

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE V OF CHAPTER 9 OF THE CITY CODE, CONCERNING SANITATION FEES, TO ALLOW CERTAIN LOTS WITH MULTIPLE BUSINESS UNITS TO PAY ONLY A SINGLE COMMERCIAL SANITATION FEE.

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 recently amended the City's commercial sanitation fee structure in an effort to make sanitation fees for businesses more equitable by assessing the fee on a per-business-unit basis; and

WHEREAS, it has come to the City's attention that, for a small number of commercial parcels where multiple small business units are located, the per-business-unit sanitation fee structure has resulted in inequitable fee amounts; and

WHEREAS, the Board of Mayor and Commissioners desires to amend the commercial sanitation fee structure to more closely track actual sanitation usage by multiple-business locations.

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

SECTION 1: New City Code subsection 9-82(d) is hereby adopted, to read as follows:

“(d) *Multiple business units per building.*.. Notwithstanding subsection (b), where multiple business units are located on a single lot, within a single building and share a single public entrance, each such business unit will not be required to pay a separate sanitation fee but will be treated collectively as a single business unit, subject to the following conditions and limitations:

- (i) the property owner must submit a written request identifying each business unit at the location and requesting that they be treated as a single business unit for sanitation fee purposes;
- (ii) where multiple business units are treated as a single business unit pursuant to this subsection (d), the property shall not be eligible for a reduced fee for additional receptacles. Instead, the property shall pay the full per-business-unit sanitation fee for each receptacle required;
- (iii) The city manager may require the assignment of an additional receptacle(s) and the concomitant fee or revoke the treatment of multiple business units as a single unit for sanitation fee purposes at any time if the waste generated by the property exceeds the capacity of the receptacle(s) in service at the location.”

SECTION 2. This ordinance shall become effective immediately upon its adoption by the Board of Mayor and Commissioners and shall be applied to 2020 sanitation fees, with refunds to be issued by the city manager where appropriate.

First Reading: _____
Second Reading: _____
Third Reading: _____

SO ORDAINED THIS _____ DAY OF _____, 2020.

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

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

Approved As To Form:

Stephen G. Quinn
Stephen G. Quinn, Assistant City Attorney