathlon, grand openings, concerts, assemblies, block parties, and certain outdoor promotional events.

Standard Informational Sign means a non-illuminated sign with a rigid sign face made for short term use, containing no reflecting elements, flags or projections and which is mounted on a post, stake or metal frame with a thickness or diameter not greater than 3.5 inches. Banners are not included in the definition of a standard informational sign.

Store Front means the exterior wall of a single, undivided unit in a commercial block or located within a planned commercial center or business park.

Street Frontage means the lot line that shares a common boundary with any road or street.

Suspended Sign means a sign securely suspended above a pedestrian passageway or sidewalk from beneath a canopy or awning and oriented perpendicular to the adjacent building façade.

Temporary Sign means a sign displayed for a fixed, terminable length of time. Temporary signs are intended to be removed after the temporary purpose has been served.

Tri-vision Sign means a sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation.

Wall Sign means a sign fastened, placed or painted upon or parallel to the exterior wall of the structure itself, whether front, rear or side of the structure.

Wayfinding Sign means signage used to assist the public in navigating and locating parking, individual tenants, activity centers, ingress/egress points, and other features internal to a site and that is not visible from public rights-of-way. Examples:

Window Sign means any sign that is placed inside a window, within two (2) feet of a window, or upon the window panes or glass, either inside or outside the building, and is visible from the exterior of the structure. Window signs shall not cover more than twenty-five (25) percent of the total window area per façade of a business.

Sec. 9.03 – PERMITS

- 1) Except as specifically excluded from the requirements for obtaining a permit, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the city without first having obtained a sign permit or any other permit required by this chapter or other ordinances of the city. Notwithstanding the foregoing, signs which are not visible from a public right-of-way or from neighboring properties shall not be subject to the standards of this chapter.
- 2) Sign registration. All nonconforming signs which exceed the maximum height and sign area permitted must be registered with the department within ninety (90) days of notification. The information provided for registration will be the same information required in a permit application under section 9.04. No fee will be required.

Sec. 9.04 – APPLICATION INFORMATION

- 1) Applications for sign permits required by this chapter shall be filed by the sign owner or the owner's agent with the director. The application shall describe and set forth the following:
 - a) The street address of the property upon which sign is to be located and a plat map of the property which bears an indication of the proposed location of the sign;
 - b) The name and address of the owner of the real property upon which the subject sign is to be located;
 - c) Consent of the owner, or the owner's agent, granting permission for the placement or maintenance of the sign;
 - d) Name, address, phone number and occupational tax certificate number of the sign contractor;
 - e) The type of sign to be erected, the area of the sign, the height of the sign, the shape of the sign, how the sign is to be illuminated (if at all) and an explanation of how the sign is to be mounted or erected;
 - f) The payment of a \$25.00 review fee with the balance of the full application fee due upon issuance; and
 - g) Applications for ground signs shall include a site plan drawn to scale, including a closed boundary survey of the property gross acreage, the proposed location of subject sign, location of all ground signs on the property, entrance driveways from public streets, street rights-of-way, public or private easements, and building locations.
- 2) The director shall develop such forms as may be necessary to facilitate the permit application process.
 - a) The applicant shall apply for all other permits or licenses required by city ordinances and state laws and regulations. Obtaining a sign permit does not exempt the permit holder from obtaining and complying with all other permits required for the sign structure.

- b) Each application shall contain an agreement to indemnify and save the city harmless of all damages, demands or expenses of every character which may in any manner be caused by the sign or sign structure. Each applicant shall present to the department, on a request, a certificate of liability insurance prior to the issuance of a sign permit.

Sec. 9.05 – TIME FOR CONSIDERATION AND ISSUANCE

- 1) The director shall process all sign permit applications within forty-five (45) business days of the director's actual receipt of an application and a sign permit fee. The director shall give notice to the applicant of his decision by hand delivery, by electronic mail, or by mailing a notice, by certified mail, return receipt requested, to the address on the permit application on or before the 45th business day after the director's receipt of the application. If mailed, notice shall be deemed to have been given upon the date of mailing in conformity with this section. If the director fails to act within the 45-day period, the permit shall be deemed to have been granted. A sticker or other device bearing the sign permit number shall be affixed to the sign structure.

Sec. 9.06 – DENIAL AND REVOCATION

- 1) Procedure. The director shall deny permits to applicants that submit applications for signs that do not comply with the provisions of this chapter, incomplete applications, and applications containing any false material statements. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this chapter, the director shall revoke the permit. Should the director deny or revoke a permit, the reasons for the denial or revocation are to be stated in writing and hand delivered, by electronic mail, or mailed by certified mail, return receipt requested, to the address on the permit application on or before the 45th business day after the director's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, instead of the date of the original submission. Violation of any provision of this chapter and any other applicable state laws or city ordinance regulating signage will be grounds for denying a permit or revoking a permit granted by the city for the erection of a sign. No permit shall be denied or revoked, except for due cause as hereinafter defined. "Due cause" is the violation of the provisions of this chapter, other applicable ordinances, state or federal law regulating signage, or the submission of an incomplete application or an application containing false material statements.
- 2) Appeals. The City Council shall have the power and duty to hear and decide appeals where it is alleged that there is an error in the denial or revocation of a sign permit under this chapter. All such appeals shall be heard and decided following the notice requirements of ~~subsection (c) of this section~~ **Section 2.03(k) of the Unified Development Code**, and pursuant to the following criteria and procedural requirements:
 - a) Appeal of decision by administrative officials. A denial or revocation pursuant to this chapter shall be appealable by filing with the ~~Secretary of the City Council~~ **City Clerk** an application for appeal on the forms provided by the community development department specifying the grounds thereof, within fifteen (15) calendar days after the action appealed from was taken. The application fee for an appeal under this section shall be the same as that established by the City Council for an appeal under ~~Section 6.07~~ **2.03(k)** of the Villa Rica Unified Development Code.

- b) Decision of the board. Following the consideration of all testimony, documentary evidence, and matters of record, the board shall make a determination on each appeal. An appeal shall be sustained only upon an expressed finding by the board that the administrative official's action was based on an erroneous finding of a material fact, or that the administrative official acted in an arbitrary manner. In exercising its powers, the board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit provided all requirements imposed by all other applicable laws are met.
 - c) Time for final decision. A final decision will be rendered by the board within 90 days from date an appeal is filed. If a final decision is not rendered within the 90-day period, the decision sought to be appealed shall be reversed.
- 3) Notice of public hearings. *See also Sec. 2.02(B) of the Villa Rica Unified Development Code.* Notice of public hearing before the board on any application for appeal or variance shall be provided as follows:
- a) Written notice of the nature of the proposed application, and the date, time, and place of the public hearing before the board shall be mailed by first class mail to all property owners within five-hundred (500) feet of the boundaries of the subject property as measured by use of the official zoning maps, and as such property owners are listed on the tax records of the city, at least fifteen (15) days before the public hearing before the board;
 - b) Public notification signs shall be posted within the public right-of-way or on the subject property at least fifteen (15) days before the hearing before the board. One sign shall be posted for each five-hundred (500) feet of street frontage or fraction thereof along each street on which the subject property has frontage. Signs shall be double-faced and posted so that the face of the sign is at a right angle to the street in order that said signs can be read by the traveling public in both directions. The lettering on the signs shall be printed and at least one inch in size and the sign shall state the nature of the proposed application and the date, time and place of the public hearing before the board; and
 - c) Notice of the nature of the proposed application and the date, time and place of the public hearing before the board shall be published in the newspaper of general circulation within the city in which are carried the legal advertisements of the city at least fifteen (15) days prior to the date of the hearing before the board and not more than forty-five (45) days prior to the date of the hearing before the board.
 - d) The cost of all signs posted, and notice mailings sent, pursuant to this section shall be specifically paid by the applicant in addition to all other applicable application costs.
 - e) Applications may be withdrawn by the applicant or applicant's representative in writing without prejudice at any time before the vote of the City Council on the application. All fees submitted shall be forfeited in any case where the application is withdrawn after it has been advertised for a public hearing in a newspaper of general circulation.
- 4) Certiorari. In the event a person whose permit has been denied or revoked is dissatisfied with the decision of the City Council, a person may petition for writ of certiorari to the superior court of the county as provided by law.

Sec.9.07 – PERMIT EXPIRATION

- 1) A sign permit shall become null and void if the sign for which the permit was issued has not been completed and fully installed within six months after the date of issuance; provided, however, that where an applicant can demonstrate that a contractor was timely engaged to construct the permitted sign, but the fabrication has not yet been completed due to the fault of the contractor, one 60-day extension may be granted by the director or his designee. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If an individual later desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule applicable at such time.

2) Sec. 9.08 – ENFORCEMENT AND PENALTIES

- a) The ~~director~~ **Director of Community Development, or designee**, may issue a citation for violation of this chapter by any person, including if applicable, the owner, manager or tenant of the lot upon which a sign is located, for a sign erected, altered, maintained, converted, or used in violation of this chapter or in violation of any other applicable ordinance regulating signage, including, but not limited to the building and electrical codes.
- b) The director shall have the same duties, authority, and obligations regarding access to private property, inspections, including the procurement of inspection warrants provided in Sec. 6.13(f) of the Villa Rica Unified Development Code, regarding the enforcement of this chapter.
- c) Any person violating any provision of this chapter shall be guilty of an offense and upon conviction, shall be subject to the general penalty provided in the Code. Each sign installed, created, erected or maintained in violation of this chapter shall be considered a separate violation. For continued violations, citation for each sign issued on separate days shall be considered a separate violation when applying the penalties authorized in this Code.
- d) The city may seek affirmative equitable relief in a court of competent jurisdiction to cause the removal or repair of any sign in violation of this chapter or other city ordinances.
- e) The director, any city employee who operates an assigned city-owned vehicle, or any person contracting with the city for such purpose may, without notice, remove and dispose of any prohibited sign, signal, device or other structure erected, placed or maintained on the dedicated right-of-way of any public road. Such removal and disposal of a prohibited sign, signal, device or other structure shall not preclude the prosecution of any person for erecting, placing or maintaining such item in the dedicated public right-of-way.

Sec. 9.09 – VARIANCES

- 1) Where a literal application of this chapter, due to special circumstances would result in an unusual hardship in an individual case, a variance may be granted by the City Council in accordance with the standards and procedures articulated in Section 2.03J of the Unified Development Code.
- ~~2) Where a literal application of this chapter, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the City Council after receiving evidence that the applicant meets all of the following criteria:~~
 - ~~a) Exceptional conditions pertaining to the property where the sign is to be located because of its size, shape, or topography, which are not applicable to other lands or structures in the area;~~
 - ~~b) Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;~~
 - ~~c) The exceptional circumstances are not the result of action by the applicant;~~
 - ~~d) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;~~
 - ~~e) Granting of the variance would not violate more than one standard of this chapter; and~~
 - ~~f) Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstructs or otherwise interferes with the safe and orderly movement of traffic.~~
- 3) No variance shall be granted to the height of a sign which increases the height of the sign more than twenty (20) percent of that allowed by this chapter.
- 4) No variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter.
- 5) No variance shall be granted to increase the size or height of a banner, sidewalk, wayfinding, construction or standard informational signage.

Sec. 9.10 – Aggregate Sign Area

Aggregate Sign Area.

- 1) Aggregate sign area, where applicable, shall refer to the sum total of all signs on a lot or parcel.
- 2) Exempt signs shall not be included in the aggregate sign area for a lot or parcel.
- 3) Aggregate sign area maximums per parcel.

Use	AG	SFR	MFR	IND	COM
Zoning District	AG	R1, R2, PUD ¹	SFA, MF1, MF2	I1, I2	MF2, CMU, CBD ⁴ , C1,
Aggregate Sign Area (sf)	64	50 ² /32 ³		300	300
- Multiple Tenant				600	600
¹ PUD - Residential development shall follow residential standards. Commercial development shall follow commercial standards.					
² Institutional uses within residential zoning districts only.					
³ Subdivision entrance signs only.					
⁴ CBD limited to 200 sf.					

Sec. 9.11 – EXEMPTIONS

The following signs shall be exempt from the permit requirements of this chapter; provided, however, that such signs shall be subject to all other provisions of this chapter:

- 1) Window signs;
- 2) Standard informational signs;
- 3) One suspended sign per tenant of a multi-tenant building when the area of the sign is less than six square feet per side and a common design for such signs has been established by the owner and approved by the public authority;
- 4) Signs for the sole purpose of displaying street numbers assigned by the United States Postal Service not exceeding six inches in height for residential uses and twelve (12) inches in height for nonresidential uses;
- 5) Flags on lots in all districts and banners on lots in single family residential zoning districts;
- 6) Nongovernmental traffic control devices in or adjacent to parking areas and driveways and signs located at railroad crossings;
- 7) Historic signs where:
 - a) The property, building or structure where the historic sign is to be located is designated as a historic property by the City Council; and
 - b) A previous sign must have been located on the property. The historic sign's former existence, original design, original size, original colors, original composition and other original aesthetic qualities of the historic sign shall be shown to the director's satisfaction by photographs or other documentation. The new historic sign shall be an exact replica of the original sign located on the property;
- 8) Signs and warning devices meeting the standards of the Manual on Uniform Traffic Control Devices and installed or utilized by governmental authority or by persons and entities duly authorized to work on the public rights-of-way while such work is in progress;
- 9) Sidewalk signs;
- 10) Out-of-store marketing device;
- 11) A-frame or easel style signs; ~~(the following has moved to 9.41 (11)), so long as though signs are:~~
 - ~~a) Sign composition material: Wood or metal (dry erase or chalk board style);~~
 - ~~b) Setback from right of way: Must be situated to allow for clear passage with a minimum accessible sidewalk width of thirty-six (36) inches and compliance with the Americans with Disabilities Act;~~
 - ~~c) In conjunction to a business establishment authorized on the subject lot; and~~
 - ~~d) Number of signs allowed: One per establishment;~~

- e) ~~Maximum height: Three feet;~~
- f) ~~Sign area: No larger than six square feet;~~
- g) ~~All sidewalk signs shall be removed daily upon cessation of business hours and shall be stored indoors;~~
- h) ~~No sidewalk signs shall be lit, contain neon, or contain plastic construction or embellishment;~~
- i) ~~Evidence of neglect or dilapidation of any sidewalk sign shall provide cause for immediate removal; and~~
- j) ~~Sidewalk signs shall not require a sign permit or authorization sticker affixed to the subject sign.~~

12) Wayfinding signs.

Sec. 9.12 – FEES

- 1) The cost of a sign permit shall be established by the City Council and collected by the director.

Sec. 9.13 – OWNER’S CONSENT REQUIRED

- 1) No sign may be permitted or posted on property without the consent of the property's owner or authorized agent. Should it be determined that a sign was erected on a lot pursuant to an alleged agent's incorrect representation that the record owner of the lot in fact gave permission for the erection of a sign, the permit for such sign shall be revoked as provided in Section 9.06.

Sec. 9.14 – PROHIBITED SIGNS

- 1) The following types of signs are prohibited throughout the city:
 - a) Signs placed in the dedicated right-of-way of any public road other than publicly owned or maintained signs and signs pertaining to railroad crossings;
 - b) Window signs which exceed twenty-five (25) percent of the total window area per façade of a business;
 - c) Signs that contain words, pictures, or statements which are obscene, as defined by O.C.G.A. § 16-12-80, as amended;
 - d) Signs that simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign;
 - e) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities;
 - f) Signs that interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs;

- g) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, curb, utility pole, natural feature, or other structure except as may be set forth herein;
- h) Animated signs;
- i) Signs that obstruct any fire escape, any means of egress or ventilation or that prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape;
- j) Signs that do not conform to city building and electrical codes;
- k) Signs for which a permit is required that do not display the sign permit number;
- l) Roof signs;
- m) Multi-faced signs, including:
 - i) Tri-vision signs – Sec. 9.36(2); and
 - ii) LED signs not meeting the standards of Section 9.36(3);
- n) Signs erected after the effective date of adoption of the ordinance from which this chapter is derived that are in violation of the rules and regulations;
- o) Balloons, pennant streamers or air or gas filled figures and any sign constructed of non-durable material including, but not limited to, paper, cardboard or flexible plastic, **except as permissible under Sec. 9.41(3)**. This provision does not apply to flags, banners, or special event signs;
- p) Portable signs;
- q) Abandoned signs. Signs (including sign structures) shall be deemed abandoned if it ~~does not present a neat and orderly appearance, which may be manifested by the following; rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy and/or~~ **exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, and for which no person accepts maintenance responsibility**, or if the business, service or commercial transaction to which it relates has been discontinued for twelve (12) months;
- r) Any sign that is structurally unsound, or is a hazard to traffic or pedestrians;
- s) Illegal signs;
- t) Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within one-hundred and fifty (150) feet of a street and visible therefrom. Patio/Bistro lights are exempt from this code section.
- u) Use of string, rope, neon or LED sequenced lighting to outline windows, doors, or other architectural features of a building below the upper cornice of the structure. Notwithstanding the foregoing holiday lights and decorations displayed not more than thirty (30) days before a

holiday shall be exempted from this section. Lights associated with a static window display or store merchandising shall be exempt from this section.

~~v) Handheld signs, where:~~

- ~~i) a. Handheld Signs are allowed during the time period in which parades, pickets, or processions that are permitted under Section 22-1 et. seq. occurs.~~
- ~~ii) b. No Handheld Sign shall be placed or carried that extends beyond the width of the body of the individual holding such Sign or that extends more than 24 inches above the individual's head.~~
- ~~iii) c. All individuals carrying any such Signs shall remain at least ten (10) feet apart, shall not stand or loiter in front of any doorway, driveway or street intersection and shall not interfere with the general flow of traffic, whether pedestrian or vehicular.~~
- ~~iv) d. All Handheld Signs are exempt from the permitting requirements of Section 9.03~~

v) Twirler and/or curb-cut signs held or worn. Signs held or worn (including costumes) by a person for the purpose of advertising, providing information about, or promoting a business or other activity are permitted with the following limitations:

- i) Such signs shall be allowed in nonresidential zoning districts only.
- ii) Such signs cannot exceed a maximum sign area of ten (10) square feet.
- iii) Only one (1) such sign may be used for each parcel of land and/or tenant per multi-tenant center and may not be combined with any other temporary signage.
- iv) Signs shall not be held, displayed, or otherwise located on a public street or right-of-way except as otherwise permitted. Signs shall not obstruct pedestrian or vehicular visibility.
- v) Signs shall not be located within twenty-five (25) feet of another such sign.
- vi) Sign bearers shall not use bull horns, amplified music, whistles, or other devices that could disrupt traffic or endanger pedestrian or traffic safety.
- vii) Sign bearers shall not stand on any object, including but not limited to, boxes, ladders, stilts and roller skates.
- viii) Such signs may not utilize any form of illumination, including flashing, blinking or rotating lights.
- ix) Such signs shall not utilize any attachments, including, but not limited to, balloons, ribbons, speakers or flags.
- x) Such signs shall be held, worn, or balanced at all times and shall not twirl or rotate unless located on private property.

Sec. 9.15 – NONCONFORMING SIGNS

- 1) The city finds that nonconforming signs may adversely affect the public health, safety and welfare. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.

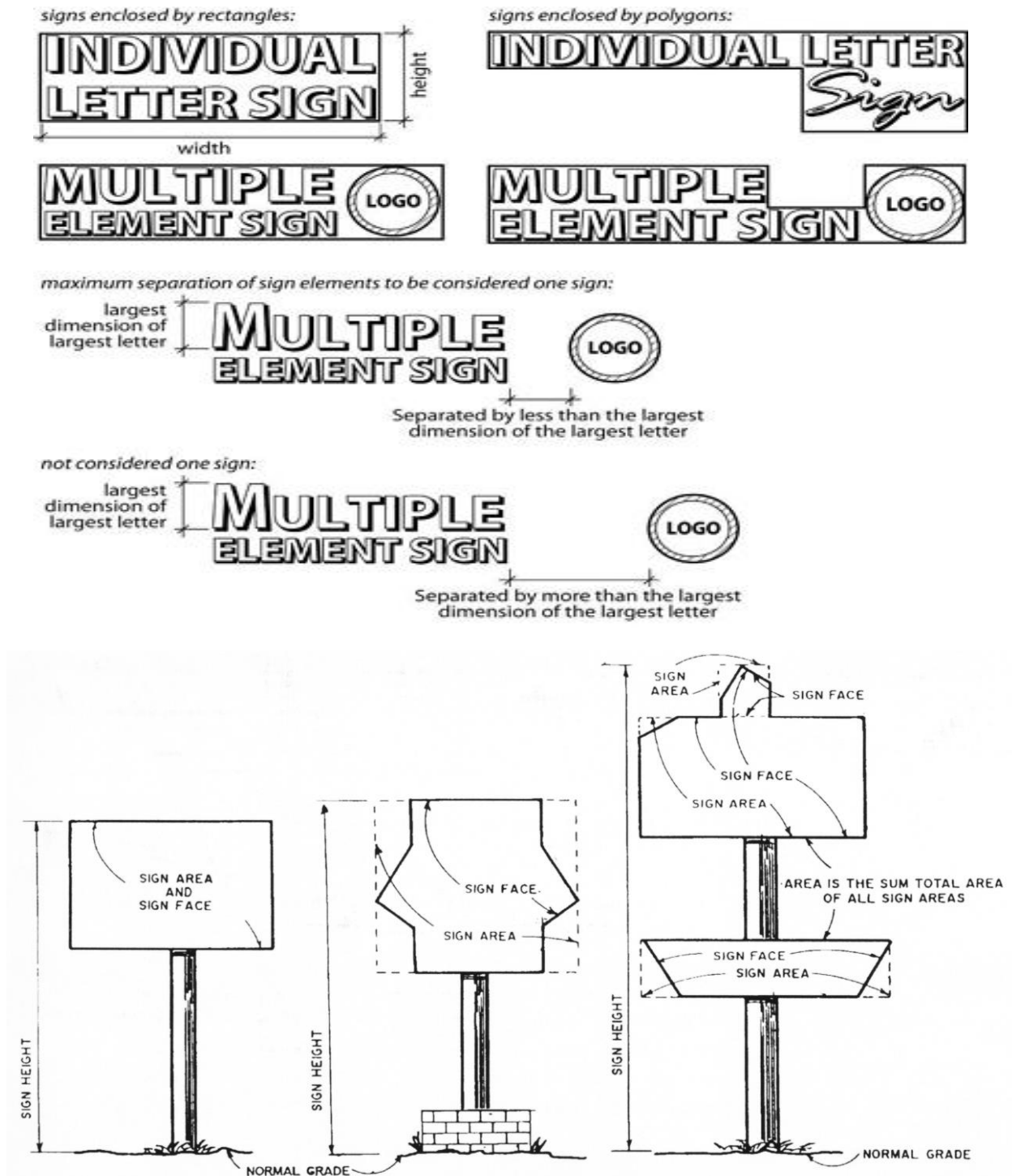
- 2) Any nonconforming sign that is not used or leased for a continuous period of six months shall not be reused for sign purposes unless and until it fully conforms with the terms and requirements of this chapter.
- 3) Illegal signs must be removed within thirty (30) days of notice from the city.
- 4) No structural repairs, or changes in shape, size or design, to any nonconforming sign shall be permitted except to make a nonconforming sign comply with all requirements of this chapter. Routine maintenance and changing of copy shall be permitted as long as such maintenance or changing of copy does not result in or change the shape, size, or design. Any change from a non-electronic format to an electronic format is considered a change in design and not permitted with respect to a nonconforming sign, unless the sign is brought fully into compliance with all requirements at the time of such change. Signs which are structurally unsound or present a hazard to persons or property must be removed within two days upon notification by the city.
- 5) A nonconforming sign structure may not be replaced by another nonconforming sign structure, except that a nonconforming sign may be rebuilt where the original sign structure has been damaged or destroyed by nature or an act of God. No such replacement structure may have a sign area or height greater than the original structure **in accordance with the guidelines articulated in 7.04(B)(3) of the Unified Development Code. The standard in Sec. 7.04(B)(3) is "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.9.16 – MEASUREMENT OF SIGN AREA AND HEIGHT

- 1) The area of a sign shall be computed as the area within the smallest continuous polygon comprised of not more than eight straight lines enclosing the limits of a sign face, together with any sign face cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. If polygons established around wall signs located on the same street oriented wall are within twenty-four (24) inches or less of one another, then the area of the sign shall be measured within one continuous polygon. For double-faced signs, the side of the sign with the largest sign area shall be used in computing the sign area.
- 2) The height of a sign shall be computed as the distance from the base of the sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is greater. Where the normal grade is

below the normal grade of a public street, the sign base can be raised to the elevation of the normal grade of the street before the height limitations are applied (surveyor's certificate required).

Figure 2: Area and Height Calculations

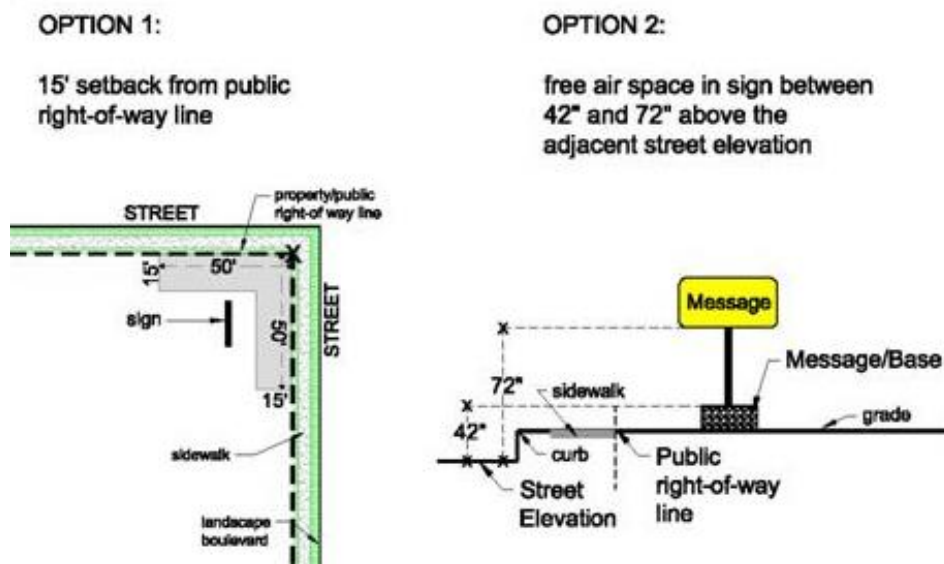


* Calculate area of smallest square, circle, rectangle or combination thereof, that can encompass the sign face.

Sec. 9.17 – HEIGHT AND SETBACK REQUIREMENTS

- 1) All signs shall be set back as follows, unless a more restrictive setback is specified in conditions of zoning or otherwise in this chapter:
 - a) Ten feet from the right-of-way or twenty (20) feet from edge of pavement if a private street and no sign shall project over the right-of-way.
 - b) In the Downtown Overlay District – Chapter IV, Sec.9.44-45, all permanently affixed signs shall be setback at minimum five feet from the right-of-way and outside of the required landscape and pedestrian zones.
 - c) For a residential use, if the distance between ~~between~~ **from** the right-of-way to the front of the principal structure is less than ten feet, signs shall be setback two-thirds of the distance between the curb line and the front of the principal structure on the lot on which the sign is located.
 - d) Along all lot lines which are not adjacent to a road all signs shall be within the buildable area of the lot. All signs shall be so located and shall provide such vertical clearance as to provide for safe, convenient and unobstructed passage for pedestrians and vehicles.
 - e) Banners, **and yard signs, real estate signs, and political signs smaller than six (6) square feet,** shall be exempt from the setback requirements, but shall not encroach upon the right-of-way.
 - f) Window signs are only allowed on the ground floor of a building.
 - g) Sign Visibility Triangle. No sign or sign structure above a height of three feet shall be maintained within fifteen (15) feet of the intersection of the right-of-way lines extended of two streets (option 1), or of a street intersection with a railroad right-of-way. However, a sign support structure not more than ten inches in diameter may be located within the required comer visibility area if all other requirements of this chapter are met and the lowest elevation of the sign surface is at least 72” above the adjacent street elevation, with a maximum distance of 42” from the street elevation to the top of the message base (option 2). See Figure 4 below.

Figure 4: Visibility Triangle and Sign Heights



Sec. 9.18 – PERMANENT SIGNS

- 1) General Provision. The signs specified in the permanent signs table (Table 9.1) are permitted to be erected or maintained upon any structure, building lot, plot, or parcel of land, subject to the standards listed in Table 9.1, the limitations of this Chapter, and the issuance of the appropriate permit, unless specifically required to obtain additional approval, with the exception of signs installed in the Downtown Overlay District, which are subject to regulations under Chapter IV, Sec. 9.44-45. If it is possible to define a sign using more than one of the definitions found in Sec. 9.02 – Definitions, and one of the corresponding sign types is referenced in Table 9.1, then the sign type that provides the most restrictive standard shall apply. In any instance where the provisions of Table 9.1 conflict with the textual provisions of this section, the textual provisions shall govern.
- 2) Setback. No sign shall encroach into the right-of-way of any public or private street and shall be located outside of the Sight Visibility Triangle per Section 9.17(1)(g) Sight Visibility Triangle. Entry signs placed in the right-of-way, such as in the median of a boulevard, shall be prohibited unless approved by the City Engineer. All signs other than subdivision entry signs and directional/incidental signs shall be set back at least ten (10) feet from all public right-of-way or by actual right-of-way width, whichever is greater. Subdivision entry signs and directional/incidental signs shall be set back at least two (2) feet from all public right-of-way or by the actual right-of-way width, whichever is greater.
- 3) Address Identification. On-site non-residential use identification signs shall contain an address plate identifying the property. Characters shall be a minimum of six (6) inches in height and shall be clearly visible from the public right-of-way day and night. Address plates shall not be calculated against the allowed sign area.
- 4) Illuminated Signs. In addition to standards in this Chapter, all illuminated signs, outside of the Downtown Overlay District, are subject to the following regulations:
 - a) No sign shall give off light that glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways.
 - b) Signs in non-residential districts or for non-residential uses may be internally or externally illuminated. Signs in residential districts or for residential uses, shall only be externally illuminated. Signs for non-residential uses may also be illuminated through the use of indirect lighting such as backlighting a reverse channel sign.
 - c) The light from an illuminated sign shall not be of an intensity or brightness or directed in a manner that will create a negative impact on residential properties in direct line of sight to the sign.
 - d) Lighted signs shall not be located within seventy-five (75) feet of a residential use.

- e) In agricultural districts, signs for residential and non-residential uses shall follow the respective illumination standards for each development type.
- 5) Landscaping. Landscaping, consisting of shrubs and perennial groundcover, shall be provided for ground-mounted freestanding signs, as indicated in Table 9.1, at a rate of two (2) square feet of landscaping per one (1) square foot of total sign area.
- a) All landscape materials shall be installed and maintained according to accepted nursery industry procedures.
- b) 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.
- c) All unhealthy or dead plant material shall be replaced within one (1) year, or by the next planting period, whichever comes first.
- d) 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.
- e) 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. The use of native or drought-tolerant plantings, and the application of stone, mulch or other water-conserving materials are encouraged.
- 6) Permanent Sign Table Zoning References (Table 9.1 – Chart of Dimensional Requirements)

Zoning Districts: New (and Old)	
AGR	AG (RD)
RES	R1, R2, SFA, MF1, MF2, PUD (R-20, R-14, RT, PD*)
COM	CBD, CMU, C1, C2, OMI, PUD (DT, NC, GC, HC, OI, PD*)
IND	I1, I2 (LI, GI)
(*)	In PUD zoned parcels, Residential Uses shall follow the RES regulations, and Commercial Uses shall follow the COM regulations.
NOTE: Zoning districts are subject to change – this ordinance was drafted the same time the zoning ordinance was being revised. References within this ordinance may include the current zoning districts as well as those from the new zoning ordinance. Interpretation is at the discretion of the Community Development Director. However, the requirement of this sign ordinance supersede the prior edition upon adoption.	

Table 9.01

Permanent Signs

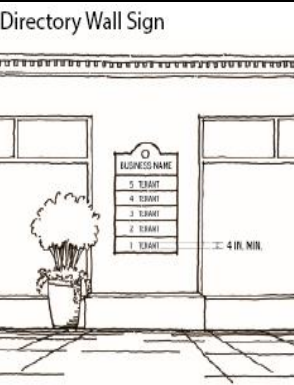
	AGR	IND	RES	COM	Specifications	
Awning 					a. Quantity (max.) 1 per Awning b. Sign Face Area 50% of Awning c. Height NA d. Depth/Projection 8 ft e. Clearance 8.5 ft f. Setback 9.21(6), 3 ft from edge of pavement or curb g. Time of Display NA h. Landscaping/Illumination NA/9.21(7) i. Electronic Message Center No j. Other 9.21	
Canopy 					a. Quantity (max.) 1 b. Sign Face Area 6 sf c. Height NA d. Depth/Projection NA e. Clearance 8.5 ft f. Setback NA g. Time of Display NA h. Landscaping/Illumination NA/Internal Only, 9.18(4) i. Electronic Message Center No j. Other NA	
Directory Wall Sign 					a. Quantity (max.) 2 b. Sign Face Area 8 sf c. Height NA d. Depth/Projection NA e. Clearance NA f. Setback NA g. Time of Display NA h. Landscaping/Illumination No/Yes, 9.18(4) i. Electronic Message Center No j. Other 4" Letters Minimum	
Wall, Single Tenant 					a. Quantity (max.) 1 Sign per Frontage b. Sign Face Area 2:1 Primary, 1:1 Secondary (Square Feet: Linear Feet) c. Height 9.29(1) d. Depth/Projection 12 inches from wall (max) e. Clearance NA f. Setback NA g. Time of Display NA h. Landscaping/Illumination No/Yes, 9.18(4), 9.29(1)(d) i. Electronic Message Center No j. Other 9.29(1)	

Table 9.01**Permanent Signs**

	AGR	IND	RES	COM	Specifications	
Wall, Multiple Tenant 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Electronic Message Center j. Other	1 per Tenant Frontage 9.29(2) 9.29(2) 12 inches from wall (max) NA NA NA No/Yes, 9.18(4) No 9.29(2)
Projecting 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Electronic Message Center j. Other	1 per Frontage 12 sf (primary frontage), 8 sf (secondary frontage) NA 4 ft 8.5 ft NA NA No/Yes, 9.18(4) No 9.27
Suspended 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Electronic Message Center j. Other	1 per Frontage 12 sf (primary frontage), 8 sf (secondary frontage) NA 4 ft 8.5 ft NA NA No/Yes, 9.18(4) No 9.27
Window 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Electronic Message Center j. Other	1 per Tenant Frontage 25% of window area NA NA NA NA NA NA No 9.32

Table 9.01

Permanent Signs

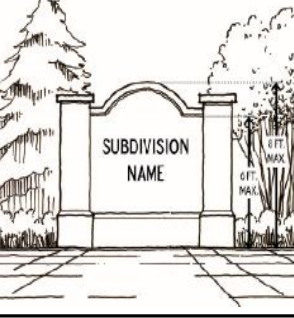
	AGR	IND	RES	COM	Specifications	
Time & Temperature (Digital) 					a. Quantity (max.) 1 b. Sign Face Area 9.39(3), Within allowable sign area c. Height 9.39(3) d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination NA/9.18(4) i. Electronic Message Center No j. Other Permitted on Monument and Wall Signs Only	
Monument, Directory 					a. Quantity (max.) 1 Sign per Frontage b. Sign Face Area 24 sf c. Height 6 ft d. Depth/Projection NA e. Clearance NA f. Setback 10 ft, 50 ft from residentially zoned properties g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/Yes, 9.18(4) i. Electronic Message Center No j. Other 9.23	
Monument, Agricultural 					a. Quantity (max.) 1 (Entrance Sign Only) b. Sign Face Area 32 sf c. Height 6 ft sign, 8 ft w/ decorative elements d. Depth/Projection NA e. Clearance NA f. Setback 10 sf g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/Yes, 9.18(4) i. Electronic Message Center No j. Other NA	
Monument, Subdivision Entry 					a. Quantity (max.) 1 Sign per Entrance b. Sign Face Area 32 sf c. Height 6 ft sign, 8 ft w/ decorative elements d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/External, 9.18(4) i. Electronic Message Center No j. Other NA	

Table 9.01**Permanent Signs**

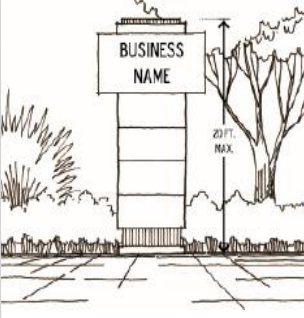
	AGR	IND	RES	COM	Specifications	
Monument, Commercial 					a. Quantity (max.) 1 Sign per Frontage b. Sign Face Area 50 sf (primary frontage), 24 sf (secondary frontage) c. Height 6 ft sign, 8 ft w/ decorative elements d. Depth/Projection NA e. Clearance NA f. Setback 10 ft, 50 ft from residentially zoned properties g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/Yes, 9.18(4) i. Electronic Message Center Yes j. Other 9.23, Multi-tenant allowed 25% more face area	
Monument, Institutional 					a. Quantity (max.) 1 b. Sign Face Area 50 sf c. Height 6 ft sign, 8 ft w/ decorative elements d. Depth/Projection NA e. Clearance NA f. Setback 10 ft, 50 ft from residentially zoned properties g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/Yes, 9.18(4) i. Electronic Message Center Yes j. Other 9.23, EMC regulated by 9.39	
Pylon, Single Tenant 					a. Quantity (max.) 1 (Nonpermissible in CBD and DMU) b. Sign Face Area 100 sf c. Height 20 ft d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination No/Yes, 9.18(4) i. Electronic Message Center Yes j. Other 9.25, 2 ft minimum width	
Pylon, Multiple Tenant 					a. Quantity (max.) 1 (Nonpermissible in CBD) b. Sign Face Area 150 sf c. Height 20 ft d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination No/Yes, 9.18(4) i. Electronic Message Center Yes j. Other 9.25, 2 ft minimum width	

Table 9.01**Permanent Signs**

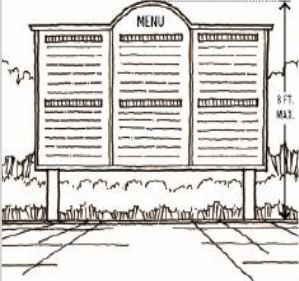
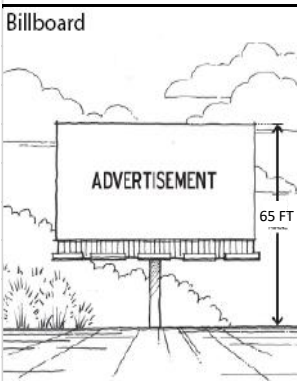
	AGR	IND	RES	COM	Specifications	
Menu Board 					a. Quantity (max.) 2 b. Sign Face Area 72 sf c. Height 8 ft d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/Yes, 9.18(4) i. Electronic Message Center Yes j. Other NA	
Service Station Canopy 					a. Quantity (max.) 1 per Frontage b. Sign Face Area 16 sf c. Height NA d. Depth/Projection NA e. Clearance NA f. Setback NA g. Time of Display NA h. Landscaping/Illumination No/Yes, 9.18(4) i. Electronic Message Center No j. Other 9.27	
Home Business 					a. Quantity (max.) 1 b. Sign Face Area 6 sf c. Height NA d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination NA/No i. Electronic Message Center No j. Other 9.24	
Post 					a. Quantity (max.) 1 per Frontage b. Sign Face Area 20 sf c. Height 5 ft d. Depth/Projection NA e. Clearance NA f. Setback 10 ft g. Time of Display NA h. Landscaping/Illumination Yes, 9.18(5)/No i. Electronic Message Center No j. Other NA	

Table 9.01**Permanent Signs**

	AGR	IND	RES	COM	Specifications	
Directional/Incidental 					a. Quantity (max.)	NA
					b. Sign Face Area	6 ft (logo plus text)
					c. Height	4 ft
					d. Depth/Projection	NA
					e. Clearance	NA
					f. Setback	2 ft
					g. Time of Display	NA
					h. Landscaping/Illumination	N/A, 9.18(4)
					i. Electronic Message Center	No
					j. Other	NA
Wayfinding 					a. Quantity (max.)	Planning Commission Approval, 9.30
					b. Sign Face Area	Planning Commission Approval, 9.30
					c. Height	Planning Commission Approval, 9.30
					d. Depth/Projection	NA
					e. Clearance	NA
					f. Setback	2 ft
					g. Time of Display	NA
					h. Landscaping/Illumination	Planning Commission Approval/No
					i. Electronic Message Center	No
					j. Other	9.3
Billboard 					a. Quantity (max.)	1 Sign with 2 Faces
					b. Sign Face Area	672 sf
					c. Height	65 ft
					d. Depth/Projection	NA
					e. Clearance	NA
					f. Setback	100 ft from Interstate ROW; 300 ft from Residential
					g. Time of Display	NA
					h. Landscaping/Illumination	No/Yes, 9.18(4)
					i. Electronic Message Center	No
					j. Other	9.38

Section 9.19 Master or Common Signage Plan

- 1) Purpose. The purpose of a master signage plan is to ensure that signage for multi-tenant properties is coordinated and consistent with the standards of this code.
- 2) Applicability. All applications for new construction or reconstruction of shopping centers, business and industrial parks and other multi-tenant developments shall be accompanied by a master signage or common signage plan or amendments thereto. The owner of the property shall be responsible for allocating sign area to tenants of the property. The plan shall be approved the Community Development Director or his designee.
- 3) Master Signage Plan Contents. Any site plan application for applicable development projects shall include a master signage plan, signed by the property owners or their authorized agents, that includes the following information:
 - a) Plot lot plan at scale;
 - b) Location of buildings, parking lots, driveways and landscaped areas;
 - c) Computation of the total frontage of the lot, parcel or tract and maximum total sign area, maximum area of individual signs, heights of signs, and number of pole/post signs;
 - d) Location and placement of all signs;
 - e) Setbacks and sign dimensions; and
 - f) Landscaping and other site improvements to be coordinated with the sign placement.
- 4) Sign Area Bonus for Master Signage Plans. The maximum total sign area allowed for a multi-tenant development may be increased by ten (10%) percent if the Master Signage Plan demonstrates the use of uniform wall signage, graphics, lettering, sizes, colors, materials, and placement. The plan may provide for design variations for colors and lettering that are part of a corporate logo or identification scheme. A single menu sign that incorporates and coordinates with these methods of signage shall be used rather than multiple signs for the property.

Section 9.20 – Special Sign Standards by Commercial Highway Corridor

- 1) Purpose. The purpose of this section is to allow for an increase sign height and signable area for mixed use, commercial and/or industrial developments along the described highway corridor. ~~These corridor standards shall supersede any regulations by zoning district except the Downtown Overlay.~~
- 2) Highway 61 Corridor. The location of the corridor shall be from the intersection of U.S. Highway 78 and S.R. 61 south to the city limits. A development must have road frontage along Highway 61 or frontage road to be considered in this corridor.
 - a) Height. ~~Monument~~ Pylon signs shall be no taller than twenty-five (25) feet in height and Monument Signs shall be no taller than fifteen (15) feet in height, measured from the level of the crown of the adjacent road to the highest point on the sign structure.
 - b) Setback. Signs shall be setback at least five (5) feet from any property line.
 - c) Signable Area:
 - i) Single developments – 100 square feet
 - ii) Multi-tenant developments with less than three (3) suites/units – 125 square feet
 - iii) Multi-tenant developments with more than three (3) suites/units – 200 square feet

- 3) Highway 78 Corridor. The location of the corridor shall be along Highway 78 in the City Limits of Villa Rica, excluding ~~the downtown overlay district~~ **properties zoned CMU or CBD**. A development must have road frontage along Highway 78 to be considered within this corridor.
 - a) Height. Monument signs shall be no taller than ten (10) feet in height, measured from the level of the crown of the adjacent road to the highest point on the sign structure.
 - b) Setback. Signs shall be setback at least five (5) feet from any property line.
 - c) Signable Area:
 - i) Single developments – 75 square feet
 - ii) Multi-tenant developments with less than three (3) suites/units – 100 square feet
 - iii) Multi-tenant developments with more than three (3) suites/units – 150 square feet
- 4) Mirror Lake Boulevard. The location of the corridor shall be along Mirror Lake Boulevard in the City Limits of Villa Rica, from the Hwy.78 overpass to Shoreline Parkway. A development must have road frontage along ~~Highway 61~~ **Mirror Lake Boulevard** to be considered within this corridor.
 - a) Height. Monument signs shall be no taller than ten (10) feet in height, measured from the level of the crown of the adjacent road to the highest point on the sign structure.
 - b) Setback. Signs shall be setback at least five (5) feet from any property line.
 - c) Signable Area:
 - iv) Single developments – 75 square feet
 - v) Multi-tenant developments with less than three (3) suites/units – 100 square feet
 - vi) Multi-tenant developments with more than three (3) suites/units – 150 square feet

Sec. 9.21 – AWNING SIGNS

- 1) Lettering, logos, symbols, and graphics are allowed on a shed (slope) portion of the awning and valance portion of the awning.
- 2) Signs shall be applied flat against the awning surface.
- 3) The sign area shall not exceed fifty (50) percent of the shed plus valance.
- 4) The lowest point of the awning shall not be closer than eight and one-half (8.5) feet above the adjacent grade.
- 5) Only permanent signs that are an integral part of the awning shall be allowed. Temporary signs shall not be placed on awnings.
- 6) The maximum projection of an awning shall not exceed eight (8) feet from the building facade nor be any closer to an imaginary perpendicular vertical plane located at the street edge of pavement, curb or outside edge of a sidewalk than three (3) feet.
- 7) In the DMU and CBD zoning district, awnings shall not be lighted from under the awning (backlit awning) so that the awning appears internally illuminated. External lighting directed downwards is allowed.

Sec. 9.22 – CANOPY SIGNS

- 1) Canopy signs shall be no less than eight (8) feet above the ground when erected over pedestrian walkways and fourteen (14) feet above areas of vehicle service access at the lowest extremity of the sign.

- 2) No canopy sign shall extend above the parapet wall.
- 3) The area of the canopy sign shall not exceed ten percent of the area of the canopy. For canopy signs located above flat canopies, the height shall not exceed two feet and the length shall not exceed fifty (50) percent of the length of the canopy.
- 4) The area of a canopy sign shall be deducted from the allowable area of a wall sign.
- 5) This section shall not apply to service station canopies otherwise regulated under Sec. 9.26.

Sec. 9.23 – MONUMENT SIGNS

- 1) Shall not exceed eight (8) feet in height. Within ~~DMU~~ CMU and ~~OMI~~ OMI zoning districts ground signs shall not exceed six (6) feet in height.
- 2) Shall be set back a minimum of ten (10) feet from a street right-of-way as designated in the Thoroughfare Plan or actual right-of-way, whichever is greater, and ten (10) feet from all side and rear property lines.
- 3) Shall be a minimum of one hundred (100) feet between freestanding signs on adjoining sites to ensure adequate visibility for all signs.
- 4) Shall be constructed of decorative brick, stone, or other masonry, wood or metal.

Sec. 9.24 – HOME BUSINESS SIGN

- 1) Home Businesses are eligible for a post sign of up to six (6) square feet in size. No other displays, signs, or advertisements associated with a Home Business shall be permitted. Home Occupations are not eligible for signage of any kind.

Sec. 9.25 – PYLON SIGN, SINGLE TENANT

- 1) Pylon signs are permitted by right on lots or parcels zoned ~~GC~~ C2 or I2, or with primary building frontage on Highway 61/101 from Highway 78 south to the City Limit, and on Mirror Lake Boulevard south of Shoreline Drive not zoned for a residential use, and by special exception on all other lots or parcels.
- 2) The height of all ground signs at their highest point above the level of the ground shall not exceed twenty (20) feet for nonresidential uses; however, when the ground level is lower than the level of the adjoining street pavement, then a sign may be raised so as to be no more than twenty (20) feet above the level of the pavement. The height of any directional sign shall not be more than three feet above the ground.
- 3) The base and support structure, when exposed, shall be no less than seventy-five (75) percent of the width of the message face of the sign.
- 4) Have a message area not to exceed one hundred (100) square feet.
- 5) Be set back in minimum of ten (10) feet from all public right-of-way or by actual right-of-way width, whichever is greater.
- 6) All ground signs in the ~~DMU, CBD, and OMI~~ CMU and OMI zoning districts shall be monument signs. Unless otherwise indicated during adoption of a PUD, ground signs shall follow the RES for residential uses, and COM standards for commercial uses.

Sec. 9.26 – PYLON SIGN, MULTIPLE TENANT

- 1) Pylon signs are permitted on lots or parcels zoned ~~GC~~ **C2** or I2, with primary building frontage on Highway-61 from Highway-78 south to the City Limit, and on Mirror Lake Boulevard not zoned for a residential use, and by special exception on all other lots or parcels. Structures and/ or centers under one ownership containing multiple businesses may be allowed one (1) monument or pylon sign for the structure or center for the joint use of all tenants for which the facility is designed, including any outparcels. These signs are permitted if the following criteria apply and are met:
 - a) Signs shall be allowed only for parcels with at least one-hundred fifty (150) feet of frontage adjoining a public street. In addition, pylon signs are only allowed when a building is set back from the right-of-way a minimum of seventy-five (75) feet.
 - b) The sign shall be setback a minimum of ten (10) feet from all public right-of way or by actual right-of-way width, whichever is greater.
 - c) The supporting structure of a pylon sign shall not include exposed metal pole(s), but shall be surrounded by a decorative cover that is architecturally compatible with the sign cabinet and the architectural character of buildings on the site.
 - d) The height of all ground signs at their highest point above the level of the ground shall not exceed twenty (20) feet for nonresidential uses; however, when the ground level is lower than the level of the adjoining street pavement, then a sign may be raised so as to be no more than ten feet above the level of the pavement. The height of any directional sign shall not be more than three feet above the ground.
 - e) There shall be a minimum of one hundred (100) feet between freestanding signs on adjoining sites to ensure adequate visibility for all signs.
 - f) Freestanding signs shall be a minimum of fifty (50) feet from a lot line of any residentially zoned or used property.
 - g) These signs shall not count towards the aggregate signage for an individual tenant.
 - h) Sign Area. Multi-tenant pylon and pole signs shall have a message area not to exceed one-hundred fifty (150) square feet.
 - i) All ground signs on parcels or lots zoned PUD, ~~DMU~~, or ~~CBD (Downtown Overlay District)~~ **CMU and OMI** shall be monument signs.
 - j) **For the purposes of this ordinance, out parcels in planned commercial centers shall be eligible for a separate pylon sign in accordance with the standards established in Table 9.01.**

Sec. 9.27 – PROJECTING AND SUSPENDING SIGNS

- 1) A maximum of one (1) sign per frontage on a public or private street shall be permitted per business.
- 2) Projecting signs shall be securely fastened to the building surface.
- 3) No projecting sign shall extend above the parapet wall.
- 4) No projecting or suspended sign shall, at its lowest point, be less than eight and one-half (8.5) feet above grade level.

- 5) Projecting and suspended sign area shall not exceed twelve (12) square feet for the primary frontage and eight (8) square feet for a secondary frontage.
- 6) Projecting signs shall extend no more than four (4) feet from the facade of the building. Proof of insurance may be required.
- 7) Projecting signs shall not project into an alley or parking area more than three (3) feet and shall not be less than fourteen (14) feet above the surface where vehicles are allowed.
- 8) Projecting signs shall not be closer than ten (10) feet to another projecting sign or to a freestanding sign or five (5) feet from an interior property line or line dividing two (2) separate business frontages.
- 9) Exterior walls that are horizontally inset or offset from other wall faces along the same side of a building shall only allow affixed sign structures which maintain a minimum distance of one-foot from the vertical side edges and the horizontal top edge of the wall face.

Sec. 9.28 – SERVICE STATION SIGNS

- 1) Monument Signs. See Section ~~9.24~~ 9.23.
- 2) Pylon Signs. See Section ~~9.23~~ 9.25.
- 3) Wall Signs. One (1) wall sign is permitted per building frontage.
 - a) The area of a wall sign shall not exceed one (1) square foot for each linear foot of building frontage.
 - b) Accessory car wash, if a separate drive-through car wash building is on site, one additional wall sign per street facing wall, not to exceed five square feet, may be permitted.
- 4) Service Station Canopy Signs.
 - a) Number. One (1) canopy sign per street frontage.
 - b) Area. The area of a canopy sign shall not exceed sixteen (16) square feet per frontage.
 - c) Additional Regulations. Canopy signs shall not extend beyond the gable or fascia board of the canopy.
 - d) Color branding shall be permitted and shall not count towards the aggregate sign total.
- 5) Within the limits of the canopy covering the pump islands, pump-island signs shall be limited to no more than two signs per island, not to exceed four square feet per sign. However, total square footage of all pump island signs shall not exceed 24 square feet.

Sec. 9.29 – WALL SIGNS

- 1) One (1) sign shall be permitted per building frontage on a public or private street.
 - a) Wall signs shall be securely fastened to the building surface.
 - b) Shall not extend above an eave or parapet, or above or below a fascia on which they are located. Sign length shall not exceed eighty percent (80%) of the length of the fascia.
 - c) Shall not project more than twelve (12) inches from the wall.
 - d) May be either internally or externally illuminated in all districts with the exception of the CBD and RD zoning district or unless as otherwise noted in this Ordinance. Signs in the CBD and RD districts may be externally illuminated, or halo-lit provided that the sign surface is not opaque and the lighting element is concealed.

- e) Shall be a maximum area of two (2) square feet per one (1) linear foot of the primary tenant frontage and signs for secondary frontages shall be calculated at a rate of one (1) square foot per one (1) linear foot of the tenant façade, not to exceed three-hundred (300) sf per sign, except under Sec.9.18. In the DMU zoning district or the CBD zoning district, sign area shall be based on one and one-half (1½) square feet per one (1) linear foot. Sign area shall be subject to aggregate sign area per lot/parcel as specified in Table 9.1: Permanent Signs.
- 2) For multi-store and upper-floor uses, if the upper-floors of any structure are occupied by a use that is separate and distinct from any that is located on the ground floor, that use shall be permitted a wall sign. The upper wall sign:
 - a) shall not exceed one (1) square foot of sign area for every one (1) linear foot of tenant frontage, with a maximum square footage of fifty (50) square feet.
 - b) shall be located on the structure between the eaves, cornices, or other roof elements and the top of windows on the uppermost floor.
 - i. Exterior walls that are horizontally inset or offset from other wall faces along the same side of a building shall only allow affixed sign structures which maintain a minimum distance of one-foot from the vertical side edges and the horizontal top edge of the wall face.

Sec. 9.30 – WAYFINDING SIGNS

- 1) Non-illuminated signs displayed strictly for direction, safety or convenience of the public including signs which identify rest room, parks, parking area entrances, shopping/entertainment districts shall be permitted upon presentation to, and approval of, the Planning Commission.
- 2) Wayfinding signs shall not be affixed or otherwise attached to trees, traffic signals, benches, street signs, or fencing, and shall be subject to the following regulations:
 - a) Signs must allow for a minimum five-foot-wide clear pedestrian pathway to and from all building entrances and exits.
 - i. Wayfinding Signs for courtyard entries shall be limited to one sign for all businesses located within the courtyard, utilizing the same common entry. Signs shall be located within ten feet of the courtyard entrance.
 - ii. Wayfinding signs shall be a maximum of sixteen (16) square feet in area and ten feet in height.
 - iii. Wayfinding signs shall have a compatible design, be constructed of durable materials with a substantial base and landscape plantings, and colors that complement the existing allowable signage for the center subject to the approval of the director or his designee.
 - iv. Signs shall not be internally illuminated.

Sec. 9.31 – STANDARD INFORMATIONAL SIGNS

- 1) One sign per lot not to exceed sixteen (16) square feet in area, or up to four signs not to exceed an aggregate sign area of sixteen (16) square feet.
- 2) All standard informational signs shall be erected to a height not greater than six feet above ground level.

Sec. 9.32 – WINDOW SIGNS

- 1) Window signs shall not exceed twenty-five percent (25%) of the window area. For the purpose of this requirement, a window is any glazed area, including glass curtain walls.
- 2) Signs shall be allowed only on windows located on the ground floor and second story of either a designated primary or secondary building frontage.

Sec. 9.33 – SIDEWALK SIGNS

- 1) Sign composition material: Wood or metal (dry erase or chalk board style).
- 2) Placement: Must be situated to allow for clear passage with a minimum accessible sidewalk width of thirty-six (36) inches and compliance with the Americans with Disabilities Act.
- 3) Number of signs allowed: One per establishment.
- 4) Maximum height: Three feet.
- 5) Sign area: No larger than six (6) square feet.
- 6) Sign placement per establishment shall not be placed beyond the exterior wall façade per tenant space.
- 7) All sidewalk signs shall be removed daily upon cessation of business hours and shall be stored indoors.
- 8) No sidewalk signs shall be lit, contain neon, or contain plastic construction or embellishment.
- 9) Evidence of neglect or dilapidation of any sidewalk sign shall provide cause for immediate removal.
- 10) Sidewalk signs shall not require a sign permit or authorization sticker affixed to the subject sign.

Sec. 9.34 - FLAGS

- 1) All flags greater than two square feet shall be displayed on flagpoles, which may be vertical or mast arm flagpoles. In nonresidential districts, flagpoles shall not exceed the height allowed in the applicable zoning district, or sixty (60) feet, whichever is less. Flagpoles in single family residential districts shall not exceed twenty-five (25) feet in height or the height of the primary structure on the lot, whichever is less.
- 2) The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed twenty (20) percent of the vertical height of the flagpole. In addition, flags are subject to the following limitations:
 - a) Each lot shall be allowed a maximum of two flagpoles.
 - b) A maximum of two flags shall be allowed per flagpole.
 - c) A vertical flagpole must be set back from all property boundaries a distance which is at least equal to the height of the flagpole.
 - d) Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.
- 3) On officially designated city, state, or federal holidays, there shall be no maximum flag size or number or other limitations on display.

- 4) This section shall not be construed to restrict the right to display eligible flags as banners or noncommercial signage as provided elsewhere in this chapter.
- 5) Public facilities, not limited to City-owned property and buildings, public schools, libraries, public safety, and other public facilities on the local, county, state, or federal level, shall be exempt from the requirements of this section.

Sec. 9.35 - BANNERS

- 1) Each banner shall not exceed twenty-four (24) square feet in size and no banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than eight feet above grade when on the ground;
- 2) Each banner must be individually attached to poles, mast arms, or other structures;
- 3) No more than one banner shall be displayed per street frontage;
- 4) Banners shall be allowed for a period not exceeding fourteen (14) days with no more than three such 14-day periods being permitted per calendar year per business;
- 5) Each residential use may display one banner not exceeding twenty-four (24) square feet, without receiving a permit. No banner shall be displayed longer than 14 days. However, this 14-day period shall begin on the date when a notice is provided by the city in response to a complaint filed with the city or observed by code enforcement;
- 6) Subsection 4) of this section shall not apply to private schools and places of worship located in residential zoning districts. For the identified land uses, banners shall be allowed for a period not exceeding twenty (20) days with no more than eight such 20-day periods permitted per calendar year per lot; and
- 7) All banners must be maintained in good condition as provided for flags in section ~~9.32~~ 9.34.
- 8) Banners sanctioning an activity or event sponsored by a government or quasi-governmental entity, not limited to city, county, state, school system, or other government authorities, shall be exempt from the requirements of this section.

Sec. 9.36 – OUT-OF-STORE MARKETING DEVICE

- 1) Out-of-store marketing devices shall be allowed for nonresidential uses.
- 2) The marketing device shall not exceed eight feet in height and shall not be illuminated except for illumination intrinsic to the device.
- 3) The marketing device shall be located on a property with an existing principal use.
- 4) The marketing device shall not be located within the minimum setback, landscape areas, or transitional buffers.
- 5) If located within a parking lot, the marketing device shall not reduce the number of parking spaces beyond the minimum required within the zoning district for the subject property.

Sec. 9.37 – CONSTRUCTION SIGNS

- 1) The following regulations apply to construction signs:
- 2) One additional sign shall be allowed during construction on all zoning districts;

- 3) The sign shall not be illuminated, not exceed 16 square feet in area and six feet in height above ground level; and
- 4) The sign shall be allowed beginning with the commencement of construction and ending with the issuance of a certificate of occupancy or installation of a permanent sign, whichever occurs first.

Sec. 9.38 – BILLBOARD SIGNS

- 1) Billboards
 - a) The regulation and design of all billboard signs shall be governed by this section, subject to the following standards:
 - b) Billboard signs are permitted on any property having frontage on an interstate and located in any of the following zoning districts: GC and I2.
 - c) A billboard sign shall not be located more than one-hundred (100) feet from an interstate right-of-way.
 - d) In addition to the other information required in Article 9, Chapter II, a permit issued by the state department of transportation authorizing the installation of the proposed billboard sign shall be submitted to the director simultaneously with the application for a permit to erect said sign.
 - e) No billboard sign shall be located within three-hundred (300) feet of a residentially zoned property as measured from the outermost edge of the sign to the closest point of the residential property.
 - f) A billboard sign shall meet the setback standards of the zoning district, provided the structure setback from any interstate right-of-way shall be a minimum of twenty-five (25) feet.
 - g) No billboard sign shall exceed a height of sixty-five (65) feet as measured from the ground to the top of the sign.
 - h) A billboard sign shall have a maximum width of forty-eight (48) feet and a maximum sign face area of six-hundred seventy-two (672) square feet.
 - i) No billboard sign shall be located within five-hundred (500) linear feet of any other billboard sign on the same side of the street, road or highway, including any such sign located outside of the city limits, as measured along the right-of-way.
 - ~~j) The sign area of a billboard sign located adjacent to an interstate right-of-way shall not be used in calculating "aggregate sign area."~~
- 2) Tri-Vision or Multiple Message Billboard Signs
 - a) In addition to the regulations outlined in Sec. ~~9.36~~ 9.38, Tri-Vision, or multiple message billboard signs shall not be located within five-hundred (500) feet of the nearest residentially zoned property, park, playground, recreation area, scenic area or cemetery, as measured from the outermost edge of such sign to the closest point of the above-referenced property line.
 - b) When a message is changed mechanically, the transition shall be accomplished in three seconds or less.

- c) No multiple message billboard sign shall be placed within five-thousand (5,000) feet of another multiple message billboard sign on the same side of the street, road, or highway.
- 3) LED/Digital Billboard Signs
- a) As light-emitting diode (LED) billboard signs, also known as digital billboards, present a different set of circumstances regarding their impact on the community, such signs shall be governed by the following additional standards:
 - i. Digital billboards shall be limited to parcels fronting on interstate highways only, and shall be positioned for viewing from such interstate highways.
 - ii. No digital billboard shall be located within five-hundred (500) feet of another billboard on the same side of the interstate highway. Billboard signs located outside the city limits shall be included in determining this distance.
 - iii. No digital billboard shall be located within five-thousand (5,000) feet of another multiple message billboard, including any other digital billboard, on the same side of the highway. Billboard signs located outside the city limits shall be included in determining this distance.
 - iv. Digital billboards shall not be located within five-hundred (500) feet of the nearest residentially zoned property, park, playground, recreation area, scenic area or cemetery, as measured from the outermost edge of the sign to the closest point of the above-referenced property line.
 - v. All digital billboard images must remain stationary and not contain any visible moving parts, alternating, "crawling" or other moving messages or have the appearance of having moving parts or messages.
 - vi. The display, background or other message medium on a digital billboard shall not change more often than once every ten seconds, with a transition period of one second or less.
 - vii. No digital billboard shall be placed within five-thousand (5,000) feet of another digital billboard on the same side of the street, road, or highway.
 - viii. A digital billboard shall contain a default design that will freeze the sign in one position should a malfunction occurs.
 - ix. Any maximum size limitations shall apply to the side of the multiple message sign with the greater area.
 - ~~x. The owner of a digital billboard shall arrange for an annual certification of the foot-candle intensity measured in foot-candles by an independent contractor showing compliance and provide such certification to the code enforcement officer.~~
 - xi. All digital billboards shall have installed an ambient light monitor that will continuously monitor and automatically adjust the brightness of the display based on ambient light conditions. Maximum brightness levels for digital billboards shall not exceed three-tenths foot-candles over ambient light levels measured as prescribed in a "Recommended Night-time Brightness Levels for On-Premise Electronic Message Centers (EMC's)" published by the International Sign Association, August 2016. Certification that the sign has been preset to automatically adjust the brightness to this

level or lower must be provided to the ~~code enforcement officer~~ **Director of Community Development upon request.**

- xii. Digital billboards shall meet the same installation and permitting requirements and inspections as adopted for electrified signs and all other signs.
- xiii. The owner or permittee of a digital billboard shall coordinate with the city in displaying, when appropriate, emergency information important to the travelling public including, but not limited to, Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues such information.
- xiv. The owner of a digital billboard shall provide contact information to the code enforcement officer for an individual who is available at any time and who is capable of turning off said sign promptly following a malfunction.
- xv. At any time more than five percent of the LED display lights on a digital billboard malfunction or are no longer working, the owner or billboard permittee shall repair said sign within sixty (60) calendar days or the sign will be subject to removal.
- xvi. In the event the ~~code enforcement officer~~ **director or other enforcement official** finds that a digital billboard causes glare, impairs the vision of a motorist, or otherwise poses a traffic safety hazard to motorists or pedestrians, the owner of said sign shall reduce the intensity of lighting on such sign to a level acceptable to the city within twenty-four (24) hours of receipt of written notice by the ~~code enforcement officer~~ **Director of Community Development or designee.**
- xvii. Each digital billboard must comply with all state department of transportation rules and regulations applicable to electronic changeable message signs where not in conflict with this section.

Sec. 9.39 – ELECTRONIC SIGNS

- 1) Electronic signs shall be allowed as part of a lawfully permitted sign only in GC and I2 zoning districts, but only if the electronic sign complies with all of the following requirements:
 - a) No message may be displayed for less than six seconds;
 - b) No message may be repeated at intervals less than three seconds;
 - c) No segmented message may last longer than ten seconds;
 - d) No traveling message may travel at a rate slower than 16 light columns per second or faster than thirty-two (32) light columns per second;
 - e) Electronic signs shall not exceed a maximum illumination of six-thousand three-hundred (6,300) nits during the daylight hours and a maximum illumination of five-hundred (500) nits between dusk to dawn, as measured from the sign's face at maximum brightness; and
 - f) The electronic sign shall be limited to twenty-five (25) percent of the sign area of the lawfully permitted sign.
- 2) One electronic sign as part of a lawfully permitted sign shall be allowed for places of worship or for public or private elementary, middle, or high schools, and for other institutional uses so long as the electronic sign complies with all of the following requirements:

- a) Electronic ground signs shall be limited to a maximum height of fifteen (15) feet, and sign copy area shall be limited to one-hundred (100) square feet;
 - b) Electronic signs may only be located along a major or minor thoroughfare;
 - c) Electronic signs shall not exceed a maximum illumination of six-thousand three-hundred (6,300) during the daylight hours and a maximum illumination of five-hundred (500) nits between dusk to dawn, as measured from the sign's face at maximum brightness;
 - d) Electronic signs shall contain a default of an electronic freeze and a black screen in the event of a sign malfunction; and
 - e) The electronic message portion of the sign shall be limited to twenty-five (25) percent of the one hundred (100) square foot sign area of the lawfully permitted sign.
 - i. No electronic sign shall be illuminated by blinking, scrolling, intermittent, or flashing lights simulating movement.
 - ii. ~~The owner of any electronic sign or the holder of a sign permit for an electronic sign shall be required to submit annual certification to the director by an electrical engineer licensed in the state that the lighting on the electronic sign meets the standards in effect. The annual certification must be submitted to the director no later than January 31 for each year.~~
- 3) Time and Temperature Display (Digital) Signs
- a) Time and temperature displays shall be included within the allowable sign area of permitted monument and wall signs.

Sec. 9.40 – TEMPORARY SIGNS

- 1) General Provisions. Temporary signs are allowed in addition to the number of permanent signs allowed for the property. However, combinations of permanent and temporary window signs shall not cover more than twenty-five percent (25%) of any window. In the case of an inconsistency between regulations provided in the sign table and regulations provided for general or specific sign types, the general regulations or regulations for specific sign types shall take precedence.
- 2) Illumination. The sign may not be illuminated.
- 3) Setback. The sign shall be placed a minimum of ten (10) feet from any public right-of-way and any other property line.
- 4) Temporary Sign Table Zoning References (Table 9.2 – Chart of Dimensional Requirements)

Zoning Districts: New (and Old)	
AGR	AG (RD)
RES	R1, R2, SFA, MF1, MF2, PUD (R-20, R-14, RT, PD*)
COM	CBD, CMU, C1, C2, OMI, PUD (DT, NC, GC, HC, OI, PD*)
IND	I1, I2 (LI, GI)
(*)	In PUD zoned parcels, Residential Uses shall follow the RES regulations, and Commercial Uses shall follow the COM regulations.

Table 9.02**Temporary Signs**

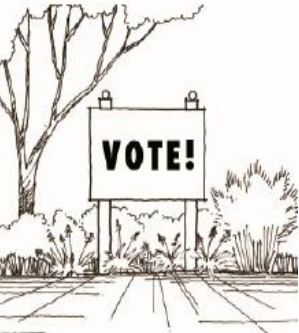
	AGR	IND	RES	COM	Specifications	
Ornamental, Seasonal, Special Event Banners 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Permit j. Other	1 24 sf NA NA NA 10 ft 14 consecutive days, twice per year, 9.41(5)(c) NA/No No 9.41(5)
Political Signs 	X		X		a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Permit j. Other	1 per Frontage 32 sf 5 ft NA NA 10 ft NA NA/No Not Required NA <i>Applies to Commercial and Industrial Properties, not Residential and Agricultural; see Sec. 9.41(11).</i>
Real Estate 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Permit j. Other	2 16 sf residential. 32sf commercial/industrial NA NA NA 10 ft Removed 7 days after Sale/Rent/Lease, 9.41(6) NA/No Not Required 9.41(6)
S/TFR Subdivision Project 					a. Quantity (max.) b. Sign Face Area c. Height d. Depth/Projection e. Clearance f. Setback g. Time of Display h. Landscaping/Illumination i. Permit j. Other	1 per Frontage 32 sf NA NA NA 10 ft 9.41(7)(d) NA/No Required 9.41(7)

Table 9.02**Temporary Signs**

	AGR	IND	RES	COM	Specifications	
Temporary Signs Displaying Non-Commercial Speech 					a. Quantity (max.)	9.41(8)(c)
					b. Sign Face Area	6 sf
					c. Height	NA
					d. Depth/Projection	NA
					e. Clearance	NA
					f. Setback	10 ft
					g. Time of Display	45 days, 9.41(8)(c)
					h. Landscaping/Illumination	NA/No
					i. Permit	Not Required
					j. Other	9.41(8)
Window Signs, Temporary 					a. Quantity (max.)	1 per Window
					b. Sign Face Area	40% of window
					c. Height	NA
					d. Depth/Projection	NA
					e. Clearance	NA
					f. Setback	NA
					g. Time of Display	9.41(9)(c)
					h. Landscaping/Illumination	NA/No
					i. Permit	Not Required
					j. Other	9.41(9)
Yard Sale 					a. Quantity (max.)	2
					b. Sign Face Area	6 sf
					c. Height	3 ft
					d. Depth/Projection	NA
					e. Clearance	NA
					f. Setback	10 ft
					g. Time of Display	3 days prior; removed 1 day after event, 9.41(10)
					h. Landscaping/Illumination	NA/No
					i. Permit	Not Required
					j. Other	9.41(10)

Sec. 9.41 – TEMPORARY SIGN STANDARDS (SUPPLEMENT TO TABLE 9.2)

In no instance shall this provision be interpreted as temporarily or permanently permitting any sign prohibited by Section 9.13 Prohibited Signs of this Chapter. The following types of signs are permitted as temporary signs and may require a sign permit.

- 1) Banners. One (1) banner shall be permitted per business that meets the following provisions:
 - a) Banners shall not exceed twenty-four (24) square feet in area and shall be limited to thirty (30) days total per one-year (365-day) period.
 - b) The banner shall be affixed by all four (4) corners to the building (excluding the roof) where the use associated with the banner is located.
 - c) Banners shall be associated with non-residential uses only.
 - d) To ensure compliance with the regulations contained in this Chapter, a sign permit shall be required in order to erect, move, alter, change copy on, or reconstruct any banner.
- 2) Construction Signs. Construction signs shall be permitted on construction sites, provided that they meet the following provisions:
 - a) Construction signs shall not exceed more than two (2) per ~~property~~ **Planned Unit Development or residential subdivision**, and shall not exceed thirty-two (32) square feet per sign in all zoning districts.
 - b) Construction signs shall be removed when a Certificate of Occupancy is obtained.
 - c) To ensure compliance with the regulations contained in this chapter, a sign permit shall be required in order to erect, move, alter, change copy on, or reconstruct any development construction sign.
- 3) Inflatable Objects. Inflatable objects shall be permitted, provided that they meet the following provisions:
 - a) Inflatable objects shall not exceed more than one (1) per property or business use (whichever is greater) at any time.
 - b) No single inflatable object shall exceed ten (10) feet in height.
 - c) No property or business use (whichever is greater) shall make use of any inflatable ~~sign~~ **objects** or signs more than seven (7) consecutive days two (2) times per calendar year.
 - d) Inflatable objects shall be associated with non-residential uses only.
 - e) To ensure compliance with the regulations contained in this Chapter, a sign permit shall be required in order to erect, move, alter, change copy on, or reconstruct any inflatable object.
- 4) Model Home/Temporary Sales Facility Signs.
 - a) Wall, awning, or ground signs shall be permitted on the lot of the sales facility and limited to an aggregate square footage not exceeding thirty-two (32) square feet of sign area.
 - b) Individual model homes may have one (1) sign not to exceed four (4) square feet.
 - c) Signs shall be placed in a manner consistent with Sec. 9.17(1)(g) – Sign Visibility.
 - d) Model home/temporary sales facility signs require a sign permit.
- 5) Ornamental, Seasonal, or Special Event Banners.
 - a) Ornamental, seasonal, or special event banners do not require a sign permit.
 - b) Signs that are installed by local governments and mounted to light standards or placed on public property shall be permitted.

- c) Non-residential special event signs, such as grand opening, fair, carnival, circus, festival, or similar event signs shall be permitted on the lot where the special event is to occur. These signs shall be permitted for no more than fourteen (14) consecutive days, no more than twice (2) per year.
- 6) Real Estate Signs. Real estate signs shall be permitted, provided they meet the following provisions:
 - a) Real estate signs do not require a sign permit.
 - b) Real estate signs shall not exceed more than two (2) per property, and shall not exceed a sign area of sixteen (16) square feet per sign in single-family residential zoning districts and thirty-two (32) square feet per sign in all other zoning districts.
 - c) Real estate signs associated with commercial or individual home sales shall be removed within seven (7) days from the time the premises is sold, rented, or leased.
 - d) Real estate signs associated with residential subdivision sales shall be removed when fifty percent (50%) of the planned subdivision has been occupied.
 - e) An extension of four (4) months may be approved at the discretion of the Community Development Director.
- 7) Single or Two Family Dwelling Subdivision or Multi-Family Dwelling Project Signs. One (1) Project Sign, which may include the name of the subdivision or project, owner, developer, engineer, homebuilder, lender, or other professional involved in the design and construction of the subdivision or project, shall be permitted per single or two family dwelling subdivision or multi-family dwelling project on each exterior street frontage after the issuance of Preliminary Plat approval for a single or two family dwelling subdivision or for a multi-family dwelling project, provided that such sign:
 - a) Shall not be illuminated;
 - b) Shall maintain a minimum setback of ten (10) feet from the proposed right-of way and shall be outside of any required sight triangle;
 - c) Shall not exceed thirty-two (32) square feet in sign surface area;
 - d) Shall be removed not later than ten (10) days after having sold or leased eighty percent (80%) of the single, two family lots or multi-family development; and,
 - e) To ensure compliance with the regulations contained in this chapter, a sign permit shall be required in order to erect, move, alter, change copy on, or reconstruct any construction sign.
- 8) Temporary signs displaying non-commercial speech in residential zoning districts.
 - a) Temporary signs displaying non-commercial speech in residential zoning districts do not require a sign permit.
 - b) Temporary signs displaying non-commercial speech shall be no more than six (6) square feet in area.
 - c) One (1) temporary sign displaying non-commercial speech may be displayed per residential property for a maximum period of forty-five (45) calendar days.
- 9) Window Signs.
 - a) Window signs do not require a sign permit.

- b) Signs and decorations painted on or applied to windows pertaining to holidays and seasonal events where the signs contain no reference to the goods or services sold or provided by the establishment, and that are less than forty percent (40%) of the window area, shall be permitted.
- c) All signs and/or decorations shall be removed within ten (10) days following the applicable holiday.

10) Garage Sale/Yard Sale Signs.

- a) Garage sale/yard sale signs shall be no more than six (6) square feet in surface area and shall be no higher than three (3) feet above adjacent grade.
- b) Garage sale/yard sale signs may be erected no more than three (3) days prior to the event and shall be removed within one (1) day after the event.
- c) Garage sale/yard sale signs do not require a sign permit.

11) Sidewalk, A-frame or easel style signs. **(Moved from Sec. 9.11)**

- a) Sign composition material: Wood or metal (dry erase or chalk board style);
- b) Setback from right-of-way: Must be situated to allow for clear passage with a minimum accessible sidewalk width of thirty-six (36) inches and compliance with the Americans with Disabilities Act;
- c) In conjunction to a business establishment authorized on the subject lot; and
- d) Number of signs allowed: One per establishment;
- e) Maximum height: Three feet;
- f) Sign area: No larger than six square feet;
- g) All sidewalk signs shall be removed daily upon cessation of business hours and shall be stored indoors;
- h) No sidewalk signs shall be lit, contain neon, or contain plastic construction or embellishment;
- i) Evidence of neglect or dilapidation of any sidewalk sign shall provide cause for immediate removal; and
- j) Sidewalk signs shall not require a sign permit or authorization sticker affixed to the subject sign.

12) Political and Campaign Signs.

- 1) Political and campaign signs advertising on behalf of candidates for public offices or issues of referendum may be allowed as temporary signs without permits, provided that the signs are subject to the following:
 - a) Such signs shall be removed within five days following the election. If the signs are not removed within the time period, the building official shall have the authority to remove the signs and dispose of them as litter.
 - b) Only one stationary sign per candidate or referendum issue shall be allowed on any one parcel of land. However, if there is more than one tenant upon any parcel, each tenant shall be permitted one sign per candidate or per issue.
 - c) No political or campaign sign shall exceed 16 square feet in aggregate area on parcels in commercial, industrial, or institutional zoning districts or eight square feet on parcels in residential zoning districts. If such sign is detached, it shall not be erected in such a

manner as to constitute a roof sign. Notwithstanding the restrictions of this subsection, a sign may be placed upon any legally existing sign structure but not so as to cover an existing sign.

- d) Political or campaign signs may be allowed in a public or private right-of-way but shall be located no closer than 7 ½ feet from the pavement of a public or private street or five feet from the edge of a sidewalk, bike path, or pedestrian way.
- e) No political or campaign sign shall be:
 - i) Located such that it obstructs, impedes, or otherwise creates a hazardous condition for safe and normal flow of pedestrian or motor vehicle traffic.
 - ii) Erected on private property without the consent of the property owner.
 - iii) Placed on any tree, utility pole, or fences.
 - iv) Placed on government-owned property such as a park.
- f) The building official shall have the authority to remove immediately any political or campaign sign, including any sign concerning a referendum issue, found to be located or erected in violation of this section. In such case the removed sign shall be held by the City for a period not to exceed five days following the date of the election for which such sign was posted. Any signs remaining unclaimed following the expiration of the five-day period shall be destroyed or disposed of by the City.
- g) Political signs shall be removed within three days after any election or campaign to which such sign pertains; however, a sign may remain through any secondary primary or runoff election as to any candidate who is subject to such election. *A deposit in an amount on file in the City Clerk's office shall be required for each candidate or political cause being advertised by signs. The candidate or manager of advertising for each political cause shall deposit such sum with the City Clerk before posting any sign, which sum shall be used to pay the cost of removal of such signs by City employees if they are not removed in the proper time limit.*

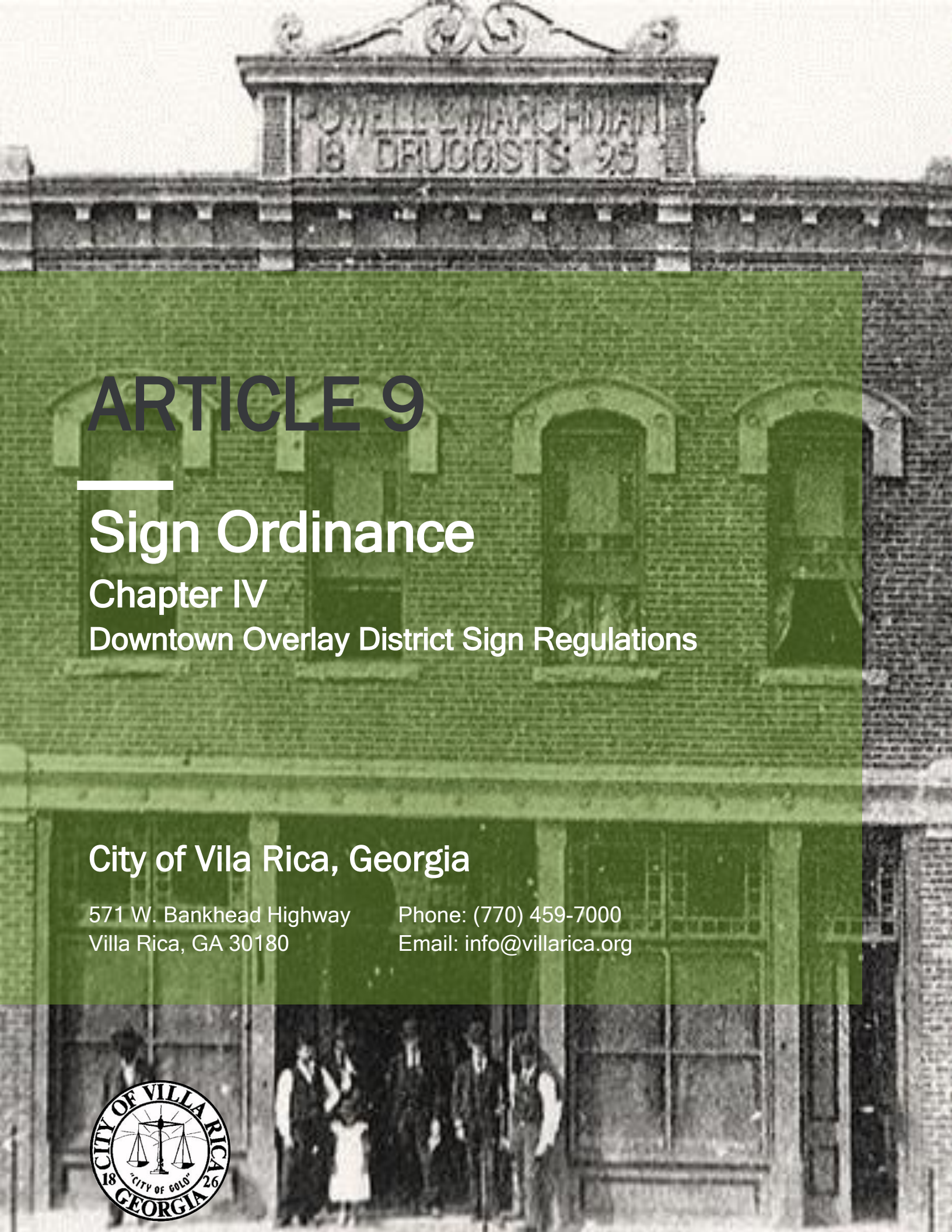
Sec. 9.42 – CONVERSION TO A PERMANENT SIGN

- 1) No sign manufactured, designed, and otherwise intended for use as a temporary sign shall be used as a permanent sign.

Sec. 9.43 – ENFORCEMENT

- 1) The enforcement of violations of the provisions of this Chapter shall be controlled by Chapter II: Administration and Enforcement.

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ARTICLE 9

Sign Ordinance

Chapter IV

Downtown Overlay District Sign Regulations

City of Villa Rica, Georgia

571 W. Bankhead Highway
Villa Rica, GA 30180

Phone: (770) 459-7000
Email: info@villarica.org



City of Villa Rica, Georgia

Mission Statement

The City of Villa Rica provides a home town charm with a golden history serving its citizens effectively by ensuring quality services and a safe environment.

Vision Statement

Villa Rica will be a thriving city focusing on quality of life and planned growth by blending its past and future.

Sign Ordinance – Intent

This Article is intended to regulate the location, erection, maintenance and use of signs in all land use districts, regardless of type or size, and to insure that no sign shall constitute a safety hazard.

The intent of this Article is to create a balanced system of sign control that accommodates both the needs for a well-maintained, safe and attractive community, and the need for effective business advertising, identification, and communication. This balance will assist in promoting the economic health of the community through increase tourism and property values.

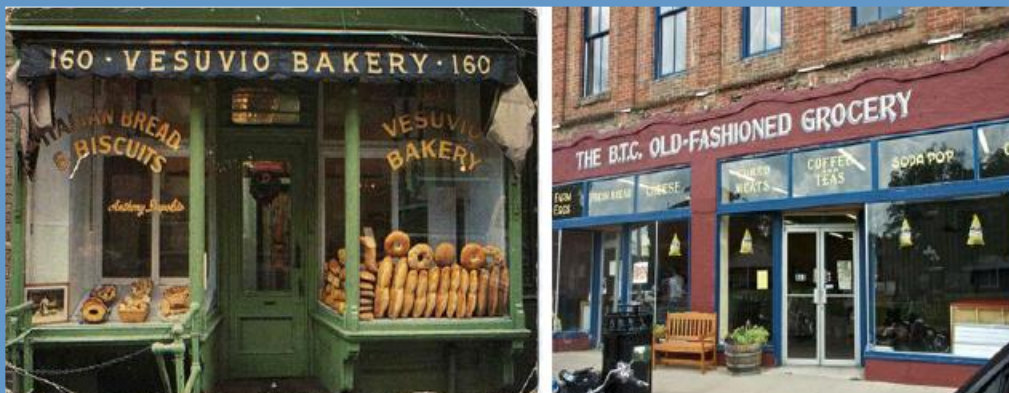
Sec. 9.44 – SIGN GUIDELINES FOR THE ~~DOWNTOWN OVERLAY~~ CENTRAL BUSINESS DISTRICT (CBD)

In evaluating applications for signs and awnings, the Historic Preservation Commission considers and evaluates a sign in terms of the quality of its design, materials, and relationship to the surrounding business district. A sign should harmonize with and support a district's unique character and foster design quality that compliments the architectural and historic heritage of Villa Rica. Furthermore, a sign must be consistent with the Zoning Code and the following Sign Standards. Applications for signs in the Central Business District (CBD) are subject to review and approval of the Historic Preservation Commission.

1) Style and Design

- a) Sign style and design should begin with a determination as to whether there is adequate space on the building where a sign would look appropriate. Many commercial buildings are designed with a space for a sign; whether it is a horizontal space (lintel) across the top of the storefront, or a wide space (mullion) separating the storefront window and transom window above.
- b) A building's proportions, as well as the street character and architectural character of neighboring buildings, are relevant to determining the proper size and style of a sign. Where insufficient "sign space" exists on a building, a wall sign with a vertical format, or a projecting sign may be appropriate.
 - i) The sign should be coordinated with the overall facade composition, including ornamental details and other signs.
 - ii) The scale of the signs should be in proportion to the building, so they do not dominate the building appearance.
 - iii) Signage should be designed and placed in order to avoid a sense of clutter or chaos on the building facade.
 - iv) A sign should be located on a building so it emphasizes and fits within the architectural features of the facade.
 - v) Signs or letters that obscure significant architectural features of a building are inappropriate. Simple designs which are subordinate to the building are appropriate.

Signage style and type should be harmonious with the character of the building with which it is associated in terms of form, design, scale, and proportion.



- c) Signage style and type should be harmonious with the character of the building with which it is associated in terms of form, design, scale, and proportion.
 - i) Custom signs are preferable to mass-produced, standardized signs.
 - ii) The use of symbolic, three dimensional signs, such as the red and white barbers pole, is encouraged.
 - iii) Use of changeable copy signs is strongly discouraged. Where there is a need for changing advertising, portable signage may be a good solution.
 - iv) Electronic message signs are highly inappropriate in a historic district, and are usually not approved.
- d) Use directory signs on multi-tenant buildings to reduce the visual clutter of many signs.
- e) Where several businesses share a building, signs should be coordinated. Align several smaller signs, or group them into a single panel to make them easier to locate.
- f) Similar forms or backgrounds should be used for the signs to visually identify them as serving the same building and make them easier to read.
- g) The individual nameplates on the sign should match each other in size, colors, letter size, case and styles.

Use directory signs on multi-tenant buildings to reduce the visual clutter of many signs.



- 2) Size
 - a) Awnings that contain signs will have the sign area of the awning sign deducted from the maximum aggregate sign area allowed for the front facade.
 - b) Signs within the historic district should be significantly smaller than those situated on commercial corridors. They should be scaled and oriented to relate to pedestrians, as well as passing motorists.
 - c) Size should be determined by the scale of the building.
 - d) Generally, freestanding signs should not exceed ten square feet. Smaller signs are preferable.
- 3) Placement
 - a) Signs that are illegible when viewed from the sidewalk, or are located too high upon a building are not encouraged.

- b) A sign should be located on a building so that it draws an individual's attention toward the building or the use that it is intended to support.
- c) The majority of signs should be concentrated at the street level close to the entrance of the building or storefront.

Signs should be sized to the scale of the building, the storefront, and the street.



- d) The use of signs placed on upper levels of a building should be limited since they will be visible over an extended distance and may not be related to the street or entrance level of the premises.
 - i) Generally, signs shall not extend above the fascia line or coping line of a one-story building, or above the bottom of the second-story windowsills of a multi-story building.
 - ii) Roofs signs are highly inappropriate, except on one story buildings where there are few other good locations for signage and the roof sign is especially well crafted to integrate effectively into the design of the roof.
- e) A sign should be installed in a manner that is appropriate for the building.
 - i) Damage to architectural detail when attaching the sign should be avoided.
 - ii) Wherever possible, avoid drilling new holes or creating new fixing positions on historic facades, by using existing holes and fixing positions.
 - iii) On masonry buildings, it is preferable that bolts extend through mortar joints rather than through masonry units.

4) Colors

- a) The number of colors used on a sign should be limited. In general, no more than three colors should be used, although additional accent colors may be appropriate. Generally, two colors may be used for all lettering, wording, and accompanying designs and symbols, plus one additional background color.
- b) Sign colors should complement and be coordinated with the overall building colors. The use of subdued, muted, earth tone or primary colors is encouraged.

Color should be used both to accentuate the sign design and message, and also to integrate the sign or lettering with the building and its context.



- c) Sign panels should avoid significant areas of white or cream, which have the effect of visually detaching the sign from the building.
- d) Colors generally best limited to accent areas are bright colors, primary colors and metallic colors.
- e) Use of high intensity colors, fluorescent colors and "day glow" colors is discouraged.
- f) Dark or medium colors are preferred for the main, background part of the sign and light colors for the lettering.

5) Materials

- a) Sign material should be high quality and limited to painted wood, metal, stone, architectural glass and canvas. Other materials may be considered on a case-by-case basis through review and approval by the Historic Preservation Commission.
- b) Solid wood is recommended over plywood since plywood tends to delaminate with age. "Medium Density Overlay" plywood or marine plywood may be used, but it must be edge banded.

Sign materials should be compatible with those of the historic building and the district. Materials characteristic of the building's age and style, when used in contemporary designs, can form effective new signs.



- c) Brushed bronze, antique bronze, aluminum, stainless steel or painted cast iron are appropriate and should have a matt finish and not be reflective nor translucent.
 - d) Unfinished materials should be designed and used carefully due to weathering.
 - e) Highly reflective materials that will be difficult to read are not appropriate.
- 6) Lighting
- a) Use of internal illumination is strongly discouraged. The plastic feel of internally illuminated signs is inappropriate in a historic district. In rare cases, where the wattage is low and the sign is quite dark, internal illumination can be effective and would be acceptable.
 - b) Where internal illumination is considered it should be limited to individual cut out letters with only the letter face illuminated, or letters routed out of the face of an opaque cabinet sign.
 - c) The light source for internally illuminated signs should be white.
 - d) The sign illumination source should be shielded and directed only toward the sign to minimize glare.
 - e) Light intensity should not overpower the building or street edge.

Illumination of a sign should be done with the objective of achieving a balance between the architecture, the historic district and the sign. Internally illuminated signs are not generally permitted in the downtown historic district.



Consider halo illumination as an alternative to other types of internally illuminated signs.



- f) Small and discreet modern light fittings may provide an unobtrusive alternative to traditionally styled lamp units.
 - g) Illumination of signs on upper levels should be limited to the brightness of lower level signs.
 - h) Reversed pan-channel letters with an internal light source reflecting off the building may be used for "halo" illumination.
 - i) The light source should not be visible.
 - j) Neon should be used in limited volume to ensure that it does not become visually obtrusive and dominate the street frontage.
 - k) In certain cases, neon may be more appropriate when framed and shielded.
 - l) Wiring conduit for sign lighting should be carefully routed to avoid damage to architectural details and concealed as much as possible.
 - m) Copper or colored sheathing should be used for wiring to minimize visibility.
 - n) The wiring should be placed between the brick coursing and recesses to reduce its visibility.
- 1) Historic Signs
- a) Keeping a historic sign is encouraged, even if the business or product promoted is no longer on site. Retaining the sign can exploit the recognition value of the old name and play upon the public's fondness for the old sign, especially when the sign is a community landmark.
 - b) Historic signs add to the overall appearance and character of historic commercial buildings and should be treated as significant features of the property.
 - c) Painted wall signs on a building facade should be left intact and not painted over or removed.
 - d) Preserve signs that: reflect the history of a building or district; are characteristic of a particular historic period or style; are associated with events, people, or places; are evidence of the history of a product or business; display excellent craftsmanship, use of materials, or design; are incorporated into the buildings design or physical fabric.

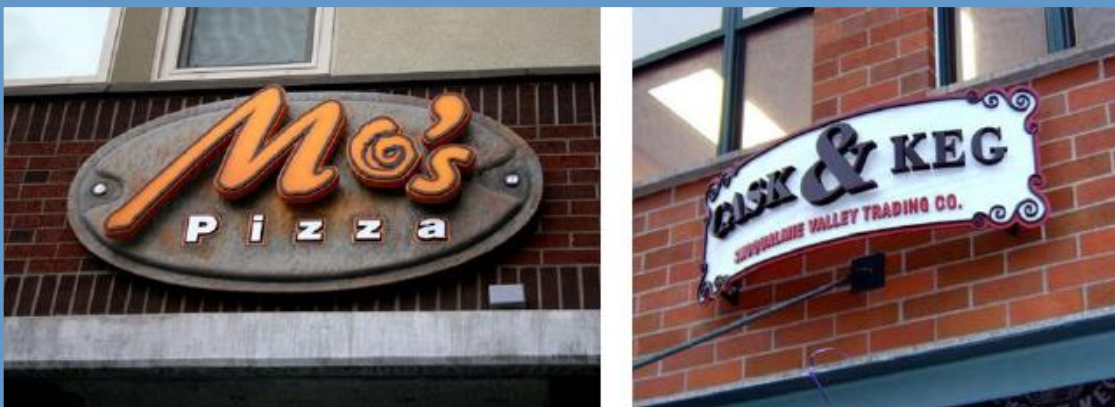


Sec. 9.45 – DESIGN GUIDELINES FOR SPECIFIC SIGN & AWNING TYPES

In addition to the General Guidelines for all signs and awnings in Chapter IV, Sec. 9.42, the following guidelines apply to specific sign and awning types. These guidelines and those in Sec. 9.42 are intended to encourage strong design and to provide direction on how to achieve that goal. These guidelines are not intended to limit creativity or restrict imagination, innovations, or variety of sign styles, but they seek to preserve and enhance the unique historic and architectural character of the downtown district.

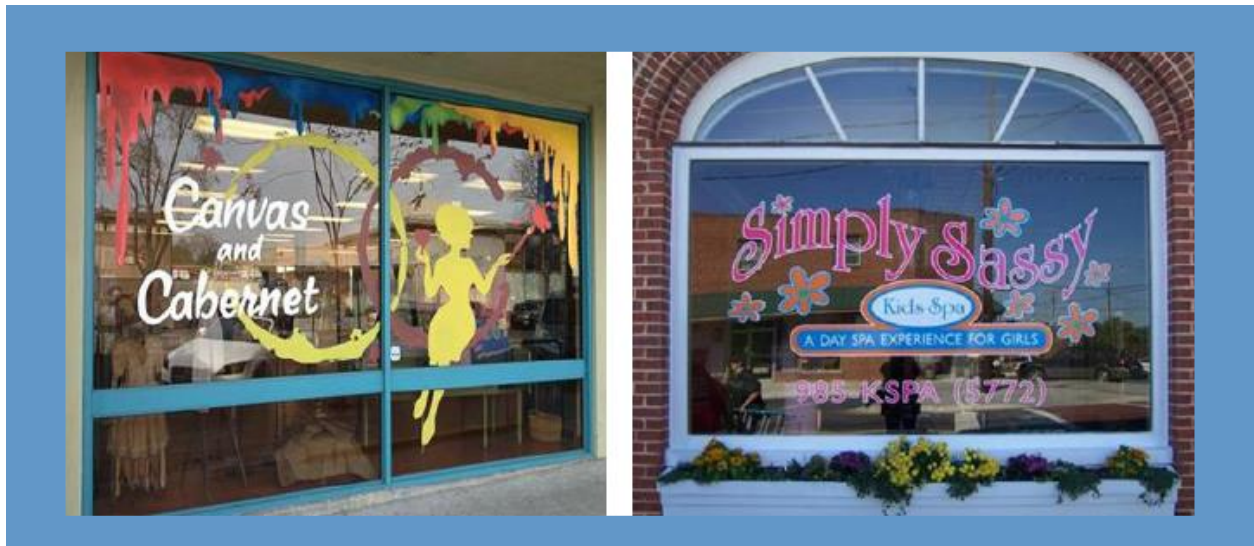
1) Wall Signs.

- a) When planning a wall sign, determine if a horizontal sign board exists on the building. If so, locate flush-mounted signs such that they fit within panels formed by moldings or transom panels on the facade.
- b) Wall signs should be generally oriented toward the pedestrian, and thus placed on a lower section of the building.
- c) Placing or dimensioning a wall sign so that it spans the pilasters or detailing of a building should be avoided.
- d) The projection of a wall sign should be minimized to the depth of the sign panel or letter so that it is relatively flush with the building façade.
- e) A wall sign should be designed to sit within, rather than forward of, the fascia or other architectural details of the building.
- f) In the case of a restaurant, a menu board is essential and will usually be considered appropriate. The board should be positioned near the main restaurant entrance.
- g) It may be appropriate to place an understated wall sign identifying a building on the band under the cornice (uppermost crown) at the top of a multistory building.
- h) A wall sign should be placed so that it is framed by the architectural details of the building and so that it reflects the fenestration pattern of the building.



2) Window Signs.

- a) Window signs may be either paint or vinyl applied directly to the surface of the glass or any signage on the inside of the building that is visible through a window or door on a permanent basis and is placed within eighteen inches of the glass.
- b) Only a minimal area should be covered so that the signage does not block the view into the establishment nor appear to be cluttered or chaotic.
- c) Window signage on upper stories, which advertises businesses on the upper stories, is appropriate provided it is not unduly prominent.



Projecting Signs.

- a) Projecting signs should be placed perpendicular to the building, either projecting outward from a building wall or hanging from an architectural support, and should have two faces.
- b) Signs hung from a support should usually be centered on that support.
- c) The lowest point of a projecting sign or bracket shall not be less than eight feet above the sidewalk.
- d) Projecting signs may be illuminated.
- e) A projecting sign should be positioned where it will not damage or visually intrude upon architectural details, and where it will not obscure a wall sign.
- f) Brackets or other suspension devices should match the sign style and should be designed as a decorative or complementary part of the sign. Brackets are not included as part of the size of the sign.
- g) Sign brackets should be made of painted wood or prefinished, pre-painted metal. Guy wires, if needed, should be as inconspicuous as possible.
- h) A projecting sign should be attuned to the mass and scale of the building to which it is attached. A large projecting sign on a small building would compete with the architectural feel of the structure and therefore would not be encouraged.

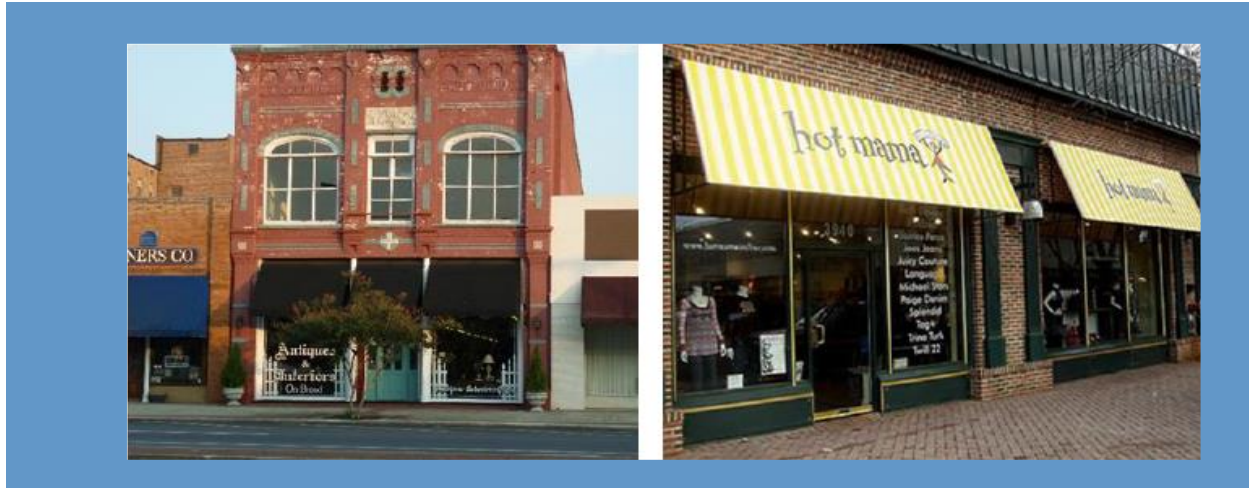
- i) Generally, the appropriate area for projecting signs is above the storefront windows and below the sills under the second floor windows.
- j) A projecting sign should be located at or near the public entrance to the storefront or building.



3) Awnings and Awning Signs

- a) The awning design should be compatible with the architecture of the building and should not obscure architectural details of the building. Further, awnings should serve as an accent to the building's design but should not be the dominant architectural feature.
- b) Awnings and canopy signs should be located in a traditional manner above doors and windows, and should conform to the general shape of the opening.
- c) Awnings may be fixed or retractable, and may have open or closed end panels. Awning valances should be loose.
- d) Nylon, canvas or other similar materials are suitable for awnings. Material should be high quality, colorfast and sun fade resistant. Vinyl or plastic materials are not appropriate.
- e) Fixed awnings should have concealed rigid metal frames.
- f) Awning fabric may be solid or striped.
- g) The length of the awning should be restricted to the length of the storefront opening. Awnings should not continue over masonry piers.
- h) The vertical and horizontal dimensions of the awning should be proportional to the overall projection of the awning.
- i) Awnings shall be constructed and erected so that the lowest portion of the projecting frame shall not be less than eight feet, and the lowest portion of the descending valance shall not be less than 6'-8", above the level of the sidewalk or public thoroughfare.
- j) On masonry buildings, awnings should be anchored through mortar joints rather than directly into the masonry unit itself.

- k) Awning signage is only permitted for first floor businesses, and may occupy a maximum of twenty percent of the valance (vertical surface) area on each face of an awning.
- l) Illuminated/back-lit translucent awnings or translucent letters on opaque backgrounds are discouraged.



- 4) Freestanding Signs.
 - a) Freestanding signs are only appropriate for properties where the building is well set back from the street and there are no other means of appropriate signage.
 - b) Freestanding signs within a historic district should be carefully designed, located, and scaled in order that they not undermine the scale and character of the district.
 - c) Monument signs are a generally less obtrusive alternative to a pole sign.
 - d) Lighting of freestanding signs is permitted, provided that the lighting is shielded and directed only toward the sign. Internally illuminated monument signs should be avoided.
 - e) Freestanding signs should be small in area and low in height to reinforce the pedestrian character of the district. Larger signs should be further set back from the sidewalk in order not to overwhelm the pedestrian.



To: Villa Rica Mayor and City Council

From: Chris Montesinos, AICP

Deputy Director

Department of Community Development

June 10, 2019

ADDENDUM TO SIGN ORDINANCE

In addition to the corrections and edits reflected in the current redlined version of the Villa Rica Sign Ordinance, staff is recommending the inclusion of the follow two (2) additional changes to the final draft of the ordinance. We would like to include these two changes by addendum to the final version presented for adoption of the City Council, in addition to any changes put forth by the City Council.

Sec. 9.38(1)(b) – Billboard signs shall be permitted on any property ~~having frontage on an interstate and located in any of the following zoned districts: GC and I2~~ **zoned C2 or I2 with frontage on Highway 61 or 101, and on properties with direct frontage to a federal interstate highway.**

9.38(1)(c) – ~~A billboard sign shall not be located more than one hundred (100) feet from an interstate right-of-way.~~

9.38(1)(i) – No billboard sign shall be located with five-hundred (500) feet of any other billboard sign on ~~the same~~ **either** side of the street, road, or highway, including any such sign located outside of the city limits, as measured along the right-of-way.

Sec. 9.38(3)(i) – Digital billboards shall be limited to parcels ~~fronting on interstate highways only, and shall be positioned for viewing from such highways~~ **zoned C2 or I2 with frontage on Highway 61 or 101, and on properties with direct frontage to a federal interstate highway.**

Add to definition section:

PYLON SIGN: A freestanding sign supported by vertical supports encased in brick, stone or materials architecturally compatible with the main building or structure on the property.

P.24 – Pylon, Single Tenant. Change DMU to CMU under a. Quantity.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2019 Community Development Grant Disbursement
AGENDA DATE: 6/25/2019

DATE PREPARED: 6/12/2019
PREPARED BY: Janet Chumley

AMOUNT: \$2960.00
GL ACCOUNT #: 100-1110-573050
FUNDING SOURCE: General Fund
BUDGETED ITEM: Yes

PURPOSE: The Villa Rica Community Development Grant Program was established by The City of Villa Rica to foster and fund activities, projects, special projects, sporting events and programs that promote eligible tourism and cultural activities within the city. The city intends the grant program to be used to increase economic activity by bringing tourists to the city through the development of local events, festivals and sporting events. The budget for 2019 is \$20,000.00

BACKGROUND: The core goal of the program is:

- To promote the City of Villa Rica within the city boundary and beyond
- To provide support for local community groups or tax-exempt organizations under section 501(c)(3) of the Internal Revenue Code who promote the city.
- To enhance neighborhood vitality and economic development so that all citizens and visitors may participate in the diverse cultural life of the city.
- To promote the businesses within the city.

The city council voted to set a deadline beginning in 2019 and beyond for all applications to be turned in at the same time, so that the Main Street Board could review and approve all at one time.

An application was received from Emmanuel Mincey w/ NAACP Next Gen /Manifest West Marketing for an event they are hosting June 22, 2019 at The MILL Amphitheater titled "June Teenth."

The City Council voted and awarded Thomas Dorsey Foundation \$10,000 (Thomas Dorsey 25th Anniversary Festival) and Villa Rica Golden City Lions Club \$7040.00 (Taste of Villa Rica). That left a remaining balance of \$2960.00. The Main Street board reviewed the application from Emmanuel Mincey w/ NAACP Next Gen /Manifest West Marketing and unanimously voted to award the remaining balance of the grant in the amount of \$2960.00.

STAFF RECOMMENDATION: Staff recommends that we approve The Main Street's Advisory Board vote to award Emmanuel Mincey w/ NAACP Next Gen /Manifest West Marketing the remaining balance of the Community Development Grant in the amount \$2960.00.

IMPACT: Positive: Important financial assistance. It will be giving to programs that culturally and economically are beneficial to the City of Villa Rica.

MOTION: I make a motion that we approve The Main Street Advisory Board's vote to award Emmanuel Mincey w/ NAACP Next Gen /Manifest West Marketing the remaining budgeted funds from the Community Development Grant in the amount of \$2960.00.



Villa Rica Community Development Grant Program

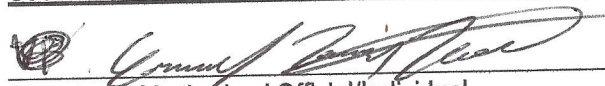
Section A: Applicant

- Name of Organization: EMMANUEL MINCEY "NAACP" / MANIFEST WEST
NEXT GEN MARKETING
Contact Person (if different than above): _____
- Mailing Address: 112 PINE VALLEY TRAIL
- Telephone Day: 770-286-3843 Evening: 770-286-3843
- Email: ~~ABEDNEGO MUSIC MARKETING~~ 5. FAX (optional): _____
ABEDNEGO DIGITAL @ GMAIL.COM
- Date of Tax-Exempt Number and date of Incorporation in Georgia: JULY 22, 1997. DEC 1991
- Number of Years in City of Villa Rica: 14
- Have you ever received funds from the City of Villa Rica? NO If Yes, most recent funding amount? N/A
Were there any residual funds at the completion of the project? N/A If Yes, how much? N/A

Section B: Project

- Project Title: JUNE TEENTH
- Scheduled Start and End Dates: JUNE 22nd - JUNE 22nd
- Hours of Operation Each Day: 10:30 - 6:30
- Amount Requested: 2500 5. Funds Disbursement Date: MAY 18th

Section C: Certification

 5/2/19
Signature of Authorized Official/Individual Date
EMMANUEL MINCEY VICE PRESIDENT NAACP NEXT GEN
Printed Name of Authorized Official/Individual Title of Authorized Official/Individual

Sections D-F: Project Narrative, Accessibility and Project Budget

Sections D-F requires an attachment as indicated in the "Application Instructions" accompanying this form.

For Official Use Only

Approved: _____ Approved by: _____ Date: _____ Grant Amount: _____

Project Proposal Juneteenth

June 22nd, 2019

Emmanuel Mincey

Vice President Next Gen NAACP

June 19, 1865, announcement of the abolition of slavery in the U.S. state of Texas, and more generally the emancipation of enslaved African Americans throughout the former Confederacy...Juneteenth is an American holiday first celebrated in 1865, 154 years ago. June 22nd, 2019 will be Villa Rica's chance to celebrate it as a community for the first time. The NAACP's Next Gen organization will be utilizing the Mill to host a festival celebrating the progression made since the end of slavery. The festival will include entertainment from local bands, acts, and choirs, as well as an assortment of carnival games and vendors. As this is our first year, we expect less than 200 people from Villa Rica and surrounding counties to be in attendance. There is expected to be very few persons from out of state attending as well.

The festival will be located at the Mill in downtown Villa Rica, and will make use of the area's concession stand, and restrooms. The Mill is ADA compliant and has ramps that encourage access to restroom and other facilities. We will have a staff of unpaid volunteers assisting with setup cleanup and the running of the event. We will also have a photographer and videographer on hand documenting the event. Prior to the event, we plan to hold at least one fundraising event in a fish fry/cookout/block party medium to help raise funds and awareness for Juneteenth. We will also have a small photoshoot comprising of the performers and staff prior to the event. This allows us to visually convey the journey to Juneteenth and

humanize the story. We are giving faces and names to the people behind the festival, and showing what it represents. This is part of the marketing plan.

The marketing is being handled by Manifest West Marketing and will include a combination of physical prints and digital ads. There will be at least 9 digital ads in increments of 12-90 seconds. The main ad will be a comical invitation answering the question "whose invited" with the scenes shifting to persons of different backgrounds, age, and sex. This ad will run at \$5 a day up until the event. Our secondary ad will be another invitation that sends the message that this is an American holiday, and how to celebrate it. This ad will also run at \$5 a day. The combined ad spend for these two will equal \$420. Our two main ads will run continuously, with a third one coming into play 3 weeks from the event. This ad will also run at \$5 a day. This will bring the total ad spend to \$525. There will be retargeting ad -ads that target people who have engaged with the promotion to any extent- released weekly leading up to the event, and they will run at \$3 a day each. The ad spend for this stage is \$756. These weekly ads will consist of sponsors, educational content and previews of the event and vendors. Facebook and IG ads are targeting Villa Rica residents, Carroll County and the surrounding areas up to 25 miles away. The total budget digital ads are \$1281. The marketing budget is 1500.

Ads with a more specific targeting will also be run to potential sponsors via the Villa Rica area and will be followed up in person. Signs will be purchased and placed in high traffic areas, with the entire journey and "Countdown to Juneteenth" being shared on the festivals social media pages" There will be recorded and edited meetings once a week @Uncorked on Main Street, and other areas around downtown. This allows us to display Villa Rica's cultural history while simultaneously working on the task at hand. These meeting will also act as promotional

content for Juneteenth. Photographs taken with vendors, and merchandise to be sold at the event will also be posted as content and possibly incorporated into promotional ads.

As a small city where community and culture are doing their best to thrive, not only will this large scale picnic will become a historical addition to Villa Rica's summer agenda, but it will also serve as a liaison for cultural connections and understanding.

Budget Plan

Juneteenth June 22nd, 2019

Amenities=2000

Facility Rental	\$600
Facebook Ad spend	\$1200
Photography	\$200

Concession total=\$860

Cotton candy machine 250 servings	\$75
100 ct cotton candy bags	\$30
Flavor Bags	\$30
50 count cotton candy sticks	\$25
Snow cone machine 350 servings	\$65
Snow cone flavors	\$50
Snow cone cups and straws	\$70
Popcorn machine 250 servings	\$65
Concession Rental	\$100
Water/Soda	\$100
Candy	\$100
Napkins/plates/	\$150
total	\$860

Entertainment=3278

Banners $2y+2x$ (x =sponsors) (Juneteenth)	\$40	
Hand fans 250	\$288	
DJ	\$500	
Performers 15x	\$2000	
Speaker rental	450	
	\$3278	

Games/Bouncy rentals=1300

Dunk tank	\$200	
World of sports	\$200	
Bunge run	\$400	
Miscellaneous carnival Games	\$200	
Canopy tent	\$100	
Paraphernalia/merchandise	\$400	
	\$1300	

Estimated Revenue=7950

Sponsorships Goal	\$1500	
Raffle tickets	\$300	
Donations	\$300	
Grants	\$2500	
Fundraising	\$3000	
Vendor fees	\$350	

Budget will be readjusted with lowest priority going towards games/bouncy house and entertainment categories. Highest priority will go to marketing budget and concessions.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Modification to Pine Mountain Fee Schedule

AGENDA DATE: June 25, 2019

DATE PREPARED: June 13, 2019

PREPARED BY: Tom Barber

AMOUNT: \$2.00 per gold pan

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PURPOSE: To increase the price charged by the Pine Mountain Gold Museum to pan for gold.

BACKGROUND: We currently charge \$5.00 per person to pan for gold. Staff recommends that we increase the price to \$7.00. The cause of the increase is a combination of the market price of gold flake and the increase in size of the flakes we are purchasing.

We would also like to update the fee schedule for the museum to include the following:

- | | |
|-------------------|---------|
| 1. Emerald bucket | \$50.00 |
| 2. Rutile bucket | \$50.00 |
| 3. Gold bag | \$20.00 |
| 4. Gem bag | \$20.00 |

STAFF RECOMMENDATION: Staff recommends that we update the fee schedule for the Pine Mountain Gold Museum as reflected in the attached document.

IMPACT:

MOTION: I move that we adopt the attached fee schedule for the Pine Mountain Gold Museum and authorize staff to utilize it effective July 1, 2019.

I. Pine Mountain Gold Museum

Pine Mountain Gold Museum Admission (including 18-minute documentary)

- \$5.00 Individual adult (ages 12 to 55)
 - \$4.00 Seniors (ages 55 & up)
 - \$4.00 Children (ages 3 to 12)
 - \$4.00 Military, First-Responders (with ID)
 - FREE Children (ages 2 and under)
 - \$4.00 Student (with college ID)
-

Pine Mountain Scenic Railroad (train departs Pinetown Depot for all points.)

- \$5.00 All riders, per ticket
 - FREE Children (ages 2 and under)
-

Panning for Gold, or Gemstones (includes instruction and assistance from one of our miners!)

- \$5.00 Per gold pan
 - \$5.00 Per gemstone pan
 - \$15.00 Per pan of “Gemstone Jackpot”
-

Annual Pass (non-transferable, valid for ONE (1) year)

- \$50.00 Each pass covers one family.
 - Unlimited museum admission
 - \$3.00 Per gold pan
 - \$3.00 Per gemstone pan
 - \$3.00 Per person train rides (Special event trains excluded)
 - 10% Discount in the Museum Store
 - Advanced access to special event and after-hours tickets
-

I. Pine Mountain Gold Museum - effective July 1, 2019

Pine Mountain Gold Museum Admission (including 18-minute documentary)

- \$5.00 Individual adult (ages 12 to 55)
 - \$4.00 Seniors (ages 55 & up)
 - \$4.00 Children (ages 3 to 12)
 - \$4.00 Military, First-Responders (with ID)
 - FREE Children (ages 2 and under)
 - \$4.00 Student (with college ID)
-

Pine Mountain Scenic Railroad (train departs Pinetown Depot for all points.)

- \$5.00 All riders, per ticket
 - FREE Children (ages 2 and under)
-

Panning for Gold, or Gemstones (includes instruction and assistance from one of our miners!)

- \$7.00 Per gold pan
 - \$5.00 Per gemstone pan
 - \$15.00 Per pan of “Gemstone Jackpot”
 - \$20.00 Per Gold bag
 - \$20.00 Per Gem bag
 - \$50.00 per Emerald bucket
 - \$50.00 per Rutile bucket
-

Annual Pass (non-transferable, valid for ONE (1) year)

- \$50.00 Each pass covers one family.
 - Unlimited museum admission
 - \$3.00 Per gold pan
 - \$3.00 Per gemstone pan
 - \$3.00 Per person train rides (Special event trains excluded)
 - 10% Discount in the Museum Store
 - Advanced access to special event and after-hours tickets
-



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Bid Award for the construction of 2019 Water System Improvements.

AGENDA DATE: June 25, 2019

DATE PREPARED: June 13, 2019

PREPARED BY: Pete Zorbanos

AMOUNT: \$549,267.50

GL ACCOUNT #: 505-4440-541450

FUNDING SOURCE: GEFA

BUDGETED ITEM? No

PURPOSE: To award a construction contract for the construction of 2019 water system improvements that include installation of approximately 2,800 lineal feet of 10" and 12" water main, and all valve fittings, bores, and other appurtenances necessary for complete installation.

BACKGROUND: Three water main projects are contained in the scope of this work. They include boring under Highway 78 and the railroad at Stone Street, relocation of water main for the mini- roundabout at Punkintown Road and Highway 61, and water main extension along Highway 61 to North Avenue.

STAFF RECOMMENDATION: Four bids were submitted, and the base bids were checked, and tabulated as follows:

Contractor	Total Base Bid
The Corbet Group	\$549,267.50
Smith Pipeline	\$594,471.00
Roberts Hauling and Pipeline	\$604,295.00
LCS & Associates	\$676,770.00

It was determined that The Corbet Group was the low bidder for this project when evaluated on the basis of the Base Bid amount and have all the qualifications to successfully complete the project. Therefore, Staff recommends the project be awarded to The Corbet Group in the amount of \$549,267.50.

IMPACT. These improvements will provide greater flow capacity and fire protection.

MOTION: I make the motion that the bid and contract for construction of the 2019 Water Systems Improvements be awarded to The Corbet Group in the amount of \$549,267.50.



Carter & Sloope
CONSULTING ENGINEERS

June 12, 2019

Pete Zorbanos
Utilities Director
City of Villa Rica
571 W. Bankhead Hwy
Villa Rica, GA 30180

RE: City of Villa Rica, GA
2019 Water System Improvements
C&S Project No.: V8150.003

Dear Mr. Zorbanos:

As you are aware, bids were received and opened for the referenced project on June 4, 2019 at 10:30 AM. Four (4) bids were submitted from the seven (7) companies listed on the plan-holders list. We have checked and tabulated the base bids received as follows:

	<u>Contractor</u>	<u>Total Base Bid</u>	<u>% Over Low Bid</u>
1.	The Corbett Group	\$549,267.50	-
2.	Smith Pipeline	\$594,471.00	8.23%
3.	Roberts Hauling and Pipeline	\$604,295.00	10.01%
4.	LCS & Associates	\$676,770.00	23.21%

Carter & Sloope has determined that **The Corbett Group** is the low bidder for this project when evaluated on the basis of the Base Bid amount.

Since the low bidder appears to have adequate experience, technical ability, and financial capability to complete this project and has successfully completed similar projects, **Carter & Sloope recommends the project be awarded to The Corbett Group in the amount of \$549,267.50.**

I am enclosing one (1) copy each of the bid tabulation and Notice of Award for this project. Please execute four (4) copies of the Notice of Award and return them to my office as soon as possible. I will prepare four (4) originals of the Agreement and forward them to you when the Contractor has executed the Agreement and delivered all the necessary Payment and Performance bonds and Certificates of Insurance.

Mr. Pete Zorbanos
Page 2

June 12, 2019

If you have any questions or need any additional information, please call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt S", with a long horizontal flourish extending to the right.

Matt Smith, PE

Enclosures: Certified Bid Tabulation – 1 Copy
 Notice of Award – 1 Copy

cc: File (w/ encl)

BID TABULATION FOR ALL BIDS
RECEIVED AT THE VILLA RICA CITY HALL
ON TUESDAY, JUNE 4TH, 2019 AT 10:30 AM

PROJECT: 2019 WATER SYSTEM IMPROVEMENTS
 C&S PROJECT NO.: V8150.003

CARTER & SLOOPE, INC.
 CONSULTING ENGINEERS
 115 WOODLAND WAY, SUITE 120
 CANTON, GA 30114

BIDDERS:

The Corbett Group
 13201 Veterans Memorial Hwy
 Douglasville, GA 30134

Smith Pipeline
 150 Shell Road
 Palmetto, GA 30268

Roberts Hauling and Pipeline
 P.O. Box 178
 Jenkinsburg, GA 30234

LCS & Associates
 2030 Oak Grove Road
 Carrollton, GA 30117

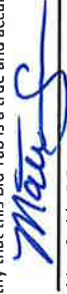
BASE BID ITEMS:

Item #	Description	Units	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	12" D.I. Water Main	LF	380	\$ 65.00	\$ 24,700.00	\$ 65.00	\$ 24,700.00	\$ 65.00	\$ 24,700.00	\$ 70.00	\$ 26,600.00
2	10" D.I. Water Main	LF	2400	\$ 55.00	\$ 132,000.00	\$ 55.00	\$ 132,000.00	\$ 60.00	\$ 144,000.00	\$ 60.00	\$ 144,000.00
3	6" D.I. Water Main	LF	62	\$ 40.00	\$ 2,480.00	\$ 48.00	\$ 2,976.00	\$ 35.00	\$ 2,170.00	\$ 35.00	\$ 2,170.00
4	Ductile Iron Fittings (Domestic, Compact Weight)	LBS	2250	\$ 5.55	\$ 12,487.50	\$ 7.00	\$ 15,750.00	\$ 10.00	\$ 22,500.00	\$ 7.50	\$ 16,875.00
5	10" x 10" Tapping Sleeve & Valve w/ Box	EA	1	\$ 5,900.00	\$ 5,900.00	\$ 6,250.00	\$ 6,250.00	\$ 7,500.00	\$ 7,500.00	\$ 5,500.00	\$ 5,500.00
6	8" x 8" Tapping Sleeve & Valve w/ Box	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 4,800.00	\$ 4,800.00	\$ 6,000.00	\$ 6,000.00	\$ 3,500.00	\$ 3,500.00
7	10" Gate Valve w/ Box	EA	7	\$ 2,000.00	\$ 14,000.00	\$ 2,200.00	\$ 15,400.00	\$ 2,000.00	\$ 14,000.00	\$ 2,000.00	\$ 14,000.00
8	6" Gate Valve w/ Box	EA	2	\$ 850.00	\$ 1,700.00	\$ 1,100.00	\$ 2,200.00	\$ 900.00	\$ 1,800.00	\$ 950.00	\$ 1,900.00
9	12" Water Main Termination	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 4,100.00	\$ 4,100.00	\$ 4,000.00	\$ 4,000.00	\$ 5,200.00	\$ 5,200.00
10	10" Water Main Termination	EA	7	\$ 1,000.00	\$ 7,000.00	\$ 3,700.00	\$ 25,900.00	\$ 3,000.00	\$ 21,000.00	\$ 4,000.00	\$ 28,000.00
11	Fire Hydrant Assembly w/ Valve (All sizes)	EA	5	\$ 4,800.00	\$ 24,000.00	\$ 4,500.00	\$ 22,500.00	\$ 4,500.00	\$ 22,500.00	\$ 5,500.00	\$ 27,500.00
12	Tie to Existing Water Main or Valve	EA	5	\$ 800.00	\$ 4,000.00	\$ 2,000.00	\$ 10,000.00	\$ 1,000.00	\$ 5,000.00	\$ 2,500.00	\$ 12,500.00
13	Jack & Bore 20" Steel Casing (Through Soil)	LF	220	\$ 350.00	\$ 77,000.00	\$ 400.00	\$ 88,000.00	\$ 400.00	\$ 88,000.00	\$ 500.00	\$ 110,000.00
14	Jack & Bore 16" Steel Casing (Through Soil)	LF	295	\$ 300.00	\$ 88,500.00	\$ 200.00	\$ 59,000.00	\$ 300.00	\$ 88,500.00	\$ 400.00	\$ 118,000.00
15	Install 16" Steel Casing by Open Cut	LF	105	\$ 80.00	\$ 8,400.00	\$ 100.00	\$ 10,500.00	\$ 200.00	\$ 21,000.00	\$ 125.00	\$ 13,125.00
16	Cut & Plug Existing Water Main for Abandonment	EA	8	\$ 450.00	\$ 3,600.00	\$ 2,350.00	\$ 18,800.00	\$ 800.00	\$ 6,400.00	\$ 2,000.00	\$ 16,000.00
17	Class "A" Pavement Replacement	LF	290	\$ 45.00	\$ 13,050.00	\$ 80.00	\$ 23,200.00	\$ 40.00	\$ 11,600.00	\$ 100.00	\$ 29,000.00
18	Concrete Replacement	LF	16	\$ 200.00	\$ 3,200.00	\$ 70.00	\$ 1,120.00	\$ 50.00	\$ 800.00	\$ 75.00	\$ 1,200.00
19	Gravel Replacement	LF	15	\$ 50.00	\$ 750.00	\$ 30.00	\$ 450.00	\$ 30.00	\$ 450.00	\$ 20.00	\$ 300.00
20	Transfer 3/4" Water Service (Short Side)	EA	5	\$ 400.00	\$ 2,000.00	\$ 1,300.00	\$ 6,500.00	\$ 1,000.00	\$ 5,000.00	\$ 1,200.00	\$ 6,000.00
21	Transfer 3/4" Water Service (Long Side)	EA	7	\$ 400.00	\$ 2,800.00	\$ 1,800.00	\$ 12,600.00	\$ 1,500.00	\$ 10,500.00	\$ 1,500.00	\$ 10,500.00
22	3/4" Type K Copper Service Tubing	LF	775	\$ 10.00	\$ 7,750.00	\$ 10.00	\$ 7,750.00	\$ 10.00	\$ 7,750.00	\$ 10.00	\$ 7,750.00
23	2" HDPE Service Casing - DR 11	LF	225	\$ 20.00	\$ 4,500.00	\$ 27.00	\$ 6,075.00	\$ 5.00	\$ 1,125.00	\$ 10.00	\$ 2,250.00
24	Grassing/Mulching	LF	2200	\$ 4.00	\$ 8,800.00	\$ 2.00	\$ 4,400.00	\$ 5.00	\$ 11,000.00	\$ 2.00	\$ 4,400.00
25	Erosion Control	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00
26	Traffic Control	LS	1	\$ 13,000.00	\$ 13,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00
27	Rock Excavation & Removal (Base Cost)	CY	200	\$ 45.00	\$ 9,000.00	\$ 45.00	\$ 9,000.00	\$ 45.00	\$ 9,000.00	\$ 45.00	\$ 9,000.00
28	Rock Excavation & Removal (Premium Cost)	CY	200	\$ 25.00	\$ 5,000.00	\$ 85.00	\$ 17,000.00	\$ 85.00	\$ 17,000.00	\$ 70.00	\$ 14,000.00
29	Clearing & Grubbing	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00
30	Remove Existing Fire Hydrant	LS	1	\$ 250.00	\$ 250.00	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00
31	Megalugs for MJ Fittings (All sizes)	EA	80	\$ 80.00	\$ 6,400.00	\$ 75.00	\$ 6,000.00	\$ 75.00	\$ 6,000.00	\$ 150.00	\$ 12,000.00
32	Supplemental Work Additions - If Needed, as Approved by Owner	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
TOTAL BASE BID:				\$	\$ 549,267.50	\$	\$ 594,471.00	\$	\$ 604,295.00	\$	\$ 676,770.00

ALTERNATE BID ITEMS:

A1	Jack & Bore 20" Steel Casing (Through Rock)	LF	220	\$ 525.00	\$ 115,500.00	\$ 900.00	\$ 198,000.00	\$ 500.00	\$ 110,000.00	\$ 1,300.00	\$ 286,000.00
A2	Jack & Bore 16" Steel Casing (Through Rock)	LF	295	\$ 472.00	\$ 139,240.00	\$ 850.00	\$ 250,750.00	\$ 450.00	\$ 132,750.00	\$ 1,300.00	\$ 383,500.00

I hereby certify that this Bid Tab is a true and accurate representation of all bids received on Tuesday, June 4th, 2019 at 10:30 AM.


 Matt Smith, P.E.

NOTICE OF AWARD

PROJECT DESCRIPTION:

2019 WATER SYSTEM IMPROVEMENTS

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated **Tuesday, June 4th, 2019**, and Instructions to Bidders.

You are hereby notified that your BID has been accepted for items in the amount of

Five Hundred Forty-Nine Thousand Two Hundred Sixty-Seven and 50/100 Dollars
(\$549,267.50).

You are required by the Instructions to Bidders to execute the Agreement and furnish the required CONTRACTOR's Performance BOND, Payment BOND and Certificates of Insurance with fifteen (15) calendar days from the date of the Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within fifteen (15) days from the date of this notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE of AWARD to the OWNER.

Dated this ____ day of _____, 20__.

CITY OF VILLA RICA

By: _____

Title: _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by **The Corbett Group**

this ____ day of _____, 20__.

By: _____

Title: _____

2019 WATER SYSTEM IMPROVEMENTS
CITY OF VILLA RICA

C & S Project No. V8150.003
February 2019

BID FORM**PART I. GENERAL****1.1 PROJECT IDENTIFICATION:****2019 WATER SYSTEM IMPROVEMENTS****1.2 CONTRACT IDENTIFICATION AND NUMBER:**

Carter & Sloope Project No.: V8150.003

1.3 THIS BID IS SUBMITTED TO:**CITY OF VILLA RICA****1.4 THIS BID IS SUBMITTED FROM**Bidder: The Corbett Group, LLCAddress: 13201 Veterans Memorial HwyDouglasville, GA 30134Phone: 770-947-2672Contractor's Utility License No.: UC302014**1.5 BASIS OF BIDS**

- A. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.
- B. Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for **60 days** after the day of Bid opening. Bidder will sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within fifteen (15) days after the date of Owner's Notice of Award.
- C. In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that:

1. Bidder has examined copies of all the Bidding Documents and of the following Addenda (receipt of all which is hereby acknowledged):

Date	Addendum Number
N/A	

2. Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.
3. Bidder has studied carefully all reports and drawings of subsurface conditions and drawings of physical conditions which are identified in the Supplementary Conditions as provided in Paragraph 4.2 of the General Conditions, and accepts the determination set forth in Paragraph 6 of the Supplementary Conditions of the extent of the technical data contained in such reports and drawings upon which Bidder is entitled to rely.
4. Bidder has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and studies (in addition to or to supplement those referred to in (3.) above) which pertain to the subsurface or physical conditions at the site or otherwise may affect the cost, progress, performance or furnishing of the Work as Bidder considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.2 of the General Conditions; and no additional examinations, investigations, explorations, tests, reports or similar information or data are or will be required by Bidder for such purposes.
5. Bidder has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports or similar information or data in respect of said Underground Facilities are or will be required by Bidder in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and

conditions of the Contract Documents, including specifically the provisions of paragraph 4.3 of the General Conditions.

6. Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.

Bidder has given Engineer written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Bidder.

7. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with an agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.
8. Bidder agrees to commence work under this Agreement on or before a date to be specified in a written "Notice to Proceed" of the Owner and to fully complete the work within **60 consecutive calendar days** from the "Notice to Proceed" date.
9. Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work on time.

D. Bidder will complete the Work in accordance with the Contract Documents for the following price(s) listed in the BID SCHEDULE.

1.6 BID SCHEDULE

The Contractor is directed to Section 01025 "Measurement and Payment" for the methods and limits for payments to the Contractor for the pay items listed below:

Base Bid Items					
Item No.	Qty.	Unit	Description	Material Price	Total Price
1	380	LF	12" D.I. Water Main	65.00	24,700.00
2	2400	LF	10" D.I. Water Main	55.00	132,000.00
3	62	LF	6" D.I. Water Main	40.00	2,480.00
4	2250	LBS	Ductile Iron Fittings (Domestic, Compact Weight)	5.55	12,487.50
5	1	EA	10" x 10" Tapping Sleeve & Valve w/ Box	5,900.00	5,900.00
6	1	EA	8" x 8" Tapping Sleeve & Valve w/ Box	3,500.00	3,500.00
7	7	EA	10" Gate Valve w/ Box	2,000.00	14,000.00
8	2	EA	6" Gate Valve w/ Box	850.00	1,700.00
9	1	EA	12" Water Main Termination	3,500.00	3,500.00
10	7	EA	10" Water Main Termination	1,000.00	7,000.00
11	5	EA	Fire Hydrant Assembly w/ Valve (All sizes)	4,800.00	24,000.00
12	5	EA	Tie to Existing Water Main or Valve	800.00	4,000.00
13	220	LF	Jack & Bore 20" Steel Casing (Through Soil)	350.00	77,000.00
14	295	LF	Jack & Bore 16" Steel Casing (Through Soil)	300.00	88,500.00
15	105	LF	Install 16" Steel Casing by Open Cut	80.00	8,400.00
16	8	EA	Cut & Plug Existing Water Main for Abandonment	450.00	3,600.00
17	290	LF	Class "A" Pavement Replacement	45.00	13,050.00
18	16	LF	Concrete Replacement	200.00	3,200.00
19	15	LF	Gravel Replacement	50.00	750.00
20	5	EA	Transfer ¾" Water Service (Short Side)	400.00	2,000.00
21	7	EA	Transfer ¾" Water Service (Long Side)	400.00	2,800.00
22	775	LF	¾" Type K Copper Service Tubing	10.00	7,750.00
23	225	LF	2" HDPE Service Casing – DR 11	20.00	4,500.00
24	2200	LF	Grassing/Mulching	4.00	8,800.00
25	1	LS	Erosion Control	15,000.00	15,000.00
26	1	LS	Traffic Control	13,000.00	13,000.00
27	200	CY	Rock Excavation & Removal (Base Cost)	\$45.00	\$9,000
28	200	CY	Rock Excavation & Removal (Premium Cost)	25.00	5,000.00
29	1	LS	Clearing & Grubbing	20,000.00	20,000.00
30	1	LS	Remove Existing Fire Hydrant	250.00	250.00
31	80	EA	Megalugs for MJ Fittings (All sizes)	80.00	6,400.00
32	1	LS	Supplemental Work Additions – If Needed, as Approved by Owner	\$25,000	\$25,000
Total Base Bid:					\$549,267.50

The total base bid for all work as proposed in the base bid is Five Hundred Forty Nine
~~is~~ Thousand Two Hundred and Sixty Seven and 50/100 Dollars (\$549,267.50)

Alternate Bid Items					
A1	220	LF	Jack & Bore 20" Steel Casing (Through Rock)	525.00	115,500.00
A2	295	LF	Jack & Bore 16" Steel Casing (Through Rock)	472.00	139,240.00

Bidder agrees to furnish materials and equipment and to perform all labor necessary for the construction of the **2019 WATER SYSTEM IMPROVEMENTS**. A contract shall be awarded to the responsible bidder based on Total Base Bid with any, all, or none of the selected alternates which fulfills the needs and requirements the **CITY OF VILLA RICA** has set forth. The above lump sum and unit prices shown shall include all labor, materials, bailing, shoring removal, overhead, profit, insurance, etc. to cover the work shown on the plans.

Bidder acknowledges that estimated quantities are not guaranteed and are solely for the purpose of comparison of Bids, and final payment for all Unit Price bid items will be based on actual quantities determined as provided in the Contract Documents.

1.6 BID DATA (BASE BID)

- A. Bidder agrees that the Work will be substantially complete after the date when the Contract Times commence to run as provided in Paragraph 2.3 of the General Conditions and ready for final payment in accordance with Paragraph 14.8. of the General Conditions within the following number of consecutive calendar days after the date when the Contract Times commence to run:

60 Consecutive Calendar days

- B. Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified in the Agreement.
- C. The following documents are attached to and made a condition of this Bid:
1. Required Bid Security in the form of **10%** of the Total Base Bid Amount.
 2. List of Proposed Subcontractors (if applicable).
 3. Qualification of Bidder (if requested by owner).
- D. The undersigned further agrees that in case of failure on his part to execute the said contract and the Bond within fifteen (15) consecutive calendar days after written notice being given of the award of the contract, the check or bid bond accompanying this bid, and the monies payable thereon shall be paid into the funds of the Owner as liquidated damages for such failure, otherwise, the check or bid bond accompanying this proposal shall be returned to the undersigned.
- E. Communications concerning this Bid shall be addressed to:

Carter & Sloope, Inc.
115 Woodland Way, Suite 120
Canton, GA 30114

Attn: (770) 479-8782
Matt Smith, P.E.

F. Terms used in this Bid which are defined in the General Conditions or Instructions will have the meanings indicated in the General Conditions or Instructions.

SUBMITTED on June 3, 20 19.

BIDDER: The Corbett Group, LLC

BY: Michael Corbett *M.H. Corbett*

TITLE: President

CONTRACTOR
PERFORMING WORK
UTILITY LICENSE NO. UC302014

ADDRESS: 13201 Veterans Memorial Hwy
Douglasville, GA 30134

PHONE: 770-947-2672

Seal: (if bid by a Corporation)



END OF SECTION

BID BOND

STATE OF GEORGIA

COUNTY OF CARROLL

KNOW ALL MEN BY THESE PRESENTS, that we, The Corbett Group, LLC as Principal, and Merchants National Bonding, Inc., as Surety, are held and firmly bound unto the **CITY OF VILLA RICA** for the sum of Ten Percent (10%) of Principal's Bid Dollars (\$) lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, personal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted to the Owner a Proposal for construction of:

2019 WATER SYSTEM IMPROVEMENTS

NOW THEREFORE, the conditions of this obligation are such that if the Bid be accepted, the Principal shall within ten (10) days after receipt of confirmed contract documents execute a contract in accordance with the Bid upon the terms, conditions and prices set forth therein, and in the form and manner required by the Owner and execute a sufficient and satisfactory Performance Bond and Payment Bond payable to the Owner, each in an amount of one hundred percent (100%) of the total contract price, in form and with security satisfactory to the Owner, or in the event of the failure of the Contractor to execute and deliver the Contract Agreement and give said Performance and Payment Bonds, the Contractor shall pay the Owner the difference not to exceed the penalty hereof between the amount specified in said Proposal and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said Proposal, and execute the Special Assurances form, then this obligation shall be void; otherwise, it shall be and remain in full force and virtue in law; and the Surety shall, upon failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the aforesaid Owner, upon demand, the amount hereof in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

This bond is given pursuant to and in accordance with the provisions of O.C.G.A. Section 36-10-1 et seq and all the provisions of the law referring to this character of bond as set forth in said sections or as may be hereinafter enacted and these are hereby made a part hereof to the same extent as if set out herein in full.

IN WITNESS WHEREOF, the said Principal has hereunder affixed its signature and said Surety has hereunto caused to be affixed its corporate signature and seal, by its duly authorized officers, on this 4th day of June, 20 19.

2019 WATER SYSTEM IMPROVEMENTS
CITY OF VILLA RICA

C & S Project No V8150.003
February 2019

PRINCIPAL: The Corbett Group, LLC

Signed and sealed in
the presence of

By:

M. H. Corbett
MICHAEL CORBETT

Title: PRESIDENT



1. [Signature]
2. Ray K. Long

SURETY: Merchants National Bonding, Inc.

Signed and sealed in
the presence of:

By:

[Signature]
Brittany Triplett

1. Deborah B. Sasser
Deborah B. Sasser

Title: Attorney-in-Fact

2. Felisa H. Vaughan
Felisa H. Vaughan

END OF SECTION

MERCHANTS
BONDING COMPANYTM
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Bart Peppers; Brian E Madden; Brittany Triplett; Deborah B Sasser; Felisa H Vaughan; Travis G Huffines

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

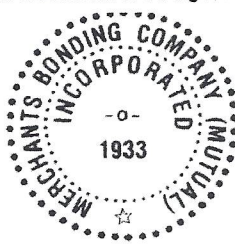
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 11th day of January, 2019.

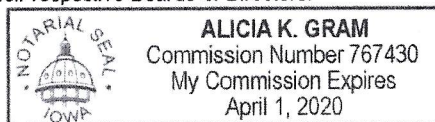


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this this 11th day of January, 2019, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Alicia K. Gram
Notary Public

(Expiration of notary's commission
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 4th day of June, 2019.



William Warner Jr.
Secretary

QUALIFICATIONS OF BIDDER
(To be submitted by Bidder at the request of Owner)

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information he desires.

1. Legal Name of Bidder. The Corbett Group, LLC
2. Permanent main office address. 13201 Veterans Memorial Hwy Douglasville, GA 30134
3. When organized. 2/18/2009
4. If a corporation, where incorporated. Georgia
5. How many years have you been engaged in the contracting business under your present firm or trade name? 10 years
6. Contract on hand: (Schedule these, showing amount of each contract and the appropriate anticipated dates of completion.) Attached
7. General character of work performed by your company. Heavy Construction
Water, Sewer and Storm Installation
8. Have you ever failed to complete any work awarded to you? If so, where and why? NO
9. Have you ever defaulted on a contract? If so, where and why? NO
10. List the more important projects recently completed by your company, stating the approximate cost for each, and the month and year completed. Attached
11. List your major equipment available for this contract. Attached
12. Experience in construction work similar in importance to this project. Attached
13. Background and experience of the principal members of your organization, including the officers. Attached
14. Credit available: \$ +5,000,000.00
15. Give Bank Reference Bank of America - Monica Anderson - 404-215-0961
16. Will you, upon request, fill out a detailed financial statement and furnish any other information that may be required by the _____. Yes

17. The undersigned authorizes and requests any person, firm, or corporation to furnish any information requested by the **CITY OF VILLA RICA** in verification of the recitals comprising the Statement of Bidder's Qualifications. Dated at DOUGLASVILLE, GA this 3 day of June, 2019.

The Corbett Group, LLC

(Name of Bidder)

By Michael Corbett 

Title President

State of Georgia

County of Douglas

Michael Corbett, being duly sworn deposes and says that he is President of The Corbett Group, LLC

(Name of Organization)

and that the answers to the foregoing questions and all statements therein contained are true and correct.

Subscribed and sworn to before me this 3 day of June, 2019.


(Notary Public)

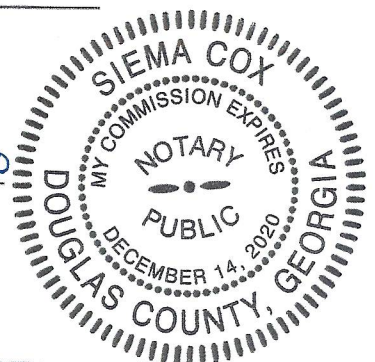
My Commission expires:

DECEMBER 14, 2020

END OF SECTION

2019 WATER SYSTEM IMPROVEMENTS
CITY OF VILLA RICA

C & S Project No. V8150.003
February 2019



THE CORBETT GROUP, LLC
CONTRACT ON HAND

#	Contract Description	Original Start Date	Current Contract Amount: Values	% Complete	Estimated Completion Date
1	City of Hapeville Annual Contract for Construction and Maintenance of Storm Sewers	9/13/2018	\$117,384.00	53.0%	9/13/2020
2	City of Hapeville Annual Contract for Construction and Maintenance of Water Line, Gravity Sewers and Force Mains	9/13/2018	\$388,247.50	56.0%	9/13/2020
3	Evans County Public Fishing Area Campground	10/8/2018	\$1,565,500.00	90.0%	7/10/2019
4	Annual Contract for Water Facilities Installations--FC-7791	8/3/2015	\$21,898,232.00	80.0%	8/1/2019
5	Large Diameter Waterline Condition Assessment	3/15/2017	\$199,900.00	50.0%	11/21/2019
6	Union City Mayor's Park Storm Sewer Rehabilitation	2/11/2019	\$447,083.50	58.4%	7/15/2019
7	Union City Pedestrian System Phase II	3/4/2019	\$853,120.36	53.0%	8/1/2019
8	Whitestone Culvert Replacement	TBD	\$1,185,998.50		
			\$26,655,466		

THE CORBETT GROUP, LLC
PROJECTS COMPLETED

#	Contract Description	Approx. Cost	Completion Date
1	DDCWSA - Charleston Place Stormwater Improvement Project	\$355,000.00	April 2019
2	DDCWSA - Cole Road Stormwater Improvement Project	\$161,000.00	November 2018
3	DDCWSA - Chapel Hill Farms Drive Stormwater Improvement Project	\$397,470.79	November 2018
4	DDCWSA - Tara Circle Stormwater Improvement Project	\$154,706.00	June 2018
5	Georgia State University LRC/Panthersville Waterline Replacement	\$337,000.00	April 2016
6	Water System Improvements - Interstate Crossing at Bohannon	\$366,652.50	May 2015
7	Clayton County Fire Department Multipurpose Building	\$588,468.68	January 2016
8	Dekalb County Waterline Replacement - Allgood Rd	\$2,022,768.19	November 2014
		\$4,383,066	

List of Available Major Equipment

6/3/2019

Quantity	Type
2	John Deere 85 Excavator
1	John Deere 35G Excavator
1	Hitachi 300 Excavator
1	John Deere 130 Excavator
1	JD Track Front End Loader
1	John Deere Track Loader
2	John Deere 323E Skid Steer
1	CATAsphalt Mach-P385B
1	CAT Asphalt Roller
4	Cement Mixer
2	Light Tower
2	Sweeper
1	John Deere 26G Excavator
4	Wacker Trench Roller



PROJECTS (Similar Scope)

SEPTEMBER 2015 – APRIL 2016

GEORGIA STATE UNIVERSITY LRC/PANTHERSVILLE WATERLINE REPLACEMENT

5,000+ LF 6" WATERLINE INSTALLATION. CONTACT: ALLEN WILBANKS

AUGUST 2015 - PRESENT

FC-7791 ANNUAL CONTRACT FOR WATER FACILITIES INSTALLATION

60,000+ LF 8" WATERLINE INSTALLATION, INSTALLATION OF SERVICES, REPLACE METERS, MILLING AND PAVING. CONTACT: TOM CORBIN

MARCH 2015 - MAY 2015

WATER SYSTEM IMPROVEMENTS – INTERSTATE CROSSING AT BOHANNON

1660 LF OF 12" WATERLINE INSTALLATION, INSTALLATION OF SERVICES, REPLACE METERS, JACK & BORE, MILLING AND PAVING. CONTACT: PHILLIP THOMAS

FEBRUARY 2015 – JANUARY 2016 FOR THE POTTS COMPANY

CLAYTON COUNTY FIRE DEPARTMENT MULTIPURPOSE BUILDING

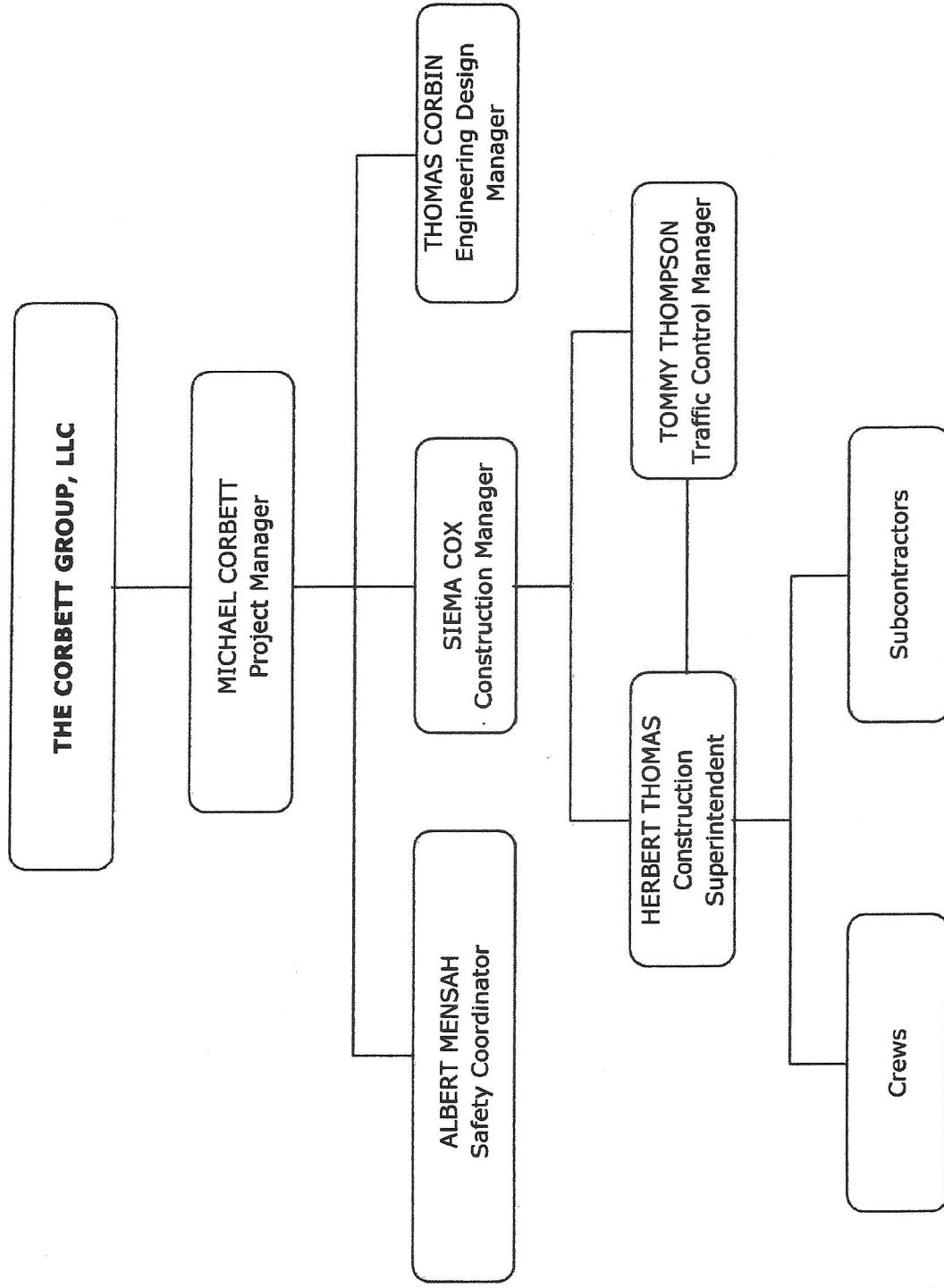
EROSION CONTROL, DEMOLITION, CLEARING AND GRUBBING, GRADING, 440 LF OF 6" AND 1,520 LF OF 8" WATER, SEWER AND STORM INSTALLATION, 2,500 GAL SEPTIC TANK INSTALLATION. CONTACT: JEFF NELSON

OCTOBER 2013 - NOVEMBER 2014 FOR REEVES CONTRACTING

DEKALB COUNTY DWM WATERLINE REPLACEMENT ALLGOOD RD

9415 LF OF 8" WATERLINE INSTALLATION, INSTALLATION OF SERVICES, REPLACE METERS, MILLING AND PAVING. CONTACT: WILLIAM REEVES

ORGANIZATIONAL CHART



MICHAEL CORBETT

Professional Background

With nearly thirty-six years of managing water, sewer and stormwater pipe projects in the Metro Atlanta area, Mr. Corbett has been a key contributor to ensuring infrastructure systems around the city function.

Mr. Corbett has extensive experience in aging urban infrastructure, work includes:

- Water, Sewer and Storm Replacement, Installation and Rehabilitation
- Manhole Rehabilitation
- Cleaning of Sanitary Sewer Pipelines
- Closed Circuit TV Inspection of Sanitary Sewer Pipelines
- Water and Sewer Treatment Plant Upgrades
- Sewer Pump Station Installation and Upgrade

Current and Past Relevant Employment

- The Corbett Group, 2009 - Present
- Integral Municipal Services Corp, 1999 – 2009
- Metric Constructors, 1991 – 1999
- Corbett Construction, 1981 - 1991

Education

- Civil Engineering, E.R. Fisk University, 1987

Certifications/Registrations

- State of Georgia Underground Utility License
- State of Georgia Class 3 Wastewater License
- GUCA Second Vice President

Project Experience

City of Atlanta

FC-7791 Annual Contract for Water Facilities Installation

Project Manager

\$40,000,000.00+

Waterline installation, installation of services, replace meters, milling and paving.

August 2015 – Ongoing

Clayton County Fire Department

Clayton County Fire Department Multipurpose Building

Project Manager

\$582,776.18

Water, storm and sewer installation, erosion control, demolition, clearing and grubbing, grading.

February 2015 – January 2016

Dekalb County DWM

Waterline Replacement, Group 2 – Allgood Rd

Project Manager

\$2,022,768.19

9415 LF of 8" waterline installation, installation of services, replace meters, milling and paving.

October 2013 – November 2014

MARCH 2013 - DEPARTMENT OF DEFENSE

Forsyth Georgia Reserve Base Liftstation, manhole and forcemain replacement. 6,000' of 2' force main replaced
2 grinder pumping stations and large sewer containment vault

FEBRUARY 2013 - CITY OF PALMETTO – CDGB

Project manager

City Of Palmetto Sewer Pumpstation, Force Main Rehabilitation, Sidewalk Replacement Gravity Sewer
Replacement Sidewalk Replacement, Large Turbo Meter And 10" Watermain Installation And Major Roadway
Milling And Paving Project With A Contract Cost Of \$1,550,000,000

Total Pipe Footage 6,010' Total Sidewalk 18,124 Sf, Total

Asphalt 7,200 Sy

**2001 TO MARCH 2010 - CITY OF ATLANTA – FC-3007000044 – ANNUAL CONTRACT FOR WATER LARGE
WATER METER INSTALLATION**

City Of Atlanta Repair Water Line Robotically, Install Water Line Extension 6" – 12", Emergency Water Line
Repair, Tap And Install Large Meters And Back Flow Preventers, CCTV Lines With A Contract Cost Of
\$2,500,000/Yr

FEBUARY 2011 - CITY OF ATLANTA—FC—3006004670--- PIPEBURSTING PHASE 2 CONTRACT 2

City Of Atlanta Sewer Rehabilitation Project Emphasizing Pipebursting As Primary Method And Conventional
Open Cut As Secondary Method With A Contract Cost Of \$10,509,000.00. Project Included Pipebursting
Upsizing From 8", 10", 12", And 18", Manhole Rehabilitation, Sewer Rehabilitation, Chemical Root Treatment
Asphalt, Concrete And Restoration. Total Footage On Project Of Rehabilitation Was 19,400'.

March 2009 - CITY OF ATLANTA- FC- 3006004713—PIPEBURSTING CONTRACT F

City Of Atlanta Sewer Rehabilitation Project Emphasizing Pipebursting As Primary Method And Conventional
Open Cut As Secondary Method With A Contract Cost Of \$5,120,509.00. Project Included Pipebursting Upsizing
From 8", 10", 12", And 18", Manhole Rehabilitation, Sewer Rehabilitation, Chemical Root Treatment Asphalt,
Concrete And Restoration. Total Footage On Project Of Rehabilitation Was 10,200'.

MAY 2007 – CITY OF ATLANTA – FC – 3006007945 – PIPEBURSTING CONTRACT C

City Of Atlanta Sewer Rehabilitation Project Emphasizing Pipebursting As Primary Method And Conventional
Open Cut As Secondary Method With A Contract Cost Of \$6,030,509.00. Project Included Pipebursting Upsizing
From 8", 10", 12", And 18", Manhole Rehabilitation, Sewer Rehabilitation, Chemical Root Treatment Asphalt,
Concrete And Restoration. Total Footage On Project Of Rehabilitation Was 14000'.

MAY 2007 – CITY OF ATLANTA – FC – 3006007944 – PIPEBURSTING CONTRACT A

City Of Atlanta Sewer Rehabilitation Project Emphasizing Pipebursting As Primary Method And Conventional
Open Cut As Secondary Method With A Contract Cost Of \$1,464,138.00. Project Included Pipebursting Upsizing
From 8", 10", 12", And 18", Manhole Rehabilitation, Sewer Rehabilitation, Chemical Root Treatment Asphalt,
Concrete And Restoration. Total Footage On Project Of Rehabilitation Was 8600'.

JULY 2005 - CITY OF ATLANTA – FC – 3005007840 MCDANIEL BASIN COMBINED SEWER SEPARATION

Joint Venture Partner With Rockdale Pipeline, Inc. In The City Of Atlanta's McDaniel Basin Combined Sewer Separation Project. \$96,000,000 Sewer Rehabilitation Project To Repair Deteriorated Sewer Lines, Manholes And Laterals Using A Variety Of Methods Including Pipe-Bursting, Open-Cut, Cured-In-Place-Pipe, And The Replacement Of Ten Miles Of Waterline And Twelve Miles Of Sewer Line. Contact: Marsha Wade Heard At (404) 330-6600.

JAN 2005 – CITY OF ATLANTA – FC 7712-04 ANNUAL CONTRACT FOR PIPE LAYING

Responsible For Water Line Installation, Water Meter Replacements, Installation Of Backflow Prevention Devices, And Leak Detection. JV Partner, Project \$14,000,000. Contact: John Ray (404) 602-4404.

JAN 2003 – AUGUST 2003 – CITY OF ATLANTA – C-521 EMERGENCY PIPE LAYING SERVICE

Responsible For Water Line Installation, Water Meter Replacements, Installation Of Backflow Prevention Devices, And Leak Detection. Subcontractor, Project \$6,000,000. Contact: John Ray (404) 602-4404.

JAN 2003 – JAN 2004 – CITY OF ATLANTA – FC-7476-02 ANNUAL CONTRACT FOR PIPE LAYING

Responsible For Water Line Installation, Water Meter Replacements, Installation Of Backflow Prevention Devices, And Leak Detection. Jv Partner, Project \$10,000,000.

Contact: John Ray (404) 602-4404.

COMPLETED 2004 – CITY OF ATLANTA – UTOY ADMINISTRATION BUILDING

Joint Venture Partner with Pizzagalli Construction On A \$20,000,000 State Of The Art Wastewater Treatment Administration Building For The City Of Atlanta. Contact: Marsha Wade (404) 330-6000.

COMPLETED 2003 – RIVERS ROAD SEWER REHABILITATION PROJECT

Pilot Project For Pipe-Bursting And Cured In Place. City Of Atlanta, Project \$4,200,000. Contact: Torrence Green (404) 659-1331.

COMPLETED 2003 – VETERAN'S HOSPITAL SEWER SYSTEM

Infrastructure Upgrades, Pipe Bursting Slip Lining, Cured In Place, And Manhole Rehabilitation. Project \$7,000,000. Contact: Eskender Abebe (404) 581-9656.

COMPLETED 2002 – ANNUAL SANITARY SEWER CONTRACT (MAINTENANCE)

Sewer Point Repair, Sewer Extension, Cleaning And Televising City Of Atlanta, Under Construction. Project \$20,000,000. Contact: Eddie Hollingsworth (678) 410-7226.

HERBERT R. THOMAS II

CONSTRUCTION SUPERINTENDENT

Professional Background

With over fifteen years experience in water, sewer and stormwater pipe projects in the Metro Atlanta area, Mr. Herbert II is reliable, driven and dedicated to ensuring the highest levels of construction quality and maintaining full adherence to all deadlines and specifications.

Mr. Thomas II has extensive experience in aging urban infrastructure, positions includes:

- Foreman

Current and Past Relevant Employment

- The Corbett Group, 2014 - Present
- L.T.C. Construction, 1999 - 2014

Education

- Architectural & Civil Engineering, Georgia Institute of Technology, 1994

Certifications/Registrations

- OSHA Hazardous Waste Operations
- Construction Safety
- Confined Space Entry

Project Experience

City of Atlanta
FC-7791 Annual Contract for Water Facilities Installation
Superintendent
\$40,000,000.00+

Waterline installation, installation of services, replace meters, milling and paving.

August 2015 – Ongoing

Clayton County Fire Department
Clayton County Fire Department Multipurpose Building
Superintendent
\$582,776.18

Water, storm and sewer installation, erosion control, demolition, clearing and grubbing, grading.

February 2015 – January 2016

Dekalb County DWM
Waterline Replacement, Group 2 – Allgood Rd
Superintendent
\$2,022,768.19

9415 LF of 8" waterline installation, installation of services, replace meters, milling and paving.

October 2013 – November 2014

THOMAS A. CORBIN, P.E. – ENGINEERING DESIGN MANAGER

Professional Background

Design and construction management experience with a strong background in municipal engineering. Emphasis on water distribution networks, wastewater collection systems, storm water management, treatment facilities, and site development.

Experienced in all phases of facility planning, permitting, design, specifications and contract document preparation, construction cost estimating, scheduling, and construction management. Experienced from concept stages through final start-up and project close-out. Over 40 years' experience; Client satisfaction paramount.

Current and Past Relevant Employment

June 2018 to Present, The Corbett Group

April 2017 to Present, Self Employed (T A Corbin, LLC)

March 2013 to April 2017, City of Atlanta

June 2012 to March 2013, Integrated Circles Technologies

Education

B.S., Civil Engineering, 1977, Clemson University

Member, American Society of Civil Engineers.

Member, Georgia Association of Water Professionals

Certifications/Registrations

Professional Engineer, Georgia, #14380

Professional Engineer, Florida, #66672

Professional Engineer, South Carolina, #35381

Erosion Control Level II Certified Design Professional, Georgia

Storm Water, Erosion and Sedimentation Inspector Certification, Florida

10 Hour OSHA Certification

Experience

- | | | |
|-------------------------|-----------------------------|------------------------|
| ✓ Project Management | ✓ Design Management | ✓ Construction Mgmt. |
| ✓ Site Development | ✓ Permitting | ✓ Proposal Management |
| ✓ Planning Studies | ✓ Hydrology Studies | ✓ Pipe Design |
| ✓ Water System Modeling | ✓ Infrastructure Evaluation | ✓ Land Acquisition |
| ✓ Quality Control | ✓ Contract Management | ✓ Design/Build |
| ✓ Transport & Storage | ✓ Pump Stations | ✓ Treatment Facilities |

Project Experience

THE CORBEIT GROUP

- **Principle Engineer** Providing engineering services for water, waste water, storm water facility projects.
- Bid evaluation and compilation
- Miscellaneous Engineering support

T A CORBIN, LLC

- **President** of T A Corbin, LLC Providing engineering services for water, waste water, storm water facilities and site development projects.
- Storm Water Pollution Prevention Plan
- Wastewater pump station design
- Permitting a new Filter system for manganese removal for an existing community water system using wells as source water
- Design and Permitting of development projects through local governments
- Storm water management for municipal facilities and roadway
- Tax recovery for municipal exempt equipment
- Erosion and Sediment Control permitting and inspection

CITY OF ATLANTA

- **Director** of the Appurtenance Division of the Office of Linear Infrastructure Operations of the Watershed Department for the City of Atlanta. Providing technical support to the operations branch for water and sewer infrastructure. Responsibilities included management of support Contracts for water main and appurtenances installations, Underground Utility Locate (811), technical services (flow, pressure, and water quality investigations), liaison with interjurisdictional customers (e.g., City of Sandy Springs, and Hartsfield-Jackson Airport), meter installations, and technical advisor for internal divisions and crews. The City water system covers over 650 square miles and includes approximately 2,400 miles of pipe and 145,000 customer accounts.

INTEGRATED CIRCLES TECHNOLOGIES

- **Civil Design Engineer** for Liddell Wastewater Storage and Pump station for the City of Atlanta. Inflow and Infiltration (I&I) during storm events overflowed the City's wastewater collection system in the Peachtree Creek Basin. This project mitigated excessive I&I flows by diversion to a 10-million-gallon storage facility during peak periods. After flows subside, the stored wastewater is discharged back to the system under controlled conditions to avoid system overflows. Responsible for Site design, facility water and sewer service, specification preparation, Erosion and Sediment Control. Responsible for developing site design and permitting through the City of Atlanta.

PARSONS CORPORATION

- **Project Manager** (Qatar) preparing the Water Procedures and Design Manual for KAHRAMAA, the Qatar General Electricity & Water Corporation. Located in Doha, Qatar, Duties included cost / schedule control, client management, direct management of Middle East staff, and directing US staff. KAHRAMAA is charged with regulating and maintaining the supply of water throughout Qatar. The Manual includes codes of practice, protocols, work processes, planning and design principals, demand forecasting, design standards, drafting/drawing standards, and field operations manual.
- **Construction Inspection** C-111 Canal modifications for the South Florida Water Management District (SFWMD) Program. This is part of the Comprehensive Everglades Restoration Plan (CERP) to restore the pre-developed ecosystems to fresh water Florida Bay, salt water Manatee Bay, and fresh water wetland areas while maintaining effective flood control. There are three construction projects that include construction of two, 275 CFS pump stations, 8,500 LF of concrete canal construction, canal plugging, and 45,000 LF of levee construction to create 600 acres of retention pond and wetlands.

- **Civil Design Manager**, Snapfinger Water Reclamation Facility as part of the Wastewater Treatment Expansion Program for DeKalb County, Georgia. Responsible for Civil design for Wastewater Facility modifications to increase capacity from 35 MGD to 70 MGD including demolition, yard piping, grading, drainage, erosion control, storm water pollution control, road access, parking, and land disturbance permitting.
- **Civil Review Coordinator**, Palm Jebel Ali (PJA) – one of the major island building projects in the Emirate of Dubai, UAE for Nakheel. PJA is constructed in the Arabian Gulf and is 7.5 km wide, 7 km long, and more than 1,000 hectares. Work included the review of Tender Documents for constructability and compliance with No Objection Certificates from appropriate authorities. Over 2,000 drawings and supporting materials were reviewed. Each system network for Utility corridor layout, Water, Sewer, Fire, Irrigation, District Cooling, Electrical Telecommunications, Gas, Structural, and Seawater Recirculation, along with various pumping systems were evaluated and a proposal to bring the documents into compliance was developed.
- **Civil Design Manager**, Picayune Strand Pump Stations for South Florida Water Management District; Design of three pump stations with a combined firm pump capacity of 4710 cfs. Specification and drawing conversion to US Army Corps of Engineers SpecsInTact. The pump stations will simulate hydrologic rainfall events and maintain current flood stage levels as part of the Comprehensive Everglades Restoration Plan (CERP) to restore more than 55,000 acres of land located in southwestern Collier County, Florida to its pre-development condition
- **Project Manager**, Thompson Bridge Road Pump Station Improvements for The City of Gainesville, Georgia, Wastewater system collection system modifications to include upgrade of two pump stations to a firm pump capacity of 5.7 MGD, abandonment of a third pump station, upgrade and reroute of existing force mains to include 13,000 LF of 20" pipe with installation on a state highway bridge and sub-aqueous crossing of Lake Lanier. Permits required from US Corps of Engineers, Georgia Environmental Protection Division of EPA, State Dept. of Transportation, and local government.
- **Project Engineer**, Iraq Infrastructure Reconstruction Program, Phase II – Rehabilitation of Baghdad Water Distribution System, Sadr City for USAID Program; QA/QC review of final drawings for replacement of over 500,000 linear meters of potable water pipelines.
- **Design Manager**, Iraq Infrastructure Reconstruction Program, Al Wahda Pump Station Rehabilitation, Baghdad, Iraq for USAID Program; Design and coordination of plans and specifications for rehabilitation of three irrigation pump stations.
- **Design Manager**, Reuse Water Pipeline and Diffuser to Lake Lanier, Gwinnett County, Georgia; 48,000 L.F. of 72" Steel pipeline to convey treated wastewater from the F. Wayne Hill Water Resources Center to Lake Lanier. Tasks include preliminary route selection, permitting, design, easement preparation, subcontractor management, and construction services.
- **Design Engineer**, Salt Waste Process Facility, for United States Department of Energy, Savannah River Plant, Aiken SC; design and QA/QC support for site work including earthwork, grading, storm water, underground process piping, pavement, and land disturbance permitting.
- **Civil Design Manager**, Upper Sweetwater Creek Wastewater Treatment Facility, for Paulding County, Georgia; 4 MGD plant site with 18 MGD reuse water storage pond and 9 MGD reject water pond, including site permitting, associated site improvements, and ancillary facilities.
- **Project Manager**, Brooks Road Pump Station for Gwinnett County, Georgia; 54 MGD Raw Wastewater Pumping Facility including design services and construction support.
- **Design Engineer**, Shoal Creek Raw Water Pipeline, for Gwinnett County, Georgia; 20,000 L.F. of 72" Steel, 54" DIP, and 20" DIP pipelines, all in common corridor between the existing Lanier Filter Plant to the new Shoal Creek Filter Plant; Gwinnett County, Georgia.
- **Project Engineer**, The Hamptons Water Reclamation Facility, Forsyth County, Georgia; The Hamptons development includes a premier 18-hole golf course, which utilizes the effluent from the WRF for irrigation of its greens and fairways.

Plant effluent is also utilized to irrigate lawns and ornamental landscapes, thus servicing the demand for reuse water in the community.

- **Project Engineer**, Cauley Creek Water Reuse and Force Main, Cauley Creek Water Reclamation Facility for Fulton County, Georgia; Pipeline design for raw wastewater force main and reuse water force main parallel to an existing sanitary gravity sewer.
- **Project Manager**, Snapping Shoals Pump Station and Force Main for Rockdale County, Georgia; 8 MGD Raw Wastewater Pump Station and 20,000 L.F. of 16" Force Main including design and construction inspection services.

MORELAND ALTOBELLI ASSOCIATES, INC.

- **Project Manager**, South Monroe County Water and Sewer System for Monroe County, Georgia; 5 miles of 12 inch water main with booster stations; 2,500 LF gravity sewer, 12 inch force main with pumping stations, and water distribution system to Bolingbroke Community,.
- **Project Manager** Leachate treatment and disposal system for Candler Road Landfill, Hall County, Georgia.
- **Project Manager** Wastewater Plant upgrade, 1 MGD facility with discharge to Lake Lanier for the City of Flowery Branch, Georgia.
- **Numerous additional projects** including facility evaluation, and various design projects for pipelines, treatment facilities, and site developments.

KECK AND WOOD, INC.

- **Project Engineer** Sugar Hill Wastewater Treatment Plant, 0.5 MGD with provisions for 1.0 MGD upgrade, Sugar Hill, Georgia., Trunk Sewers, Pump Stations, effluent spray onto golf course, effluent holding ponds, and storm water detention pond network.
- **Miscellaneous additional projects** included developing a Hydraulic model of Lafourche Parish, LA, using KYPipe, pump stations, pipelines, treatment facilities, site development, hydraulic modeling, and hydrology studies.

DEKALB COUNTY, GEORGIA

- **Miscellaneous projects** to include trouble shooting pressure and flow issues, aerial creek crossing design, **Sewer projects** include new sewers for established residential subdivisions to trunk sewers for expanding service area, and **Water projects** range from 6" through 48" diameters and routes along rural highways to downtown commercial districts to interstate crossing. **Activities** included land acquisition, hydraulic modeling, evaluating options, Contract Document preparation, bid review, Award recommendation, construction inspection oversight, change order preparation, pay request approval, punch list development, and project closeout.

ALBERT MENSAH – Site Safety Officer

Professional Background

To contribute to your organization's success through the use of exceptional Safety and Health techniques; implementing training of hazard awareness processes and helping to eliminate occupational injuries.

Current and Past Relevant Employment

- Engineering Design Technologies, Inc 2011 – Present
- The Corbett Group, 2015 - 2016
- North American Pipeline Management 2009 – 2011
- Swift Contracting, LLC 2008 - 2009

Education

- M.S. Occupational Health and Safety/Environmental Management, Columbia Southern University
- B.S. Occupational Health and Safety, Columbia Southern University

Certifications/Registrations

- OSHA 500 Authorized Trainer (Construction Industry)
- OSHA 501 Authorized Trainer (General Industry)
- Certification in Communication Skills
- Confined Space Entry Certificate
- Competent Person – Trenching/Excavation and Soil Mechanics
- OSHA 10-Hour Certificate
- OSHA 30-Hour Certificate
- Fall Prevention and Protection
- First Aid/CPR/AED Instructor
- First Aid/CPR/AED
- Member, American Society of Safety Engineers

Project Experience

Clayton County Fire Department
Clayton County Fire Department Multipurpose Building
Safety Manager
\$582,776.18

Water, storm and sewer installation, erosion control, demolition, clearing and grubbing, grading.

February 2015 – January 2016

Dekalb County DWM
Waterline Replacement, Group 2 – Allgood Rd
Safety Manager
\$2,022,768.19

9415 LF of 8" waterline installation, installation of services, replace meters, milling and paving.
October 2013 – November 2014

City of Atlanta

3005007840 MCDANIEL BASIN COMBINED SEWER SEPARATION

Safety Manager

\$96,000,000.00

Sewer Rehabilitation Project To Repair Deteriorated Sewer Lines, Manholes And Laterals Using A Variety Of Methods Including Pipe-Bursting, Open-Cut, Cured-In-Place-Pipe, And The Replacement Of Ten Miles Of Waterline And Twelve Miles Of Sewer Line.

2005 - 2008

SIEMA COX

Construction Manager

Business Experience

Responsible for overseeing projects, assisting the project managers and project supervisors with project – related assignments including overall planning, tracking and documentation of one or several projects from the project proposal phase to the project closeout. Task and processes also include filing and archival, management of project documents, internal communications and reporting, compiling and disseminating project documentation to appropriate personnel. With over ten years of working with water, sewer and stormwater pipe projects in the Metro Atlanta area.

Ms. Cox has extensive experience in:

- Project Controls
- Quality Assurance / Quality Control

Current and Past Relevant Employment

- The Corbett Group, LLC 2013 - Present
- Rockdale Pipeline, Inc. 2005 - 2013

Education

- Biology, Medgar Evers College, 2003

Certifications/Registrations

- Primavera – Contract Manager
- Skire Unifier

Project Experience

City of Atlanta

FC-7791 Annual Contract for Water Facilities Installation

\$3,000,000.00

Waterline installation, installation of services, replace meters, milling and paving.

August 2015 – Ongoing

Clayton County Fire Department

Clayton County Fire Department Multipurpose Building

\$589,000.00

Water, storm and sewer installation, erosion control, demolition, clearing and grubbing, grading.

February 2015 – January 2016

Dekalb County DWM

Waterline Replacement, Group 2 – Allgood Rd

\$2,023,000.00

9415 LF of 8" waterline installation, installation of services, replace meters, milling and paving.

October 2013 – November 2014

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf CITY OF VILLA RICA has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

1188500

Federal Work Authorization User Identification Number

04/11/2017

Date of Authorization

The Corbett Group, LLC

Name of Contractor

2019 Water System Improvements

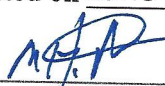
Name of Project

City of Villa Rica

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on June, 3, 2019 in Douglasville, GA (city), _____ (state).



Signature of Authorized Officer or Agent

Michael Corbett, President

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

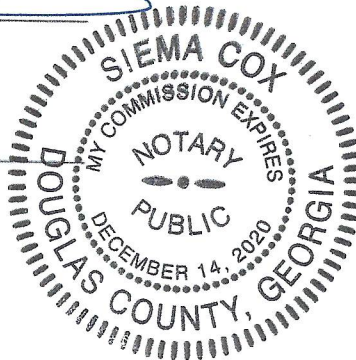
ON THIS THE 3 DAY OF JUNE, 2019.

Siema Cox

NOTARY PUBLIC

My Commission Expires:

12/14/20



Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with THE CORBETT GROUP, LLC on behalf of CITY OF VILLA RICA has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned subcontractor receives notice of receipt of an affidavit from any sub-subcontractor that has contracted with a sub-subcontractor to forward, within five business days of receipt, a copy of such notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

302474
Federal Work Authorization User Identification Number

2-8-10
Date of Authorization

SABE, INC
Name of Subcontractor

City of Villa Rica 2019 WATER SYSTEM IMPROVEMENTS
Name of Project

CITY OF VILLA RICA
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on June 3, 2019 in Lyns (city), GA (state).

[Signature]
Signature of Authorized Officer or Agent

Shedrick A. Brown
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 3 DAY OF June, 2019.

Cathy J Mobley
NOTARY PUBLIC

My Commission Expires: 9-16-22





STATE OF GEORGIA
Office of the Secretary of State
Georgia Construction Industry Licensing Board
LICENSE NO. UC302014

The Corbett Group LLC
Michael H Corbett
13201 Veterans Memorial Hwy
Douglasville GA 30134

Utility Contractor

EXP DATE - 04/30/2021 Status: Active
Issue Date: 06/26/2009

Above is your wall certificate license. A pocket-sized license card is below.

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.state.ga.us/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: (478) 207-2440
Toll Free: (844) 753-7825
www.sos.state.ga.us/plb

The Corbett Group LLC
13201 Veterans Memorial Hwy
Douglasville GA 30134



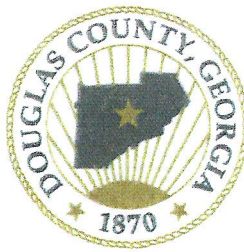
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JAMES WORTHINGTON
Development Services Director



RONALD M. ROBERTS, JR., AICP
Planning & Zoning Manager

DOUGLAS COUNTY BOARD OF COMMISSIONERS

OCCUPATIONAL TAX REGISTRATION

8700 Hospital Drive • Douglasville, GA 30134
Telephone (770) 920-7348 • Fax (770) 920-7482

GENERAL BUSINESS LICENSE

LICENSE EFFECTIVE 1/1/2019 TO 12/31/2019

REGISTRATION #	101280	TOTAL CHARGED: \$2601.00
OWNER:	MICHAEL CORBETT	
BUSINESS:	THE CORBETT GROUP, LLC	
CONTACT:	MICHAEL CORBETT	
	6535 BANKHEAD HWY	
	DOUGLASVILLE GA 30134	
BUSINESS TYPE:	LLC	
EXEMPT STATUS:	NON EXEMPT	

Tax Class 2

\$2601.00

238390 CONTRACTOR OTHER BLD FINISH CONT

DEVELOPMENT SERVICES DIRECTOR

AUTHORIZED INITIALS

PENALTY IMPOSED BY LAW FOR FAILURE TO RENEW BEFORE 12/31/2019
PLACE ON DISPLAY

STATE OF GEORGIA

Secretary of State
Corporations Division
313 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CONTROL NUMBER : 09013325
DATE INC/AUTH/FILED: : February 18, 2009
JURISDICTION : Georgia
PRINT DATE : 09/10/2014

The Corbett Group
7667 McKay Industrial Dr
Douglasville, GA 30134

CERTIFIED COPY

I, Brian P. Kemp, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that the attached documents are true and correct copies of documents maintained by the Corporations Division of the Office of the Secretary of State of Georgia under the name of

THE CORBETT GROUP, LLC
A Domestic Limited Liability Company

Said entity was formed in the jurisdiction set forth above and has filed in the Office of Secretary of State on the 18th day of February, 2009 its certificate of limited partnership, articles of incorporation, articles of association, articles of organization or application for certificate of authority to transact business in Georgia. This Certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence of the existence or nonexistence of the facts stated herein.

WITNESS my hand and official seal in the City of Atlanta and the
State of Georgia on 09/10/2014



B. P. Kemp

Brian P. Kemp
Secretary of State

Tracking #: mdCPz138



Bidder Qualification Statement

The Corbett Group is a State of Georgia Utility licensed and General Contractor licensed firm specialized in construction of water and wastewater projects. The Corbett Group is a minority certified company in the City of Atlanta. The Corbett Group has worked on numerous City of Atlanta water and sewer projects as a conventional and trenchless contractor. We have never defaulted on a project nor failed to complete a project. The Corbett Group has a history of completing projects on time and within the bid amount.

The Corbett Group exercises proper care to address all aspects of construction including, environmental, workmanship, material quality, project controls, and traffic controls during the construction work. The Corbett Group endorses a drug free work place.

The Corbett Group has demonstrated strength and expertise through all construction phase from site preparation-clearing and grading-through site development and restoration. The Corbett Group has participated as a principal partner in the construction of sewage and wastewater treatment facilities. The Corbett Group has extensive experience in water line, storm drainage and sanitary sewer rehabilitation and installation as well as manhole rehabilitation through the utilization of state-of-the-art technologies available to the utility service industry. Our greatest asset lies in providing imaginative and effective project management with the goal of maximizing our customer's investment and achieving on time completion.

The markets we serve are varied. The Corbett Group works with many residential and commercial developers, as well as an array of city and county governmental agencies. The Corbett Group is a recognized Veteran Company, Minority Business Enterprise (MBE) with certification in Atlanta and surrounding counties, Georgia DOT and the State of South Carolina Governor's office as a certified minority firm. The Corbett Group also has access to a plumbing license.

The Corbett Group owns or has access to and operates utility and construction equipment to facilitate our needs and accomplish the customer's objective. This includes large grading, excavating and curbing equipment utilized in the sewer inspection, repair and rehabilitation arena.

Lead Contact Info

Name: Michael Corbett
Telephone: 770-947-2672
Fax: 770-947-2674
Cell: 404-557-9107
Email: MCorbett@thecorbettgroup.net

REFERENCES

Contact: Allen Wilbanks

Company: Georgia State University

Phone: 404-413-1760

Fax: 404-413-1768

Email: AWilbanks@gsu.edu

Projects:

Georgia State University LRC/Panthersville Waterline Replacement

LM

Contact: Lonnie Ferguson

Company: City of Union City

Phone: 770-515-7877

Fax: 770-969-4945

Email: LFerguson@unioncityga.org

Projects:

Mayors' Park Stormwater Improvement Project

Union City Pedestrian System Phase II

LM

Contact: Stephen Ingle

Company: Douglasville-Douglas County Water and Sewer Authority

Phone: 678-631-1539

Email: Single@ddcwsa.com

Projects:

DDCWSA Charleston PI Stormwater Improvement Project

DDCWSA Cole Rd Stormwater Improvement Project

DDCWSA Chapel Hill Farms Dr Stormwater Improvement Project

Good reference.

Contact: Sam Serio

Company: Keck & Wood

Phone: 678-417-4023

Fax: 678-417-4055

Email: SSerio@keckwood.com

Project:

Union City Pedestrian System Phase II

Union City Stormwater Improvements

Contact: Tim Burroughs

Company: Rindt-McDuff Associates, Inc

Phone: 770-427-8123

Fax: 770-425-8930

Email: TBurroughs@rindt-mcduff.com

Projects:

DDCWSA Charleston PI Stormwater Improvement Project

DDCWSA Cole Rd Stormwater Improvement Project

DDCWSA Chapel Hill Farms Dr Stormwater Improvement Project

✓ Good

PROJECTS (CURRENT & COMPLETED)

FEBRUARY 2019 – APRIL 2019

DDCWSA – CHARLESTON PLACE STORMWATER IMPROVEMENT PROJECT
STORMWATER INSTALLATION. CONTACT: STEPHEN INGLE

FEBRUARY 2019 – PRESENT

CITY OF UNION CITY – MAYOR'S PARK STORM SEWER REHABILITATION
STORMWATER INSTALLATION, PARK RESTORATION. CONTACT: LONNIE FERGUSON

FEBRUARY 2019 – PRESENT

CITY OF UNION CITY – UNION CITY PEDESTRIAN SYSTEM PHASE II
ROADWAY IMPROVEMENT, STORM IMPROVEMENTS. CONTACT: LONNIE FERGUSON

OCTOBER 2018 – PRESENT

DEPT OF NATURAL RESOURCES – EVANS COUNTY PFA CAMPGROUND
GRADING, WATER, SEWER, STORM INSTALLATION, BUILDING RV PARK. CONTACT:
EDDIE FULTZ

AUGUST 2018 – NOVEMBER 2018

DDCWSA – COLE ROAD STORMWATER IMPROVEMENT PROJECT
STORMWATER INSTALLATION. CONTACT: STEPHEN INGLE

JULY 2018 – NOVEMBER 2018

DDCWSA – CHAPEL HILL FARMS DRIVE STORMWATER IMPROVEMENT PROJECT
STORMWATER INSTALLATION. CONTACT: STEPHEN INGLE

APRIL 2018 – JUNE 2018

DDCWSA - TARA CIRCLE STORMWATER IMPROVEMENT PROJECT
STORMWATER INSTALLATION. CONTACT: STEPHEN INGLE

AUGUST 2016 – DECEMBER 2017

AUSTELL ANNUAL TRANSPORTATION IMPROVEMENTS
2 MILES SIDEWALK INSTALLATION, 3 MILES PAVING. CONTACT: RANDY BOWENS

FEBRUARY 2016 - OCTOBER 2017

DEKALB COUNTY ANIMAL SHELTER
DEMOLITION, GRADING, 400+ LF 6" WATER, 300+ LF SEWER AND 1000+ LF STORM
INSTALLATION, 1,500 GAL SEPTIC TANK INSTALLATION, MILLING AND PAVING.
CONTACT: WILLIAM REEVES

SEPTEMBER 2015 – JULY 2017

CLEMSON DOUTHIT HILLS
CHILLER PIPING. CONTACT: ADAM WAITES



SEPTEMBER 2015 – APRIL 2016

GEORGIA STATE UNIVERSITY LRC/PANTHERSVILLE WATERLINE REPLACEMENT
5,000+ LF 6" WATERLINE INSTALLATION. CONTACT: ALLEN WILBANKS

AUGUST 2015 - PRESENT

FC-7791 ANNUAL CONTRACT FOR WATER FACILITIES INSTALLATION
60,000+ LF 8" WATERLINE INSTALLATION, INSTALLATION OF SERVICES, REPLACE METERS, MILLING AND PAVING. CONTACT: TOM CORBIN

AUGUST 2015 – JANUARY 2016

UNION CITY STORMWATER IMPROVEMENTS
660+ LF STORM INSTALLATION, SIDEWALKS, CURB AND GUTTER, MILLING AND PAVING. CONTACT: LONNIE FERGUSON

JULY 2015 – FEBRUARY 2016

AUSTELL SIDEWALK & CHEYENNE ESTATES SIDEWALK PROJECTS
SIDEWALK INSTALLATION. CONTACT: RANDY BOWENS

MARCH 2015 - MAY 2015

WATER SYSTEM IMPROVEMENTS – INTERSTATE CROSSING AT BOHANNON
1660 LF OF 12" WATERLINE INSTALLATION, INSTALLATION OF SERVICES, REPLACE METERS, JACK & BORE, MILLING AND PAVING. CONTACT: PHILLIP THOMAS

FEBRUARY 2015 – JANUARY 2016 FOR THE POTTS COMPANY

CLAYTON COUNTY FIRE DEPARTMENT MULTIPURPOSE BUILDING
EROSION CONTROL, DEMOLITION, CLEARING AND GRUBBING, GRADING, 440 LF OF 6" AND 1,520 LF OF 8" WATER, SEWER AND STORM INSTALLATION, 2,500 GAL SEPTIC TANK INSTALLATION. CONTACT: JEFF NELSON

OCTOBER 2013 - NOVEMBER 2014 FOR REEVES CONTRACTING

DEKALB COUNTY DWM WATERLINE REPLACEMENT ALLGOOD RD
9415 LF OF 8" WATERLINE INSTALLATION, INSTALLATION OF SERVICES, REPLACE METERS, MILLING AND PAVING. CONTACT: WILLIAM REEVES

[illegible]



CITY OF VILLA RICA
FINANCIAL UPDATE
May 2019

CASH			SELF-FUNDED INSURANCE			TOTAL SAVINGS	\$ 735,928
	05-31-2018	05-31-2019					
Total Cash & CD	\$ 10,801,782	\$ 14,744,206					
General Fund	\$ 5,264,748	\$ 6,777,229					
Water/Sewer Fund	\$ 1,419,427	\$ 2,080,125					
Sanitation/Solid Waste	\$ (51,665)	\$ (42,012)					
2008 Carroll SPLOST	\$ 582,436	\$ 311,809					
2015 Carroll SPLOST	\$ 204,168	\$ 1,267,005					
2016 Douglas SPLOST	\$ 293,192	\$ 966,739					
			Contributions			Expenses	Savings
			Employer + Employee			Admin + Claims Paid	Difference
			Oct-Dec '18	407,899	Oct-Dec '18	326,989	80,910
			Jan-Mar '19	393,707	Jan-Mar '19	315,546	78,161
			Apr '19	128,596	Apr '19	122,979	5,617
			May '19	132,812	May '19	124,262	8,549
			TOTALS	\$1,063,014		\$ 889,776	\$ 173,238
OTHER HIGHLIGHTS			GROWTH			May 2018	May 2019
	May 2018	May 2019				#	Amount
Carroll Co LOST	\$ 770,702	\$ 886,230	Residential			#	Amount
Douglas Co LOST	\$ 714,699	\$ 805,654	Building Permits	109	\$ 231,705	159	\$ 335,177
Carroll Co SPLOST	\$ 1,050,355	\$ 1,184,862	Water Taps	116	\$ 174,000	167	\$ 250,500
Douglas Co SPLOST	\$ 909,794	\$ 1,102,190	Sewer Taps	118	\$ 472,000	156	\$ 624,000
Total # of Employees	155	166	Commercial			#	Amount
(Excludes Seasonal)			Building Permits	8	\$ 89,806	2	\$ 2,813
			Water Taps	5	\$ 20,400	2	\$ 9,950
			Sewer Taps	5	\$ 71,500	-	\$ -
BUSINESS ACTIVITY			SANITATION/ SOLID WASTE			May 2018	May 2019
	May 2018	May 2019					
WATER/SEWER			Sanitation Revenue	\$ 535,877	\$ 551,254		
Water Revenue	\$ 1,849,273	\$ 1,914,100	Solid Waste Revenue	134,085	271,915		
Sewer Revenue	1,861,012	2,489,118	Misc. Revenue	43,056	-		
Misc. Revenue	835,886	1,009,939	Total Revenue	\$ 713,018	\$ 823,169		
Total Revenue	\$ 4,546,170	\$ 5,413,157					
Utility Administrator	\$ -	\$ 286,434	Sanitation Expenses	\$ 419,930	\$ 454,835		
Water Expenses	829,367	810,538	Solid Waste Expenses	344,445	294,808		
Sewer Expenses	947,331	1,084,359	Depreciation	34,012	43,143		
Dist./Coll. Expenses	949,061	794,560	Total Expenses	\$ 798,388	\$ 792,786		
Debt Expense	1,297,783	1,346,441					
Depreciation	1,025,469	1,040,667	Net Income (Loss)	\$ (85,370)	\$ 30,383		
Total Expenses	\$ 5,049,011	\$ 5,362,998					
Net Income (Loss)	\$ (502,840)	\$ 50,159					



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Proposed Action Related to a Member of the Historic Preservation Commission

AGENDA DATE: June 25, 2019

DATE PREPARED: June 13, 2019

PREPARED BY: Tom Barber

AMOUNT:

GL ACCOUNT #:

FUNDING SOURCE:

BUDGETED ITEM?

PURPOSE: To take action related to a member of the Historic Preservation Commission (HPC).

BACKGROUND: Several complaints have been made against a member of the HPC. The City Attorney has been asked to investigate the complaints and to speak with the member about the behavior in question. After investigating, the City Attorney asked the member to resign from the Commission but the member has refused.

The City Attorney will outline the complaints that have been made, the results of his investigation, and the notice he has given the HPC member. The City Attorney will then outline the action that the City Council could take.

STAFF RECOMMENDATION: Staff recommends that City Council review the complaints and the results of the City Attorney's investigation before taking action to protect other HPC members and City staff from inappropriate behavior.

IMPACT: Commission members and City Staff should not be subjected to inappropriate behavior and steps should be taken to make the City of Villa Rica a safe workplace.

MOTION: