

1. Agenda

Documents:

[BOMC-2-24-20-RM-AGENDA.PDF](#)

2. Meeting Called To Order

3. Invocation/Pledge To The Flag

4. Adoption Of Agenda

5. Commissioner Updates

6. Citizens' Comments

7. Old Business

7.I. Third And Final Reading Of Revised Sanitation Ordinance

Documents:

[SANITATION ORDINANCE AMENDMENT 1.6.20.PDF](#)

8. New Business

8.I. Resolution To Adopt University Of Georgia Archives Record Retention Schedule

8.II. Resolution In Opposition To Pending State Legislation Regarding Design Standards

8.III. Resolution In Opposition To Pending State Legislation Regarding Short-Term Rentals

8.IV. Arbor Day Proclamation

9. Announcements

10. Executive Session – Real Estate

11. Adjournment



**BOARD OF MAYOR AND COMMISSIONERS  
REGULAR MEETING  
February 24, 2020  
6:30 p.m.**

**AGENDA**

- Item No. 1 Meeting Called to Order
- Item No. 2 Invocation (Commissioner Shortell)
- Item No. 3 Pledge to the Flag
- Item No. 4 Adoption of Agenda
- Item No. 5 Commissioner Updates – Subject of General Interest and Concern
- Item No. 6 Citizens' Comments:  
"It's another beautiful day in Avondale Estates" – Thomas P. Samford
- Item No. 7 Old Business:

**Third and Final Reading of Revised Sanitation Ordinance**

This ordinance changes the regulations and payment structure for commercial entities.

- Item No. 8 New Business:

**Resolution to Adopt University of Georgia Archives Record Retention Schedule**

This retention schedule is the gold standard for agencies on the local and state level. By officially adopting it, city staff can manage documents more efficiently, free up space in city hall, and respond more quickly to open records requests, for example.

**Resolution in Opposition to Pending State Legislation Regarding Design Standards**

HB 302 AND SB 172 would prohibit cities from establishing building design elements for single and double-family dwellings.

**Resolution in Opposition to Pending State Legislation Regarding Short-Term Rentals**

HB 523 would pre-empt local elected leaders from establishing oversight of short-term rental properties like AirBnB lodging.

## **Arbor Day Proclamation**

Item No. 9                   Announcements (Commissioner Shortell)

There are many opportunities coming up for residents and business owners to learn about and weigh in on the zoning rewrite and town green plans. For dates and times, please check the calendar on the homepage of the city's website.

And don't forget to vote in the presidential primary election on Tuesday, March 24<sup>th</sup>. The polling place for residents is right here in the courtroom of city hall. It will be open from 7 a.m. to 7 p.m. For a sample ballot and early voting details, visit: <https://www.dekalbcountyga.gov/voter-registration-elections/current-election-information>

Item No. 10                 Executive Session – Real Estate

Item No. 11                 Adjournment

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

**AN ORDINANCE TO AMEND ARTICLE V OF CHAPTER 9 OF THE CITY CODE, CONCERNING SANITATION FEES; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, City Charter Section 6.15 authorizes the City to assess and collect a fee for sanitation services; and

**WHEREAS**, the Board of Mayor and Commissioners desires to make sanitation fees for businesses more equitable by assessing the fee on a usage (“per can”) basis.

**NOW THEREFORE, BE IT ORDAINED BY** the City of Avondale Estates, as follows:

**SECTION 1.** City Code section 9-82 is hereby repealed in its entirety and replaced with the following language:

**“Sec. 9-82. – Sanitation fee rate.**

(a) The annual sanitation fee rate shall be determined by the character and use of each parcel or lot. Every property use in the city shall be assigned to one of the following two categories for sanitation fee purposes:

- (1) *Residential* means any place where persons reside, including but not limited to single-family houses, apartments and condominiums.
- (2) *Commercial* means any use of property within the City for purposes other than Residential as defined in this section.”

(b) For residential property uses, a separate fee shall be imposed for each housing unit. For commercial property uses, a separate fee shall be imposed on each business unit, with an additional fee levied for each additional receptacle required by and licensed to the business.

(c) The amount of the annual sanitation fees shall be set by properly adopted resolution of the Board of Mayor and Commissioners and may be amended at the discretion of the Board of Mayor and Commissioners.”

**SECTION 2.** City Code subsection 9-84(a) is hereby amended to read as follows:

“(a) Residential sanitation fees shall be due and payable by November 15<sup>th</sup> of each year, without discount, with interest at one (1) percent per month if not paid when due, with a minimum interest of one dollar (\$1.00), plus a late payment penalty of five (5) percent of the fee due. Commercial sanitation fees shall be due and payable on the same schedule and with the same delinquency penalty as occupation tax, as specified in Section 14-41 (a).”

**SECTION 3:** New Code subsection 9-84(d) is hereby adopted, to read as follows:

“(d) Commercial entities receiving service from a sanitation provider other than the City shall be deemed exempt from City sanitation fees upon providing proof of that service,

such as a current bill and canceled check. When such alternative service begins during a year for which the sanitation fee has already been paid, the commercial organization shall be entitled to a prorated refund for the remainder of that year.”

**SECTION 4.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This ordinance shall become effective immediately upon its adoption by the Board of Mayor and Commissions.

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

**BOARD OF MAYOR AND COMMISSIONERS  
AVONDALE ESTATES, GEORGIA**

\_\_\_\_\_  
Jonathan Elmore, Mayor

**ATTEST:**

\_\_\_\_\_  
Gina Hill, City Clerk

Approved As To Form:

 1-6-2020  
\_\_\_\_\_  
Stephen G. Quinn, Assistant City Attorney