



Hart County Board of Commissioners
Tuesday November 14, 2023
6:00 p.m.
Emergency Services and Administration Building

1. PRAYER
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. WELCOME
5. APPROVE AGENDA
6. APPROVE MINUTES OF PREVIOUS MEETING(S)
 - 10/24/2023 Regular Meeting
7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES
8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS
9. COUNTY ADMINISTRATOR'S REPORT
10. CHAIRMAN'S REPORT
11. COMMISSIONERS' REPORTS
12. OLD BUSINESS
 - a) Chapter 46 – Land Development Standards 2nd Reading
 - b) Bid Award Recreation Basketball Uniforms
 - c) IBA Director Job Description (Tabled 10/10/2023)
 - d) Millwood Variance Request Parcel No. C6B 032 002 Lot 9
 - e) Chapter 50 Manufactured/Mobile Home Ordinance Amended (1st Reading)
13. NEW BUSINESS
 - a) Credit for Experience Jail
 - b) Resolution for Continued State Support to Improve Mental Health Services in Georgia
 - c) Intergovernmental Agreement with School System for Tax Disbursements
 - d) FY 24 DHS contract (Transit)
 - e) Atkins Setback Variance Request Parcel No. C67E 017
 - f) Bowman Hwy. / Bio Church Road / Clay brown Road Intersection Discussion
14. PUBLIC COMMENT
15. EXECUTIVE SESSION –
16. ADJOURNMENT



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 12 A Chapter 46 – Land Development Standards 2nd Reading

Attached is the ordinance with the changes requested at the October 24th meeting.

Footnotes:

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Cross reference— Buildings and building regulations, ch. 18; environment, ch. 34; floods, ch. 38; manufactured homes and trailers, ch. 50; planning, ch. 62; roads and bridges, ch. 66; signs, ch. 70.

State Law reference— Georgia Land Sales Act, O.C.G.A. § 44-3-1 et seq.; local restrictions on condominiums, O.C.G.A. § 44-3-114; Georgia Condominium Act, O.C.G.A. § 44-3-70 et seq.

ARTICLE I. - IN GENERAL

Sec. 46-1. - Citation.

This chapter shall be known and may be cited as the Land Development Standards of Hart County, Georgia. The land development standards may be referred to in this chapter as the subdivision regulations.

(Ord. of 3-10-1992, art. I, § 1.01)

Sec. 46-2. - Purpose and intent.

This chapter is enacted for the following purposes:

- (1) To encourage economically sound and stable land development;
- (2) To assure the provision of required streets, utilities, and other facilities and services to land development;
- (3) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments;
- (4) To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational and other public purposes;
- (5) To assure equitable handling of all development of land by providing uniform procedures and standards for observation and enforcement of standards both by the developer and local public bodies; and
- (6) To responsibly manage growth.

(Ord. of 3-10-1992, art. I, § 1.02)

Sec. 46-3. - Highest standard to apply.

Whenever the provisions of this chapter and those of some other section of this Code or statute apply to the same subject matter, that ordinance, section of this Code or statute requiring the highest or most strict standard shall govern.

(Ord. of 3-10-1992, art. I, § 1.03)

Sec. 46-4. - 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. Terms not defined in this section shall have their customary dictionary definitions where not inconsistent with the context.

Administrative officer means the representative appointed by the board of commissioners being assigned any responsibility for administering any provisions this chapter. The office of the administrative officer shall act as staff to the board and shall be given full responsibility for receiving applications, fees and filings from developers and citizens and shall report to the board the status of various proposals and includes the County Administrator, any building inspector, any code enforcement officer, any public works director, and the road maintenance supervisor.

Board means the Hart County Georgia Board of Commissioners.

Developer (see subdivider definition below)

Flag lot means a lot which is connected by a private drive to a public, county, or private road, typically situated behind another lot that abuts the same public, county, or private road, and has less than one-hundred (100) feet of road frontage.

Lot means a portion or parcel of land separated from other portions of parcels by description as on a subdivision plat or record survey map or as described by metes and bounds, and intended for transfer of ownership or for building development. For the purpose of this chapter, the term does not include any portion of a dedicated right-of-way, or land subdivided to achieve a boundary and adjustment with adjoining property. Lots must not be irregular in shape and must contain few angles.

Governmental water system means a system for the provision to the public of piped water for human consumption. Such a system is owned and operated by a municipal, county government, or other legislatively enabled authority.

Non-public water system means a system for the provision to the public of piped water for human consumption. Such a system serves at least one individual but less individuals than the requirements of a public water system.

Plat means a drawing(s) prepared by a professional registered engineer or licensed registered surveyor describing the subdivision of land per this chapter. The plat may consist of multiple sheets and may contain multiple plans depending on the requirements of this chapter.

Plan means a drawing prepared by a registered professional engineer that describes some aspect of the subdivision required by this chapter. An example would be a soil erosion and sedimentation control plan that would describe the methods and procedures to control soil erosion and sedimentation during the construction or development phase.

Public water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year as further defined by the Georgia Safe Drinking Water Act of 1977.

Shared Driveway: means a driveway which services two lots along their common border and is permissible provided a driveway sharing agreement is recorded in the public records.

Small Development means a subdivision of land resulting in ten (10) lots or less. For any subdivided property, no more than one small development may be allowed. Any other development or division of the property shall be subject to the appropriate land development provisions of this ordinance.

Street means a way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, alley, public easement or other way. The term does not include a private easement used as an access to land not accessible by other means and which serves no more than two separate lots or dwellings. For the purpose of this chapter, streets are divided into the following categories:

- (1) *Rural principal and minor arterial*, which are streets designated as such on the major thoroughfare plan of the county.
- (2) *Rural major and minor collector*, which are those streets serving travel of intra-county linking and rural arterial system.
- (3) *Rural local routes*, which are those streets used primarily for access to the abutting properties and serving minor travel demands.
- (4) *Alley*, which is a minor way used for service access to the back or side of properties otherwise abutting on a street.
- (5) *Cul-de-sac*, which is a residential street with only one outlet and a turnaround at or near the closed end, sometimes called a dead-end street.
- (6) *Marginal-access street*, which is a residential street parallel and adjacent to major thoroughfares and which provides access to abutting properties with protection from through traffic.
- (7) *Easement*, which is a private right of access to no more than two separate lots or dwellings.
- (8) *Public street/road*, which is a street with a 60' right-of-way used by the public but it is not part of the county road system.
- (9) *Private street/road*, which is a street with 60' right-of-way dedicated to a property owner(s) association, of the subdivision involved, or reserved in the name of the developer and not accepted or maintained by the county. A statement that such roads have specifically not been accepted by the county and are to be privately maintained shall be placed on the plat and instrument of transfer, deed, or sales contract. Private streets must meet the road construction requirements of this chapter.
- (10) *County road/street*, which is a road/street having a minimum 60' right-of-way feet and is dedicated to the county or which currently exists on the county road inventory, with or without a stated 60' right-of-way.

Subdivider (also known as Developer) means the person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under this chapter, or the authorized agent of such person, firm or corporation for the purpose of proceeding under this chapter.

Subdivision means all division of a tract or parcel of land into three or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

Subdivision of land shall be categorized in three (3) levels herein as follows:

LEVEL I SUBDIVISION: means the division of land into three (3) to six (6) lots/parcels to include the following requirements:

- (A) Each such parcel after division shall abut an existing county road or highway;
- (B) Each such lot/parcel after division shall have a minimum of three (3) acres per parcel;
- (C) Any driveway of each such divided parcel shall be a minimum of three hundred (300) feet from any other driveway on the same side of the roadway, as measured from the centerline of each driveway;
- (D) All driveways must meet minimum site distance requirements per the Georgia Department of Transportation Regulations for Driveway and Encroachment Control, with site distance based upon the posted speed limit of the roadway (which ranges from 335 feet at 30 mph to 610 feet at 55 mph);
- (E) All divided parcels must provide for and grant a right of way of thirty (30) feet from the centerline of the existing county or public road;

- (F) All divided lots shall have a minimum width of one-hundred fifty (150) feet road frontage if serviced by an individual well, or one-hundred (100) feet in width on a public water system.
- (G) All lots must meet health department regulations, and
- (H) All plats must be stamped as approved by the health department prior to submission to the county.
- (I) All Level I divisions of land require posting of a sign visible from the road right of way notifying the public that application has been made for subdivision of the land, together with publication in the legal organ of Hart County, Georgia to include a full legal description and tax map and parcel number for proper identification. The posting and publication shall occur for at least thirty (30) days prior to board approval.

LEVEL II SUBDIVISION: means the division of land up to fifty (50) lots per phase, to include the following requirements;

- (A) Each such parcel after division shall have a minimum acreage of 1 acre up to 4.99 acres per lot;
- (B) Each such lot shall be accessed by an interior road built by the developer/subdivider to Georgia DOT specifications (see section 46-156 hereinbelow);
- (C) There shall be no more than two curb cuts onto an existing county road or state highway (see section 46-156 hereinbelow),
- (D) Each such lot shall have a minimum of one hundred (100) feet of road frontage or sixty (60) feet adjacent a cul de sac for a subdivision of one-story homes/dwellings/buildings and ninety (90) feet on a cul de sac for a subdivision of homes/dwellings/ with two or more stories above ground;
- (E) All interior driveways must be staggered;
- (F) The subdivision must have an entrance sign displaying an approved subdivision name;
- (G) If a governmental water system is within one thousand (1,000) feet of any property line of the subdivision (as measured along road rights of way), the subdivision developer must connect all lots within the subdivision to the governmental water system.
- (H) All Level II divisions of land shall have restrictive covenants imposed, said covenants to be uniform as to all such lots in the subdivision, and a master set of restrictive covenants shall be recorded in the public records of Hart County, Georgia-
- (I) All rules for Level I subdivisions not in conflict herewith apply to Level II subdivisions.

LEVEL III SUBDIVISION: means the division of land greater than five (5) acres up to 9.99 acres, to include the following requirements.

- (A) The survey of such divisions must either be approved by the health department or stamped by the county "not reviewed by Health Department" prior to recording.
- (B) All rules of Level I and Level II subdivisions not in conflict herewith shall remain applicable to Level III land divisions, except that posting and advertising are not required.

See also "Sec. 46-191. - Lot sizes and proportions" hereinbelow for Level I, II and III subdivisions of property.

EXEMPTIONS: The following are not included within these definitions and are otherwise exempt from this Ordinance:

- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter.

- (2) The division of land into parcels of ten (10) acres or more where no new street or change in an existing street is involved.
- (3) One division of land into two total parcels.
- (4) A parcel of land that is divided into five or fewer parcels, each parcel being of sufficient size to meet the requirements of the health department, and each parcel is either utilized as a home site for the personal use of the owner or deeded to a member of the owners' immediate family. For the purposes of this paragraph, immediate family is defined as the owners' spouse, mother, father, brother, sister, children, and/or grandchildren.
- (5) Divisions of land pursuant to assent or distribution to family members by Estates, provided said parcels meet Health Department requirements.

Although such subdividing of land as described in (1), (2), (3), (4), and (5) above are not included in the subdivision of land categories, each such division shall be surveyed and the plat shall contain the following Note in a prominent fashion: "roads, streets, and easements shown on this plat that are not already county roads as of the plat date, will not be maintained by the county and will not be accepted in the future as county roads unless they are in compliance with county standards".

(Ord. of 3-10-1992, art. II, § 2.01; Res. No. 2000-001, 3-14-00; Amend. of 7-10-2007)

Cross reference— Definitions generally, § 1-2.

Sec. 46-5. - Amendments.

This chapter may be amended. Before enacting an amendment to this chapter, the board shall hold three (3) public hearings on the amendment, notice of which shall be published at least 15 days prior to such hearing in a newspaper of general circulation in the county.

(Ord. of 3-10-1992, art. X, § 10.01)

Sec. 46-6. - Remedies; injunctive relief.

If any land is used in violation of this chapter, the administrative officer, the county attorney, or the board, in addition to other remedies, may institute injunction or other appropriate action or proceeding to stop the violation including a "stop work order."

(Ord. of 3-10-1992, art. XII, § 12.01)

Sec. 46-7. - Penalties for violation.

The procedure for enforcement of this chapter shall be as provided in O.C.G.A. §§ 15-10-60—15-10-66. Any person convicted of a violation of any provision of this chapter shall be punished by a fine not exceeding \$1,000.00 or 60 days imprisonment, or both, except as otherwise provided by general law. Each day any violation continues shall be a separate offense.

(Ord. of 3-10-1992, art. XIII, § 13.01; Res. No. 2000-001, 3-14-00)

Sec. 46-8. - Enforcement and administration.

The Administrative Officer shall have enforcement and administrative responsibilities, in addition to those officers previously granted enforcement and administrative responsibilities, with respect to this chapter.

(Res. of 8-25-1998; Res. No. 2000-001, 3-14-00)

Secs. 46-9—46-40. - Reserved.

ARTICLE II. - PLATTING JURISDICTION AND ENFORCEMENT⁽²⁾

Sec. 46-41. - Platting authority.

The board shall be the official platting authority, and no plat of land subdivision shall be entitled to be recorded in the office of the clerk of the superior court of the county nor shall a certificate of approval be granted in accordance with the Georgia Land Sales Act of 1972 O.C.G.A. § 44-3-1 et seq. unless it shall have the approval of the board inscribed on the certificate. The filing or recording of a plat of a subdivision without the approval of the board as required by this chapter is declared to be a violation of this chapter. The County Administrator may approve/stamps plats of survey for a division of land that is not a subdivision under this ordinance.

(Ord. of 3-10-1992, art. III, § 3.01; Res. No. 2000-001, 3-14-00)

Sec. 46-42. - Use of plat.

The transfer of, sale, agreement to sell, or negotiation to sell land by reference to or exhibition of a plat of a subdivision that has not been given final approval by the board and recorded in the office of the clerk of superior court of the county, or the secretary of state under the Georgia Land Sales Act O.C.G.A. § 44-3-1 et seq. if required, is prohibited, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

(Ord. of 3-10-1992, art. III, § 3.02)

Sec. 46-43. - Opening and improving public streets.

The board shall not accept, lay out, open, improve, grade, pave, or light any street or lay any utility lines in any street that has not attained the status of a public street prior to the effective date of the ordinance from which this chapter is derived unless such street corresponds to the street location shown on an approved subdivision plat or on an official street map adopted by the board.

(Ord. of 3-10-1992, art. III, § 3.03)

Sec. 46-44. - Erection of buildings.

No building permit shall be issued and no building shall be erected on any subdivision lot in the county unless the lot abuts a public street, county road, or private road, and in which a septic tank permit from the Health Department has been obtained, and a 911 address must be obtained as soon as a driveway location has been determined.

(Ord. of 3-10-1992, art. III, § 3.04; Res. No. 2000-001, 3-14-00)

Footnotes:

---(2) ---**State Law reference**--- Approval by planning commission or governing authority on plat of subdivision required for filing or recording in superior court clerk's office, O.C.G.A. § 15-6-67(d).

Sec. 46-45. - Privately maintained streets or roads.

The following statement shall be placed on all plats identifying privately maintained roads in the following words:

"The roads or streets identified as "privately maintained" are private ways and are not and will not be maintained by the county unless accepted into the county road system as a county road".

(Res. No. 2000-001, 3-14-00)

Secs. 46-46—46-75. - Reserved.

ARTICLE III. - PROCEDURE FOR APPROVAL OF PLAT

Sec. 46-76. - Preapplication review.

Whenever the subdivision of a tract of land within the county is proposed, the subdivider/developer is urged to consult early and informally with the County Administrator and/or an administrative officer. The subdivider/developer may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the preapplication review, and no formal application shall be required.

(Ord. of 3-10-1992, art. IV, § 4.01; Res. No. 2000-001, 3-14-00)

Sec. 46-77. - Application for plat approval.

The property owner shall submit to the board at least 15 days prior to the next regular meeting of the board the following:

- (1) A letter requesting review and approval of a plat and giving the name and address of a person to whom the notice of the hearing by the board on the plat shall be sent.
- (2) Two copies of the plat and other documents, as may be specified.
- (3) A plat application fee specified in the schedule of fees and charges.
- (4) Once approved, a plat must be filed in the public records within forty-five (45) days of final board approval. Failure to timely file a plat subjects the developer/subdivider to renewal of the approval process.

(Ord. of 3-10-1992, art. IV, § 4.02)

Sec. 46-78. - Review of plat.

- (a) The Administrative Officer shall check the plat for conformance to the rules and regulations of this chapter and report his/her findings and recommendations to the board, which shall approve or disapprove the plat at a scheduled board meeting. A notation of the action shall be made in the minutes of the board, including a statement of the reasons for disapproval if the plat is disapproved. One copy of the plat shall be returned to the subdivider/developer or his/her/its agent, and one copy added to the records of the board.
- (b) If action on a plat is not taken by the board within 60 days of the date of submittal, the plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

(Ord. of 3-10-1992, art. IV, § 4.03; Res. No. 2000-001, 3-14-00)

Sec. 46-79. - Plat specifications.

- (a) *Generally.* All plats must be drawn by a Georgia registered/licensed surveyor. The plat shall conform to the specifications of this section and contain the required information.
- (b) *Specific specifications.*
 - (1) *Scale.* The preliminary plat shall be clearly and legibly drawn at a scale not smaller than 200 feet to one inch.
 - (2) *Sheet size.* Sheet size shall be no larger than 17 inches in width and 22 inches in length. If the complete plat cannot be shown on one sheet, it may be shown on more than one sheet with an index map on a separate sheet.
 - (3) *Ground elevations.* A contour map of the proposed subdivision will be required if the topography of the land is such that there will be a drainage problem in the subdivision that would require a contour map to develop a proper drainage system. If a contour map is required it shall be based on the following criteria:
 - a. For land that slopes less than approximately two percent, elevations shall be shown at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions.
 - b. For land that slopes more than approximately two percent, contours shall be shown with an interval of not more than 20 feet.
- (c) *Information to be provided on plat.* The plat shall contain the following information and may consist of several plans (sheets):
 - (1) Name and address of owner of record and of subdivider/developer.
 - (2) Proposed name of subdivision.
 - (3) North point, graphic scale and date.
 - (4) Acreage of the subdivision and vicinity map, showing location.
 - (5) Exact boundary lines of the tract by bearing and distances along with setback lines.
 - (6) Names of owners of record of adjoining land.
 - (7) Existing streets, utilities, and all easements on and adjacent to the tract.
 - (8) Proposed layout, including streets and alleys with proposed street names, lot lines and approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings.
 - (9) Block or section numbers and/or lot numbers.
 - (10) Provisions for water supply, sewage, and, drainage, and soil sedimentation and erosion control (E&S). These items shall be set forth on a plan(s) properly prepared by a registered surveyor, or registered professional engineer for E&S plans and by a registered professional engineer for water supply and sewage plans and must include a certificate evidencing review and approval by the county health department and the National Resources Conservation Service where applicable.
 - (11) Such street cross sections and centerline profiles as may be required by the board.
 - (12) Provisions for open space requirements as required by state statute.
 - (13) The following certifications, affixed before recording:

- a. *Certificate of dedication.* A certificate of dedication by the owner submitted with the plat and in such form as approved by the board, which sets forth the description of the areas and improvements dedicated by the owner to the public and the extent of title which is being dedicated.
- b. *Copy of official action of board.* The resolution adopted by the board accepting the street rights-of-way, improvements, easements and any other property dedicated by the owner for public use as indicated on the plat shall be recorded in the minutes of the board. This acceptance does not relieve the developer of the obligation to guarantee against faulty materials as specified in section 46-157.
- c. *Certificate of approval.* A certificate of approval of the final plat by the board, directly on the plat, as follows:

"Pursuant to the Land Development Standards of Hart County, Georgia, all requirements of approval having been fulfilled, this Plat was given Approval by the Hart County Board of Commissioners on (insert date of approval)"

<p>_____ Date</p>	<p>_____ Chairman, Hart County Board of Commissioners</p>
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(Ord. of 3-10-1992, art. IV, § 4.04; Res. No. 2000-001, 3-14-00)

Secs. 46-80—46-110. - Reserved.

ARTICLE IV. - GENERAL DESIGN AND OTHER REQUIREMENTS

Sec. 46-111. - Name of subdivision.

The name of the subdivision must have approval of the board. The name shall not duplicate or closely approximate the name of an existing subdivision.

(Ord. of 3-10-1992, art. V, § 5.01)

Sec. 46-112. - Access.

Access to every subdivision shall be provided over a public street or county road but shall be limited to two (2) curb cuts on said public street or county road. Private streets within subdivided property shall meet the road standards of this chapter. There shall be no private easements or driveways from interior lots providing access to a public street or county road in an attempt to circumvent this section, except as otherwise set forth herein.

(Ord. of 3-10-1992, art. V, § 5.02; Res. No. 2000-001, 3-14-00)

Sec. 46-113. - Large-scale developments.- Deleted

Sec. 46-114. - Utility easements.

- (a) Utility easements shall be provided as required by utility companies for utility lines, underground mains and cables and shall be recorded on the final plat.
- (b) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater or drainage right-of-way of adequate width to be reserved as open space. Parallel streets may be required by the board.

(Ord. of 3-10-1992, art. V, § 5.04)

Sec. 46-115. - Reservation of public sites and open spaces.

- (a) Where features of any comprehensive plan, such as school sites, parks, playgrounds and other public spaces are located in whole or in part in a proposed subdivision, such features shall be reserved by the subdivider/developer; however, no more than 25 percent of the total area of the subdivision shall be required for reservation to fulfill the requirements of this section. Whenever the land required for such comprehensive plan features is not dedicated to and accepted, purchased, acquired, optioned or condemned by the appropriate public agency within a four-year period from the date of recording the subdivision or by the time that at least 75 percent of the lots are built on and occupied, whichever is sooner, the subdivider/developer may claim the original reservation and cause it to be subdivided in a manner suitable to the subdivider/developer, subject to the provisions of this chapter. Whenever the board executes a written release, stating that the reserved land is not to be acquired, the board shall waive the reservations requirements.
- (b) Whenever the board finds that proposed reservation of land or dedication of land for public use is not required or is unsuitable for the public use proposed, it may require the rearrangement of lots to include such land in the subdivision.

(Ord. of 3-10-1992, art. V, § 5.05)

Sec. 46-116. - Community assets.

In all subdivisions, due regard shall be shown for all natural features such as watercourses and for historical spots, cemeteries, and similar community assets which, if preserved, will add attractiveness and value to the property or community.

(Ord. of 3-10-1992, art. V, § 5.06; Res. No. 2000-001, 3-14-00)

Sec. 46-117. - Water system design.

- (a) The following paragraphs of this section are not applicable to an individual lot served by a well located on the lot.
- (b) A public water system must be permitted and approved by the Environmental Protection Division of the Department of Natural Resources (EPD). It will be the responsibility of the developer to make all applications.
- (c) If the subdivision is to be served by a water system, the piping size and location are to be shown, as well as other features of the water system, on a water system plan. Further, the location of the well(s) and water storage facility(s) shall be identified and located on the plan. Each water connection shall be equipped with a backflow preventer valve. If at any point in the future the subdivision may be connected to a government owned public system, the plan for providing water service to the lots must have express written approval of that system by the appropriate governmentally owned public water system before finalizing the plans for water supply to the lots. Such consent shall not be unreasonably withheld. No person or entity shall connect to an existing governmentally owned public water system

without the prior, express written consent of that system. All water line installation must be performed by a State of Georgia Licensed Utility Contractor.

- (d) A completed EPD form, "Intent to Drill", shall be approved by the county health department for non-public water systems and shall accompany the water system plan when the plat is submitted for approval. For a public water system, an approval letter from the state EPD shall accompany the water system plan when the plat is submitted for approval.
- (e) Required well flow rate (gallons/minute) shall be determined by a registered professional engineer for the entire subdivision and shown on the water system plan.
- (f) A certification form from the certified well installer showing the actual well(s) capacity (flow rate in gal./minute) of the public or non-public water system shall accompany the subdivision plat when submitted for approval. The county reserves the right to have the flow rate determined by its engineer. If this flow rate is less than that certified by the well driller, a third determination will be made by the county at the developer's expense. The average of the three flow rates shall be the well(s) flow rate to be compared with the required design flow rate.
- (g) Provision for water hydrants shall be made if the distance between an existing county road to the furthest lot is greater than 750 feet as measured along the centerline of the road leading to the lot. Hydrants are to be spaced no more than 1,000 feet apart within the subdivision and shall be supplied with a minimum 6-inch water line. The hydrant supply line may be separate from the water line supplying water to each lot. In either case, the line shall extend to the row of the existing county road.

(Res. No. 2000-001, 3-14-00)

Sec. 46-118. - Gated communities.

- (a) A gated community is a community which has a lockable security gate(s) at its entrance and/or manned by a security agency whose purpose is to limit access by the general public. All streets/roads in a gated community are private streets/roads and are not maintained by the county.
- (b) Gated community developments shall meet all requirements of this chapter including road construction.
- (c) A written agreement, approved by the board, and recorded with the plat shall detail how county provided emergency services shall have access to the community residents and their property 24 hours a day.

(Res. No. 2000-001, 3-14-00)

Secs. 46-119—46-150. - Reserved.

ARTICLE V. - REQUIREMENTS FOR STREETS AND OTHER RIGHTS-OF-WAY

Sec. 46-151. - Continuation of existing streets.

Existing streets shall be continued at the same or greater width, but in no case less than the width required in this chapter, and all streets/roads must have a sixty (60) foot right of way and pavement twenty feet in width. All paving shall be to Georgia Department of Transportation standards.

(Ord. of 3-10-1992, art. VI, § 6.01)

Sec. 46-152. - Street names.

Proposed streets that are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix, "street," "avenue," "boulevard," "drive," "place," "way" or "court." Where available, through its index list of street names on file, the board can assist the subdivider/developer in avoiding duplication.

(Ord. of 3-10-1992, art. VI, § 6.02)

Sec. 46-153. - Culs-de-sac or dead-end streets.

- (a) Minor streets or courts designed to have one end permanently closed shall be provided with a turnaround with a minimum radius of ninety-six (96) feet in diameter at or within two hundred (200) feet of the closed end.
- (b) Where in the opinion of the board it is desirable to provide street access to adjoining property, streets shall be extended to the boundary of such property and provided with a temporary turnaround.

(Ord. of 3-10-1992, art. VI, § 6.03)

Sec. 46-154. - Development along major thoroughfares, limited-access highway or railroad right-of-way.

Where a subdivision abuts or contains a major thoroughfare, a limited-access highway, or a railroad right-of-way, the board may require a street approximately parallel to and on each side of such right-of-way either as a marginal-access street or at a distance suitable for an appropriate use of the intervening land, with a nonaccess reservation suitably platted. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to a major thoroughfare (or limited-access highway) but only to access streets. Setbacks shall be extended on certain major thoroughfares and state highways as set forth in this chapter.

(Ord. of 3-10-1992, art. VI, § 6.04)

Sec. 46-155. - Easements.

Easements shall not be permitted to serve more than two separate dwellings or lots as otherwise set forth in this Chapter as "shared driveways."

(Ord. of 3-10-1992, art. VI, § 6.05)

Sec. 46-156. - Street right-of-way widths and construction requirements.

- (a) *Width.* The right-of-way width shall be the distance across a road or street from property line to property line. The minimum right-of-way width shall be 60 feet.
- (b) *Grade.* A minimum of roadway to be graded shall be 30 feet for 20 feet of pavement. All stumps, rock and other obstructions shall be removed to at least two feet below subgrade. The maximum grade shall not exceed ten percent. Roads to be paved following grading shall be paved with a minimum of two inches of "B" mix. After development activity is complete, or 12 months have elapsed, a minimum of 1½ inches of "E" mix shall be laid. Roads to be paved after development is complete, or twelve months have elapsed, shall be paved with 1½ inches of "E" mix. New subdivision roads leading from existing public or county dirt roads shall meet all standards. All paving shall be in accordance with state department of transportation standards.

- (c) *Fill.* All suitable material from roadway cuts may be used in the construction of fills, approaches or any other places as needed. The fills shall be spread in layers not to exceed six inches loose and compacted with a sheeps foot roller to a density at least 95 percent of standard proctor density. Fill slopes shall not exceed a two to one slope.
- (d) *Subgrade.* The subgrade shall be properly shaped, ditch lines sloped and compacted to conform with grade lines and cross sections and shall have a crown of ½ inch per foot. All unsuitable materials shall be excavated and replaced with suitable material compacted to a density at least 95 percent of standard proctor density. Standard proctor density is determined by a laboratory test where a sample of soil is taken from a given site to test for compaction by measuring the dry unit density versus moisture content.
- (e) *Base.* The base shall be a graded aggregate base course or other approved material. The minimum thickness shall be six inches after being compacted to a density at least 98 percent of standard proctor density.
- (f) *Storm drainage.* The street and roadway must have adequate drainage, including curbs and gutters, necessary open ditches, pipe and culverts; drainage structures shall be provided to accommodate all natural water flow and to be of sufficient length to permit full roadway width and slopes. The diameter of pipe shall be based on water flow, and shall be determined by consultation with a registered professional engineer and approved by the administrative officer.
- (g) *Erosion control.* All banks, shoulders, ditch slopes and other disturbed areas shall be grassed with an approved vegetative cover to prevent washing. Silt fences, hay bales, mulch and/or other erosion control devices that may be necessary shall be used during construction at all places that pose an erosion problem. All applicable provisions of soil erosion and sedimentation control as referenced in chapter 34 shall be complied with.
- (h) *Underground utilities.* All underground utilities shall be installed after the grading has been completed but before the base is installed. Location of all utilities shall be shown on subdivision drawings and cannot be located running parallel underneath or immediately parallel to the asphalt.
- (i) *Intersections with state highways.* Intersections with state highways must meet all regulations and standards promulgated by the state department of transportation for such intersections.
- (j) *Inspection.* Roadways are to be inspected during and after construction by an administrative officer. Test reports of compaction results are to be furnished to the inspector; however, he/she may require additional testing in areas he may deem unsatisfactory. The board will not accept a street without approval of the inspector.
- (k) *Construction Maintenance:* Subdivider/developer must keep all roadways free of mud and dirt. Where road entrances abut county or private roads, gravel must be provided to control mud and dirt from entering the roadway. Construction vehicles, equipment or supplies must not be parked, unloaded or stored in the roadway or road right of way.
- (l) *Performance Bond:* Upon approval of development plans but before the issuance of a development permit, the applicant shall be required to post a performance bond and cash escrow for the project. The performance bond shall be in a format acceptable to the county administrator and/or the county attorney and the performance surety shall remain and not expire until a certificate of completion for the project is given by the county. The performance bond will be 100 percent of the amount listed herein and at least 50 percent shall be in cash escrow. For lots 7-24 in number, the bond shall be \$75,000. For 25 lots up to 50 lots, the performance bond shall be \$100,000.00. Each additional phase shall adhere to these requirements.

(Ord. of 3-10-1992, art. VI, § 6.06; Res. No. 2000-001, 3-14-00)

Sec. 46-157. - Guarantee against faulty materials.

Final approval of street improvements shall be granted and streets accepted for maintenance by the county only in accordance with one of the following provisions:

- (1) The street improvements shall have been completed and in place for a period of one year and shall, upon inspection, following such period of time, be found to be free from defective workmanship or material, free from sinkholes or other settling, and have a satisfactory vegetative cover.
- (2) The performance bond will guarantee the county that the street has been installed in a workmanlike manner, that it is free from defects caused by faulty material or workmanship, and that the street will remain in acceptable condition for a period of at least one year. If at the end of the one-year period the street is found to have settled or be otherwise unacceptable because of faulty workmanship or materials, any defects shall be repaired at the cost of the subdivider/developer; and upon his/her/its failure or refusal to do so within 90 days after demand is made upon the subdivider/developer by the board, the county shall make such repairs as are reasonably necessary and recover the cost from the subdivider/developer or the performance bond.

(Ord. of 3-10-1992, art. VI, § 6.07; Res. No. 2000-001, 3-14-00)

Sec. 46-158. - Signage.

No signage or other subdivision identification, wall or decorative fence shall be constructed or placed in the county right-of-way or right-of-way to be dedicated to the county.

(Res. No. 2000-001, 3-14-00)

Secs. 46-159—46-190. - Reserved.

ARTICLE VI. - DESIGN STANDARDS FOR BLOCKS AND LOTS

Sec. 46-191. - Lot sizes, proportions and setbacks.

(a) Residential lots shall have a width as follows:

- (i) Level I and III: All lots shall have a minimum width of one-hundred (100) feet in width or as otherwise required by the health department at the septic site.
- (ii) Level II: All lots shall have a minimum of one hundred (100) feet of road frontage or forty (40) feet adjacent to a cul de sac, or as otherwise required by the health department at the septic site.

(b) The principal building, HVAC, and any structures including retaining walls on any lot shall meet the following setback requirements which shall be clear and unobstructed:

Front:

- (i) Sixty (60) feet from the right of way of the county road or the specific state highways of Smith McGee, Cokesbury and Reed Creek Highways for Level I, III and all other land divisions, except Level II.
- (ii) Level II shall be forth (40) feet from the right of way of the interior roadway (see corner lots below).

(iii) For all state highways except Smith McGee, Cokesbury and Reed Creek Highways, and for all county roads with a speed limit of 50 miles per hour or more, building setbacks must be one hundred (100) feet from the edge of the right of way which abuts the property line.

(iv) All corner lots on any subdivided property must meet the requirements for either type of roadway that the property line is adjacent to.

Rear: Ten (10) feet from the property line.

Side: Ten (10) feet from the property line.

(Ord. of 3-10-1992, art. VII, § 7.01; Res. No. 2000-00, 3-14-2000; Ord. of 7-17-2018(1); Ord. of 7-17-2018(3))

Sec. 46-192. - Adequate building sites.

Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or building setback lines required.

(Ord. of 3-10-1992, art. VII, § 7.02)

Sec. 46-193. - Lot line arrangements.

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

(Ord. of 3-10-1992, art. VII, § 7.03; Res. No. 2000-001, 3-14-00)

Sec. 46-194. - Sidewalks, curbs and gutters.

- (a) *Sidewalks.* Sidewalk specifications do not apply to second home-type developments with seasonal use or to developments that do not have locally centralized public facilities such as schools, churches, etc. The board shall have final authority in determining the need for sidewalks.
- (b) *Concrete curb and gutter.* Curb and gutter is required on all newly constructed interior roads. Street curbs shall be Portland cement concrete, six-inch x 24-inch x ten-inch vertical or roll back type, with a minimum strength of 3,000 psi at 28 days. All curbing shall be backfilled and grassed. The curb and gutter shall be constructed so as to present a smooth, even line both horizontally and vertically. There shall be no areas of ponding. A valley gutter may be used across a driveway at its intersection with a street. However, valley gutters shall not be allowed across streets at street intersections unless specifically approved by the board.

For small developments of ten (10) lots or less, curb and gutter is not automatically required. Developers/subdividers must inform the Board and obtain approval of their proposed method of stormwater abatement through the submission of a stormwater management plan that accounts for the flow of stormwater by constructing roadways such that the 60' right of way includes the appropriately graded paved street pursuant to Section 46-156 herein, greenspace along the shoulder for utility access and maintenance, and an adequate drainage system on both sides. An adequate drainage system may include but is not limited to: culverts, storm sewer piping, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels and ditches.

(Ord. of 3-10-1992, art. VII, § 7.04)

Sec. 46-195. - Flag lots.

A subdivision shall not contain flag lots.

(Res. No. 2000-001, 3-14-00)

Secs. 46-196—46-225. - Reserved.

ARTICLE VII. - REQUIRED IMPROVEMENTS

Sec. 46-226. - Performance and specifications.

Every subdivider/developer shall be required to make the improvements outlined in this article in accordance with the specifications in this article or otherwise adopted by the board. The improvements can be made by the county at the expense of the subdivider/developer, or the subdivider/developer can make the improvements with the approval of the board.

(Ord. of 3-10-1992, art. VIII, § 8.01)

Sec. 46-227. - Monuments.

Lot and block corners shall be marked with solid steel rods at the minimum as specified by Georgia Board of Professional Engineers and Land Surveyors.

(Ord. of 3-10-1992, art. VIII, § 8.02)

Sec. 46-228. - Water supply system.

- (a) Water mains within the subdivision must be provided with tap connections to each lot. An exception is if the subdivision will be served by a municipal government water system and the government water system agrees in writing that it will bore under the pavement to make any future connections. When water service is provided by a government entity, the minimum diameter of water pipes shall meet its standards and all installation shall be pre-approved by the government entity. If a government water supply is not available to the subdivision at the time of development of the subdivision, the developer should provide an adequate water source and an adequate water storage facility. This shall be accomplished by the use of individual wells for each housing unit or by the Environmental Protection Division of the Department of Natural Resources (EPD) or county health department approved public water system, or by a non-public water system, all meeting requirements of section 46-117.
- (b) Individual wells' adequacy of water flow and water quality are the responsibility of the lot purchaser; however, a public water system shall be permitted and approved by the EPD or county Health Department per state regulations. Prior to final approval of the plat the developer must submit a letter from the EPD or Health Department approving plans to construct a public water system and the source of the water supply.
- (c) In the absence of a municipal water supply, public or non-public water system, all lots within the subdivision shall be of sufficient size (taking into account slope and other relevant factors) to accommodate both an individual well and an approved septic system per Department of Human Resources Public Health chapter 290-5-26.
- (d) A subdivision with an entrance within 1000 feet of a municipal water system (as measured along road rights of way), or where it is feasible to access a government water system via easement, and the distance to the government water system is within 1000 feet, the developer shall connect the subdivision water system, at his/her/its expense, to the government water system with appropriate size

water mains and dedicate the subdivision water system infrastructure to the municipality, the design of the system, inspections and approval shall be made and had by the government entity owning the system.

(Ord. of 3-10-1992, art. VIII, § 8.03; Res. No. 2000-001, 3-14-00)

Sec. 46-229. - Sanitary sewers. – there shall be no private community/on site sewage systems.

(Ord. of 3-10-1992, art. VIII, § 8.04; Res. No. 2000-001, 3-14-00)

Sec. 46-230. - Acceleration/deceleration lanes.

Entrances to subdivisions from county or public roads may require, at the discretion of the board or as required by the Georgia DOT, the construction of acceleration and/or deceleration road lanes. These expenses will be the responsibility of the developer or subdivider.

(Res. No. 2000-001, 3-14-00)

Sec. 46-231. - Other utility considerations.

All underground utilities (gas, CATV, telephone, water, sewer, etc) shall be constructed prior to street paving or in limited exceptions they shall be bored under the streets following street paving.

(Res. No. 2000-001, 3-14-00)

Sec. 46-232. - Extraterritorial water and sewer services.

- (a) Prior to initiating the development of water and sewer services in extraterritorial boundaries, the local government proposing the new service will notify the adjacent government of the proposed new service by providing information on location of property, size of area, and existing proposed land use associated with the property.
- (b) Within 15 working days following receipt of the above information, the local government receiving the notice of water/sewer extension will forward to the local government proposing the extension a statement either: (a) indicating that the proposal is compatible with that community's land use plan and all applicable ordinances; or (b) describing its bona fide objectives as why the proposal is inconsistent with the land use plan or ordinances providing supporting evidence and listing any possible stipulations or condition that alleviate the objection.
- (c) If the community proposing the service extension does not receive a response in writing within the deadline, the proposal shall be determined to be consistent with the community's land use plan or land use ordinances and the sending local government is free to proceed and the receiving government loses its right to invoke the dispute resolution process, stop the extension or object to land use changes after the provision of service.
- (d) If the receiving government notifies the sending government that it has a bona fide land use classification objection(s), the sending government will respond to the receiving government in writing within 15 working days of receiving the objection(s) by either: (a) agreeing to implement the receiving government stipulations and conditions and thereby resolving the extension objection(s); (b) agreeing with the receiving government and stopping action on the proposed extension; (c) disagreeing that the receiving government objection(s) are bona fide and notifying the receiving government that they will seek a declaratory judgment in court; or (d) initiating a 30-day (maximum) mediation process to discuss possible compromises.

- (e) If either party initiates mediation, they will each appoint two members to a mediation panel. These four individuals will then select a fifth panel member who is familiar or experienced in land use issues. The Georgia Mountains RDC will provide a list of mediators to the city and county for their selection of a mediator to assist in the process. Any costs associated with the mediation will be shared on a 50/50 basis between the city and the county.
- (f) If no resolution of the receiving government's bona fide land use classification objection(s) results from the mediation, the sending government will not proceed with the proposed extension of services.
- (g) If the parties reach agreement as described in step (d) or as a result of the mediation, they will draft an agreement for execution by the governments within 15 working days from the date of the agreement.

Regardless of future changes in land use or zoning classification, any site-specific mitigation or enhancement measures or site-design stipulations included in the agreement will be binding on the property. The agreement shall become final when signed by the city, the county and property owner(s) and be filed at the courthouse.

This extraterritorial water and sewer services dispute resolution shall remain in force and effect until amended by agreement of each part or unless otherwise terminated by operation of law.

(Res. No. 99-003, 7-13-1999)

Secs. 46-233—46-260. - Reserved.

ARTICLE VIII. - VARIANCES

Sec. 46-261. - Hardship.

Where the board finds that extraordinary hardships may result from strict compliance with this chapter due to unusual topographic or other conditions beyond the control of the subdivider/developer upon due consideration, it may vary the regulations so that substantial justice may be done and the public interest secured; however, such variance will not have the effect of nullifying the intent or purpose of this chapter. Any variance thus authorized is required to be entered in writing in the minutes of the first board meeting following issuance of the variance and the reason that justified the departure set forth. Any hardship approval shall be noted on the recorded subdivision survey.

(Ord. of 3-10-1992, art. IX, § 9.01)

Sec. 46-262. - Experimental subdivisions. — Deleted.

Sec. 46-263. - Comprehensive group housing development. - Deleted

Sec. 46-264. - Conditions.

In granting variances and modifications, the board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied, modified or approved. They shall include without being limited to personal, surety, performance or maintenance bonds; affidavits; covenants; or other legal instruments.

(Ord. of 3-10-1992, art. IX, § 9.04)

Sec. 46-265. - Justification for variances.

The burden of proof and/or justification of a need for a variance from this chapter shall be provided by the developer in the form of written documents and/or supporting graphics. The appropriate request for variance forms must be completed and attached. No variances shall be permitted that would nullify the intent of this chapter and the adopted policies of the board.

(Ord. of 3-10-1992, art. IX, § 9.05)

Sec 46-266 - Exclusive Requirements for Approval.

The requirements of this Ordinance are mandatory. The absence of a prohibition in these standards does not create a basis for subdivision approval, create an automatic right to a variance, or mean that the act, issue or item is permitted. All standards for subdivision approval are contained herein. Any proposed subdivision of land which does not conform to the standards herein shall be denied.



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 12 B Bid Award Recreation Basketball Uniforms

Attached is the bid tab for Basketball uniforms.

Attached also is the minutes from the R.A.B. 10/30/2023 meeting with their recommendation for awarding the bid to Go Sports.

BASKETBALL UNIFORMS BID TAB OCT 2023----FY24

		YOUTH	ADULT	BRAND
Digital Dash Creative LLC	Connecticut	\$ 14.25	\$ 14.75	not listed
GO Sports USA Inc	Clarkston	\$ 20.00	\$ 20.00	not listed
BSN Sports LLC	Texas	\$ 26.75	\$ 27.00	BSN stock
Garretsons Sport Center	Watkinsville	\$ 31.89	\$ 31.89	Champro
Ad-Wear	Texas	\$ 36.97	\$ 37.97	Champro
Destination Athlete of Habersham GA	Clarkeville	\$ 41.25	\$ 42.50	R2G Sports

**Hart County Recreation Department
Recreation Advisory Board Minutes
Called Meeting
October 30, 2023**

Call to Order: The meeting was called to order by Chairman, Bob Frye

Present: Lonnie Robinson, Steve Wehunt, Kay Ankerich, Erin Gaines, and Bryan Wise

Staff Present: Jim Owens, Recreation Director

Other Attendees: Kim Higginbotham, County Attorney, HC Deputy Lamar Spears

Approval of the agenda: Mr. Wise motion to approve. A second was given by Mr. Wehunt. Vote: 6-0.

Guest: Kyle Whalen, Monica Whalen

Basketball Uniform Bid Recommendation: Director Owens recommended Go Sports out of Clarksville, GA. Youth Jersey and Adult Jersey for \$20.00 each. HCRPD used this company for our football uniforms during the 2023 football season. **Steve Wehunt motioned to use Go Sports. A second was given by Mrs. Gaines.**
Vote: 6-0. Director Owens checked the references on the lowest bidder and found they could not provide in the time frame requested.

Bid Tab for Basketball Uniforms FY 23-24

Vendor	Location	Brand	Basketball	
			Jersey	Jersey
			Youth	Adult
Digital Dash Creative, LLC	Bridgeport, Conn	Augusta	\$14.25	\$14.75
Go Sports USA Inc.	Clarkston, GA	Go Sports	\$20.00	\$20.00
BSN Sports, LLC	Farmers Branch, Texas	BSC Stock	\$26.75	\$27.00
Garretsons Sports Center	Watkinsville, GA	Champro	\$31.89	\$31.89
Ad-Wear & Specialty of Texas	Houston, Texas	Champro	\$36.97	\$37.97
Destination Athlete of Habersham	Habersham, GA	R2G Sports	\$41.25	\$42.50

Kyle Whalen Banishment Appeal: Mr. Whalen gave his side of the story on several instances that happened over the first part of the football season. After his appeal was heard, Mr. Wehunt made a motion to table this issue until their next meeting on November 21, 2023. A second was given by Mr. Robinson. Vote: 6-0.

Adjournment: A motion to adjourn was made by Mr. Wise. A second was given by Mrs. Gaines.
Minutes by James A. Owens, CPRP
Recreation and Parks Director

Next scheduled meeting: November 21, 2023, at 6:00 pm at the Clay Street Park HYDRA Room. Meeting time may be changed due to circumstances. Notification will be given as soon as possible in the event of a change.



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 12 C IBA Director Job Description (Tabled 10/10/2023)

Attached is the revised job description for the IBA Director's position. The revisions were made by the current IBA director and approved by the IBA Board.

Hart County Economic Development Director

Duties and Responsibilities

The Industrial Building Authority of Hart County is the county's sales and marketing arm, the lead agency for attracting new business investment, encouraging the expansion of existing industry, locating new markets for Hart County, as well as planning and mobilizing county resources for [manufacturing/industry-related](#) economic development.

The mission of the Industrial Building Authority is to market the county for business recruitment of [desired technically based industry](#), existing business expansion, and small business development.

The Executive Director is responsible for business development efforts in the county. The primary duty is to assist both existing Hart County companies considering expansion and prospective companies considering a future location into the county and to positively influence investment decisions in Hart County. Working in close partnership with state, local and other officials, the primary goal is the advancement of job creation and investment in Hart County. The position will involve most days traveling within the region, meeting with business and community leaders, building important working relationships with stakeholders throughout the region. Specific duties include:

- maintaining current knowledge of [all state and federal incentive programs](#), pro-business climate, community partnerships, and workforce.
- [promoting Workforce Development in alignment with local business and industry's evolving needs by maintaining an active advisory position on the Hart College & Career Academy Board.](#)
- representing Hart County as the lead point of contact for companies considering expansion or new locations in the county.
- calling on community leaders to build value-added relationships.
- attending trade shows, conferences, and networking events to generate leads by developing strategic relationships with community, state, and consultant partners.
- forming and maintaining relationships with executive-level decision makers of existing and prospective companies.
- serving as the county's first point of contact for communities, regarding economic development efforts.
- Deep understanding of O.C.G.A. governance of Development Authorities, public benefits & incentives, Open meetings, Open records, and code of ethics.
- [helping develop the Industrial Building Authority's annual budget in coordination with Hart County Administration and being versed in the authority's finances.](#)
- [representing Hart County at GEDA \(Georgia Economic Developers Association\) meetings, GEDA Annual Conference, Annual Legislative Event, and should consider GEDA Committee Leadership opportunities to strengthen Hart County's position with leadership in Atlanta.](#)

Minimum Qualifications and Competencies

- Bachelor's degree in Economic Development, Marketing, Economics, Real Estate, or similar field and / or two (2) years of professional experience in related field
- Excellent oral, written, and interpersonal communication skills; able to establish and maintain effective working relationships with people and organizations.
- Time management skills with the ability to effectively prioritize and manage complex tasks across multiple projects.
- Self-starter, able to thrive in a fast-paced team environment.
- Good judgment
- High proficiency with MS Office software (Word, Excel, and PowerPoint).
- High level of ethical standards, discipline to self-start and work independently and remotely.
- Must reside within the county (preferable) or within 10 miles of the county currently, or be willing to relocate to the county (at personal expense)
- Must have a valid driver's license, be willing to travel within the state and out of the state as needed.
- Must be a self-starter, able to thrive in a fast-paced environment, and be highly organized. He or she must also use good judgment; can understand the big picture and the logical order of projects; must be able to manage multiple tasks and priorities simultaneously; must be able to adapt to change quickly.

Preferred Qualifications

- Four or more years of economic development experience within the state
- Past sales experience
- Experience with county government and development authority structure; individual and development authority goals, team building and leadership skills.
- Persuasive and informative public speaking skills
- Proven record of success leading projects involving multi-stakeholders

Entry Salary

Grade 24, vehicle or mileage reimbursement, health, and retirement *

*Highly qualified, right-fit candidates will have the ability to negotiate salary and benefit packages. To be considered for a salary offer above the entry level, the successful candidate MUST exceed the education and experience qualifications shown as preferred.

This position will be subject to a background check, including a criminal history record check, education verification, credit check, and driving record. Additionally, male applicants between 18 and 26 years of age must present proof of Selective Service Registration if hired.

Job Type: Full-time

Pay: \$70,449.23 - \$80,489.43 per year

Benefits:

- Health insurance
- Life insurance
- Paid time off
- Parental leave
- Professional development assistance



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 12 D Millwood Variance Request Parcel No. C6B 032 002 Lot 9

This Item was on the previous meeting agenda. Mr. Millwood was instructed by the Board to redesign the residence to reduce the amount of variance he would require. Attached is the latest house plan / design that only requires a variance of 20' on the front setback none on sides and rear.



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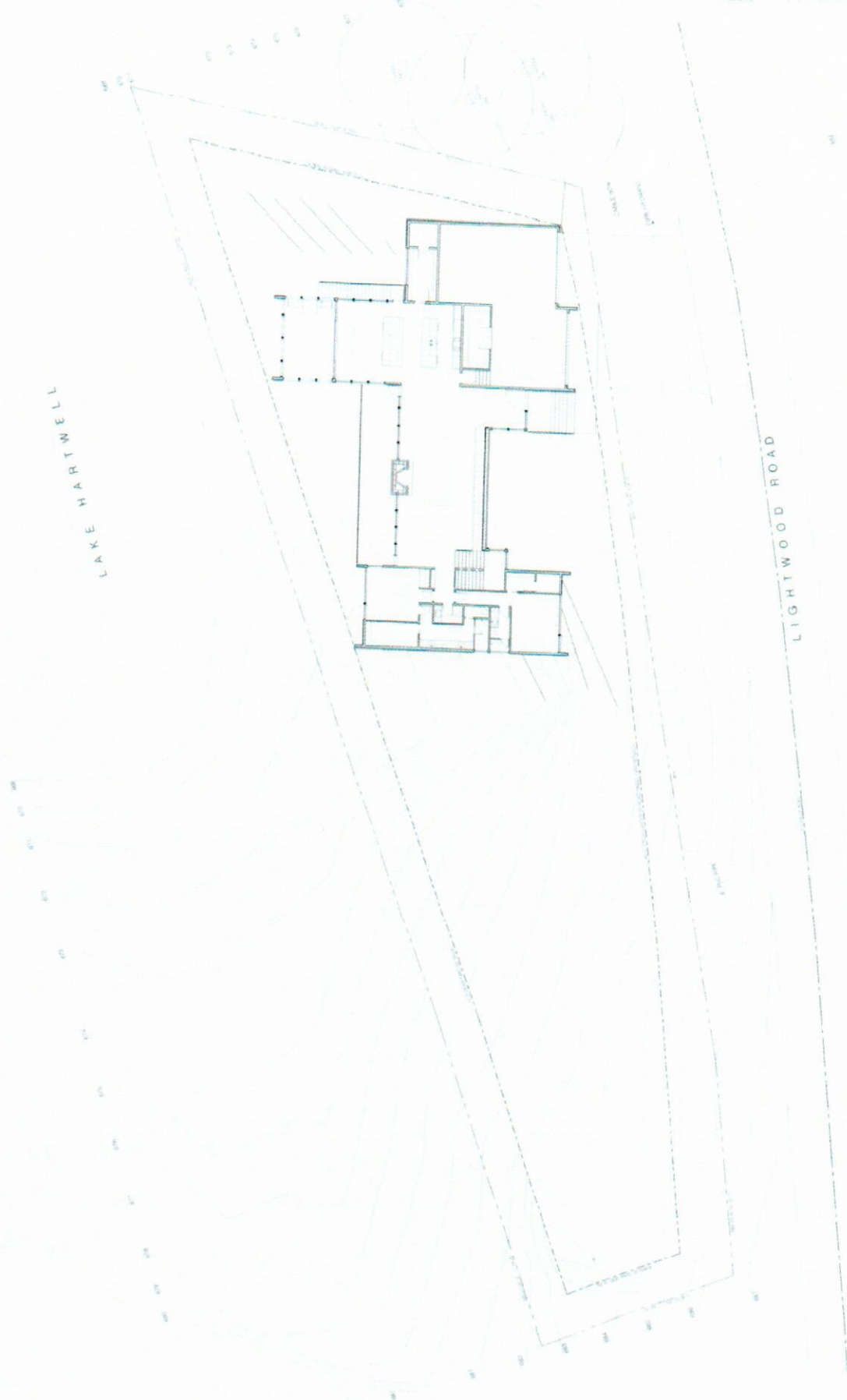
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LAKE HARTWELL

LIGHTWOOD ROAD



1 | PROPOSED SITE PLAN





MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 12 E Chapter 50 Manufactured/Mobile Home Ordinance Amended (1st Reading)

Attached are the current ordinance for manufactured / mobile homes ordinance that does not contain language requiring any inspections.

Also attached is the amended version that requires inspection of manufactured/mobile homes for safety reasons.

Chapter 50 MANUFACTURED HOMES AND TRAILERS¹

ARTICLE I. IN GENERAL

Sec. 50-1. Title.

This article will be known as "The Manufactured/Mobile Home Ordinance of Hart County, Georgia."
(Ord. of 3-12-96)

Sec. 50-2. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article, unless otherwise specifically stated:

Mobile home means a residential structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a permanent dwelling constructed prior to June 15, 1976.

Manufactured home means a residential structure transportable in one or more sections, designed and constructed as a permanent residence. Such a dwelling must be constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, which became effective on June 15, 1976, and shall bear the insignia issued by the U.S. Department of Housing and Urban Development (HUD).

(Ord. of 3-12-96)

Sec. 50-3. Requirements.

(a) *Permits.*

(1) *Transportation permits.*

- a. No mover, hauler, or person shall move a mobile or manufactured home into the county or relocate a mobile or manufactured home existing within the county without first obtaining a transportation permit from the county tax assessor's office. Said transportation permit shall not be issued until a building/location permit has been issued by the county tax assessor and a sanitation permit has been issued by the county health department. Mobile or manufactured

¹Cross reference(s)—Buildings and building regulations, ch. 18; environment, ch. 34; floods, ch. 38; health and sanitation, ch. 42; land development standards, ch. 46; planning, ch. 62; roads and bridges, ch. 66; solid waste, ch. 74; traffic and vehicles, ch. 82.

State law reference(s)—Registration and licensing of dealers, manufacturers and persons transporting mobile homes, O.C.G.A. § 40-2-38; removal of transportable housing from lands subject to writ of possession, O.C.G.A. § 44-7-59; ad valorem taxation of mobile homes, O.C.G.A. § 48-5-440 et seq.; issuance of mobile home location permits; display of decals, O.C.G.A. § 48-5-492; The Uniform Standards Code for Manufactured Homes Act, O.C.G.A. § 8-2-130 et seq.; classification of mobile homes as a separate class of property for ad valorem property tax purposes, Ga. Const. art. VII, § I, ¶ III.

homes may be brought into the county and located on a sales lot approved by the state safety fire commissioner for resale without a building or sanitary permit.

- b. Transportation permit fees shall be set by the county board of commissioners.
- c. The transportation permit shall be of a contrasting color of the location permit/decal and shall be affixed to the mobile or manufactured home at all times between entering the county or leaving its original location and being placed in its permitted location.
- d. Failure to obtain and/or display a transportation permit as required by this article shall result in a fine of up to \$1,000.00.

(2) *Other permits.*

- a. In addition to the location permit and decal required by O.C.G.A. § 48-5-492 which may be obtained from the county tax assessor's office, all mobile and manufactured homes intended for residential occupancy in the county must obtain a sanitation permit which may be obtained from the county health department. Sanitation permit fees shall be set by the county board of health.
 - b. Application. Applications for these permits will be approved and granted, disapproved, or conditionally approved within 15 days of the application. The reason(s) for a disapproval will be stated, and any conditions for approval will also be stated.
 - c. It shall be unlawful for any owner or dealer or any other person to deliver any mobile or manufactured home to any site or lot unless all necessary permits have been obtained.
- (b) *Certificate of occupancy.* A certificate of occupancy shall be issued indicating compliance with all applicable installation provisions of this article before any person is authorized to occupy any newly installed mobile or manufactured home overnight. There shall be no fee for occupancy permits. Occupancy permits shall be issued by the county tax assessor's office.
- (c) *Proof of tax payment.* It shall be a condition precedent to issuance of any mobile or manufactured home permit required by this article that the owner submit proof that all state and county taxes accruing and payable with respect to subject mobile or manufactured home have been paid.
- (d) *Utilities.*
- (1) Water to a mobile or manufactured home may be from a public water system or private well.
 - (2) The sewage system for a mobile or manufactured home must be connected to a system approved by the county health department.
 - (3) No public utility may connect or provide permanent service to any newly installed mobile or manufactured home without proof of location and sanitary permits.
 - (4) Power companies are authorized to provide temporary power not to exceed 110 volts for the express purpose of completing necessary construction and installation of a mobile or manufactured home. This provision specifically does not allow permanent power hookup or overnight occupancy of a mobile or manufactured home.
- (e) *Manufacturing standards.*
- (1) Each newly installed mobile or manufactured home in the county shall conform to the minimum construction standards required by HUD in the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401 et seq.
 - (2) It is the intent of this article to prohibit moving mobile or manufactured homes into the county unless they conform to the aforementioned HUD standards. Mobile or manufactured homes existing within the county as of March 12, 1996, which do not conform to the HUD standards may be relocated within

the county, however relocation cannot occur subsequent to a change in ownership of the mobile or manufactured home after March 12, 1996.

(f) *Installation.*

- (1) Each mobile or manufactured home shall be installed so that the finished floor level shall not exceed an average height higher than five feet in elevation from the finished grade.
- (2) Each newly installed mobile or manufactured home shall be installed on and supported by piers prescribed by Chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
- (3) Tie-downs. Each mobile or manufactured home shall be secured with tie-downs with provisions for distributing the load of these tie-downs and provisions for the attachment of ground anchors so as to resist wind overturning or sliding. Each tie-down shall be designed to resist an allowable working load equal to or exceeding 3,150 pounds and shall be capable of withstanding a 50 percent overload without failure. Each tie-down shall be securely attached to a ground anchor.
- (4) Skirting. Within 30 days after the certificate of occupancy is issued, the foundation of each mobile or manufactured home shall be enclosed by a curtain wall, manufactured skirting material, masonry construction or other material(s) manufactured for such purpose. All such enclosures shall be permanently installed and shall extend from the lower edge of the exterior walls of the mobile or manufactured home to the ground surface. A minimum of four ventilation openings shall be covered with wire mesh screen or its equivalent.
- (5) Landing/stairs. Each mobile or manufactured home shall be provided with permanent stairs and landings constructed from pressurized treated lumber, masonry or metal sufficient to provide ingress and egress from at least two exterior doors. Stairs and landings shall be constructed in accordance with Section 1112 (Stairway Construction) of the Georgia State Building Code.
- (6) All mobile and manufactured homes and auxiliary structures shall be installed in accordance with Chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.

(Ord. of 3-12-96; Ord. of 4-25-96)

Sec. 50-4. Conflicts.

Whenever any part of this article is in conflict with the provisions of the Hart County Land Use Ordinance adopted March 10, 1992, as now or hereafter amended, then the more restrictive ordinance shall apply and shall prevail.

(Ord. of 3-12-96)

Sec. 50-5. Enforcement.

- (a) The board of commissioners of the county is hereby given the authority to appoint a building inspector to enforce the provisions of this article in addition to all employees and officials of the hart county health department, the public works director, and all deputy sheriffs. In cases where a violation of any provision of this article has been found, the building inspector or public works director shall notify the owner of the property on which such violation is found by certified mail sent to the address of the property owner as it appears in tax information. If the owner of the mobile or manufactured home is different from the property

owner, the violation notice shall also be sent by certified mail to the owner of the mobile or manufactured home. In the case a valid mailing address can not be obtained, or if the certified mail is returned, the notice of violation may be hand delivered by the building inspector or the public works director to the person deemed responsible for said violation.

- (b) The notice of violation shall clearly state the nature of the violation, including the specific provision(s) of this article which have not been complied with, and the date upon which said violation(s) are to be remedied. Said date will be determined based on the nature and extent of the violation, but in no case shall exceed 30 days from the date the notice was received. In cases where a violation has occurred and the violator has not remedied the violation within the specified time period, said violator shall be issued a citation requiring appearance before the magistrate court of the county. The procedure for enforcement of this article shall be provided in O.C.G.A. tit. 15, ch. 10, art. 4, as amended, which is entitled "Violation of Ordinances of Counties and State Authorities." The building inspector, public works director, all employees and officials of the county health department, and all deputy sheriffs are hereby authorized to issue citations for violations of this article.
- (c) Upon conviction, a violation of this article may be punished by a fine not greater than \$1,000.00. Each violation shall constitute a separate offense.

(Ord. of 3-12-96)

Secs. 50-6—50-30. Reserved.

ARTICLE II. MOBILE/MANUFACTURED HOME PARKS

Sec. 50-31. Definitions.

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

Manufactured home means a residential structure transportable in one or more sections, designed and constructed as a permanent residence. Such a dwelling must be constructed in accordance with the federal manufactured home construction and safety standards, which became effective on June 15, 1976, and shall bear the insignia issued by the U.S. Department of Housing and Urban Development (HUD).

Mobile home means a residential structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a permanent dwelling constructed prior to June 15, 1976.

Mobile/manufactured home park means premises where two or more mobile and/or manufactured homes are placed for a period of time exceeding 30 days, or where spaces or lots are set aside and offered for rent for use by mobile or manufactured homes; however, the following situations shall not be included in this definition:

- (1) Mobile or manufactured homes sales lots;
- (2) Where two or more mobile or manufactured homes are structurally connected and used as a single dwelling unit by a landowner; or
- (3) Where the occupant of the home is related by blood or marriage to the owner of the land or home and the owner of the home or land upon which the home is situated receives no rent or other income from the occupant of the home.

Recreational vehicle means a motor vehicle designed for recreational use and/or temporary residence by an individual or family.

(Ord. of 8-27-1996, § 2)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 50-32. Requirements.

- (a) *Generally.* All mobile and/or manufactured home parks constructed, altered or extended after the effective date of the ordinance from which this article is derived shall conform to the regulations of this section.
- (b) *Permits.*
 - (1) *Park permit.* It shall be unlawful for any person to construct, alter or extend any mobile and/or manufactured home park within the county unless that person or entity holds a valid park permit issued by the county.
 - (2) *Location permit.*
 - a. All mobile homes within a park must have location permits and decals as required by O.C.G.A. § 48-5-492 and sanitation permits from the county health department.
 - b. No public utility shall connect service to any mobile home within a park in the county without proof of a location permit and sanitation permit and proof of a county mobile/manufactured home park permit.
- (c) *Site plan approval required.* All mobile/manufactured home park owners must submit a site plan of any proposed mobile and/or manufactured home park to the board of commissioners and county board of health, and such plan must have approval before any permits can be issued. All applications for mobile/manufactured home park permits shall contain the following information:
 - (1) Name and address of the applicant.
 - (2) Interest of the applicant in the development.
 - (3) Location and legal description of the property.
 - (4) Complete engineering plans and specifications of the proposed park showing the following:
 - a. The area and dimensions of the tract of land;
 - b. The number, location and size of all lots;
 - c. The location and width of roadways and walkways;
 - d. The location of service buildings and other proposed structures;
 - e. The location of wells and water lines;
 - f. The location of septic tanks, field lines and sewer lines;
 - g. Specifications of all buildings to be constructed;
 - h. The location and details of all lighting and electrical systems.
- (d) *Fees.* All applications for a mobile and/or manufactured home park construction, alteration or extension shall be accompanied by a deposit fee specified in the schedule of fees and charges.
- (e) *Location and frontage.* A mobile and/or manufactured home park shall be located on property with a minimum frontage of 200 feet on a public street or road.

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- (f) *Street requirement.* Interior roads serving the park are required and shall be suitably drained and have a minimum width of 28 feet. If dedicated to the public, the roads shall meet the specifications stated in article V of chapter 46.
- (g) *Lot area and width.* A mobile/manufactured home park shall have a minimum area of five contiguous acres and a maximum of 25 contiguous acres and a width of at least 200 feet. Each lot space within the park shall be the greater of the size required to meet health department standards or 10,000 square feet.
- (h) *Installation and safety standards.*
- (1) *Floor level.* Each mobile or manufactured home shall be installed so that the finished floor level shall not exceed an average height higher than five feet in elevation from the finished grade.
 - (2) *Piers.* Each newly installed mobile or manufactured home shall be installed on and supported by piers prescribed by chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
 - (3) *Tie-downs.* Each mobile or manufactured home shall be secured with tie-downs with provisions for distributing the load of these tie-downs and provisions for the attachment of ground anchors so as to resist wind overturning or sliding. Each tie-down shall be designed to resist an allowable working load equal to or exceeding 3,150 pounds and shall be capable of withstanding a 50 percent overload without failure. Each tie-down shall be securely attached to a ground anchor.
 - (4) *Skirting.* Within 30 days after the certificate of occupancy is issued, the foundation of each mobile or manufactured home shall be enclosed by a curtain wall, manufactured skirting material, masonry construction or other material manufactured for such purpose. All such enclosures shall be permanently installed and shall extend from the lower edge of the exterior walls of the mobile or manufactured home to the ground surface. A minimum of four ventilation openings shall be covered with wire mesh screen or its equivalent.
 - (5) *Landing/stairs.* Each mobile or manufactured home shall be provided with permanent stairs and landings constructed from pressurized treated lumber, masonry or metal sufficient to provide ingress and egress from at least two exterior doors. Stairs and landings shall be constructed in accordance with section 1112, relating to stairway construction, of the state building code.
 - (6) *State regulations.* All mobile and manufactured homes and auxiliary structures shall be installed in accordance with chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
- (i) *Recreational and other community facilities.* For mobile/manufactured home parks having 15 acres or 20 lots, not less than ten percent of the total area shall be devoted to recreation and other community use facilities.
- (j) *Setbacks required.* No mobile/manufactured home or other building or structure shall be located closer than 60 feet to any park outer perimeter property boundary. Each mobile/manufactured home within the park shall be set back from the front lot line and any other structure by at least 25 feet.
- (k) *Use by recreational vehicles limited.* Ten percent of the lot spaces may be allocated for temporary use by recreational vehicles. The length of such use is to be limited to 14 days in any 60-day period by the same vehicle.
- (l) *Service buildings.* Accessory structures for the convenience and well-being of park residents are permitted provided they comply with all applicable county ordinances. Such structures may include but are not limited to park management offices, community laundry facilities, community postal facilities, etc.

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- (m) *Listing of mobile/manufactured homes required.* Every person owning or operating a mobile/manufactured home park, and each person engaged in the sale or rental of mobile/manufactured homes or lots upon which to place mobile/manufactured homes, shall furnish to the tax commissioner of the county on January 1 and July 1 of each year a complete list of all mobile/manufactured homes parked, rented or otherwise located upon the property of the person or in a mobile/manufactured home park operated by such person.
 - (n) *Register of park residents required.* Park management/operators must maintain at all times an up-to-date register of all park residents. This register must be made available to any authorized person.
 - (o) *Park manager.* Mobile home parks with ten or more mobile homes shall have a park manager responsible for maintenance of the park and its mobile homes, including ensuring compliance with the requirements of this article.
 - (p) *Vehicle parking.* Two off-street parking spaces shall be provided for each mobile/manufactured home lot.
- (Ord. of 8-27-1996, § 3)

Sec. 50-33. Recreational vehicle parks.

No recreational vehicle parks may be developed or expanded until the site plan has the approval of the county administrator, which approval shall be given, provided the plans as submitted meet the following requirements:

- (1) No such park shall be located except with direct access to a county, state or federal highway and having a minimum of 300 feet of frontage to permit adequate design of entrances and exits. No entrance or exit shall be through a residential district or shall require movement of traffic from the park through a residential district.
- (2) The minimum area for such park shall be ten acres, and the maximum density of such park shall be seven units per gross acre.
- (3) Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse conditions, no portion subject to unpredictable and/or sudden flooding, subsidence, erosion shall be used for any purpose which would expose persons or property to hazards.
- (4) Spaces in such parks may be used by travel trailers, equivalent facilities constructed in or on automotive vehicles, tents, or other short-term housing or shelter arrangements or devices.
- (5) Management headquarters, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to operation of a recreational vehicle park are permitted as an accessory use provided:
 - a. Such establishments and the parking areas primarily related to their operations shall not occupy more than ten percent of the area of the park.
 - b. Such establishments shall be restricted in their use to occupants of the park and shall present no visible evidence of their commercial character that would attract customers other than occupants of the park.
- (6) No space shall be so located that any part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of any public street or state highway.
- (7) The regulations governing such parks or travel trailer parks, prescribed by the county health department, as well as state and federal regulations, shall be complied with.

(Ord. of 8-27-1996, § 4)

Sec. 50-34. Conflicts.

Whenever any part of this article is in conflict with the provisions of chapter 46, and the planned mobile home park is designed for the sale of individual lots rather than rental, the provisions of chapter 46 shall apply and shall prevail.

(Ord. of 8-27-1996, § 5)

Sec. 50-35. Enforcement.

- (a) The board of commissioners is given the authority to appoint a building inspector to enforce the provisions of this article in addition to all employees and officials of the county health department, the public works director, the county planning director and all deputy sheriffs. In cases where a violation of any provision of this article has been found, the building inspector or public works director shall notify the owner of the property on which such violation is found by certified mail sent to the address of the property owner as it appears in tax information. If the owner of the mobile or manufactured home is different from the property owner, the violation notice shall also be sent by certified mail to the owner of the mobile or manufactured home. In the case a valid mailing address can not be obtained, or if the certified mail is returned, the notice of violation may be hand delivered by the building inspector or the public works director to the person deemed responsible for the violation.
- (b) The notice of violation shall clearly state the nature of the violation, including the specific provisions of this article that have not been complied with, and the date upon which the violations are to be remedied. This date will be determined based on the nature and extent of the violation, but in no case shall it exceed 30 days from the date the notice was received. In cases where a violation has occurred and the violator has not remedied the violation within the specified time period, the violator shall be issued a citation requiring appearance before the magistrate court of the county. The procedure for enforcement of this article shall be as provided in O.C.G.A. §§ 15-10-60—15-10-66. The building inspector, public works director, all employees and officials of the health department, and all deputy sheriffs are authorized to issue citations for violations of this article.
- (c) Upon conviction, a violation of this chapter may be punished as provided in section 1-13.

(Ord. of 8-27-1996, § 6; Res. of 8-25-1998)

Secs. 50-36—50-65. Reserved.

ARTICLE III. LOCATION AND SANITATION PERMITS

Sec. 50-66. Requirements.

- (a) *Permits.*
 - (1) In addition to the location permit and decal required by O.C.G.A. § 48-5-492, which is available at the county tax commissioner's office, all mobile and manufactured homes intended for residential occupancy in the county must obtain a sanitation permit from the health department.
 - (2) Any mobile or manufactured home park within the county (as defined in the rules of the department of human resources public health) must obtain a sanitation permit from the county health department.

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- (b) *Utilities.* No public utility shall connect service at any mobile home site within the county without proof of a county mobile home location permit and sanitation permit.

(Ord. of 9-1-1992, § 1)

Sec. 50-67. Enforcement.

- (a) Any person violating any provision of this article shall be tried before the magistrate court of the county. The procedure for enforcement of this article shall be as provided in O.C.G.A. §§ 15-10-60—15-10-66. All employees and officials of the county health department, the county planning director and all deputy sheriffs are authorized to issue citations for violations of this article.

- (b) Upon conviction, a violation of this article may be punished as provided in section 1-13.

(Ord. of 9-1-1992, § 2; Res. of 8-25-1998)

Amendment to Manufactured Homes and Trailers
Hart County Code of Ordinances
Chapter 50, Article I, Sections 50-1 through Section 50-30

The *purpose* of this Ordinance is to establish standards, conditions and an inspection program for new manufactured homes and pre-owned manufactured homes which are to be located or relocated within the county, for the promotion and maintenance of property values and the health and general welfare of the citizens of Hart County, and other purposes.

NOW THEREFORE, the Board of Commissioners hereby amends said Ordinance by striking and replacing Chapter 50 Article I, Sections 50-1 through Section 50-30, by repealing the existing ordinance regarding timber harvesting in its entirety, and replacing the same as follows:

Chapter 50 MANUFACTURED HOMES AND TRAILERS
ARTICLE I. IN GENERAL

Sec. 50-1. Title.

This article will be known as "The Manufactured/Mobile Home Ordinance of Hart County, Georgia."

Sec. 50-2. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article, unless otherwise specifically stated:

- a. *Applicant* means any person seeking to install a new manufactured home or pre-owned manufactured home in the unincorporated area of Hart County.
- b. *Building Inspector* means the person appointed, employed, or otherwise designated as the director of planning, permits and inspections; county building official, Code Enforcement Officer or any of his or her assistants.
- c. *Certificate of occupancy* means a document issued by the building inspector certifying that a new manufactured home and pre-owned manufactured home is in compliance with applicable requirements set forth by this Ordinance, and indicating it to be in a condition suitable for residential occupancy.
- d. *Guarantee of Condition Bond* means a surety bond to guarantee that the affidavit and photographs required by paragraphs (1) and (2) of subsection (a) of Section 3 of this ordinance reasonably portray or represents the existing condition of the new manufactured and pre-owned manufactured home proposed for relocation. In lieu of the bond, a cash deposit may be deposited with the County.
- e. *Install* means to construct a foundation system and to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such manufactured home and connecting multiple or expandable sections of such manufactured home.
- f. *Jurisdiction* means the unincorporated areas of Hart County, Georgia.

- g. *Manufactured home* means a residential structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. Such a dwelling must be constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, which became effective on June 15, 1976, and shall bear the insignia issued by the U.S. Department of Housing and Urban Development (HUD).
- h. *Mobile home* means a residential structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a permanent dwelling constructed prior to June 15, 1976.
- i. *Pre-owned manufactured home* means any manufactured home that has been previously used as a residential dwelling or for any other purpose and had been titled.
- j. *New Manufactured home* means any manufactured home that has been built as a residential dwelling or for any other purpose and has been titled.

Sec. 50-3. Requirements.

(a) Permits.

(1) Transportation and Inspection Permits.

- a. No mover, hauler, or person shall move a mobile or manufactured home into the county or relocate a mobile or manufactured home existing within the county without first obtaining a transportation permit from the county tax assessor's office. Said transportation permit shall not be issued until a building/location permit has been issued by the county tax assessor, an inspection permit has been issued by the county building inspector, and a sanitation permit has been issued by the County Health Department. Mobile or manufactured homes may be brought into the county and located on a sales lot approved by the state safety fire commissioner for resale without a building or sanitary permit.
- b. To obtain an inspection permit, Applicants shall provide to the building inspector;
 - (1) An affidavit signed by the applicant that the new manufactured home and pre-owned manufactured home meets health and safety standards required by this Act;
 - (2) Photographs of the interior and exterior of the new manufactured home and pre-owned manufactured home providing evidence that home meets the minimum health and safety standards of Section 4 of this ordinance;
 - (3) A \$500.00 refundable guarantee of condition bond or \$500.00 refundable cash deposit
- b. Transportation permit fees and inspection fees shall be set by the county Board of Commissioners.
- c. The transportation permit shall be of a contrasting color of the location permit/decal and shall be affixed to the mobile or manufactured home at all times between entering the county or leaving its original location and being placed in its permitted location.
- d. Failure to obtain and/or display a transportation permit as required by this article shall result in a fine of up to \$1,000.00.
- e. At the request of the Applicant, the building inspector may, at his or her discretion, inspect a new manufactured home and pre-owned manufactured home prior to its being relocated if the home is then located at another site within the county.

- f. *Abandoning.* Any manufactured home that ceases to be occupied for more than six (6) months and no active attempt to rent via regular advertisement effort or no longer complies with Section 4, said manufactured home will be considered abandoned. Any abandoned manufactured home that ceases to be occupied by an individual(s) that remains on the property in this condition, unless Section (7) below applies, shall be a violation of this ordinance.
 - g. *Converting to a Storage Facility.* If a previous occupied manufactured home is converted from occupancy to a storage facility, Section 50-3(e) remains applicable to the structure.
- (2) *Other permits.*
- a. In addition to the location permit and decal required by O.C.G.A. § 48-5-492 which may be obtained from the county tax assessor's office, all mobile and manufactured homes intended for residential occupancy in the county must obtain a sanitation permit which may be obtained from the county health department. Sanitation permit fees shall be set by the county board of health.
 - b. *Application.* Applications for these permits will be approved and granted, disapproved, or conditionally approved within 15 days of the application. The reason(s) for a disapproval will be stated, and any conditions for approval will also be stated.
 - c. It shall be unlawful for any owner or dealer or any other person to deliver any mobile or manufactured home to any site or lot unless all necessary permits have been obtained.
 - d. Anyone who moves, performs the set-up, or installs manufactured homes within Hart County is required to be registered, for records purposes, with the Building Inspector and will re-register annually at the beginning of each new year, presenting their state installed licenses as issued by the State of Georgia. Suspension or revocation of the license by the State of Georgia will automatically void the installer registration with Hart County.
- (b) *Certificate of occupancy.* A certificate of occupancy shall be issued indicating compliance with all applicable installation provisions of this article before any person is authorized to occupy any newly installed mobile or manufactured home overnight. There shall be no fee for occupancy permits. Occupancy permits shall be issued by the county tax assessor's office.
- (c) *Proof of tax payment.* It shall be a condition precedent to issuance of any mobile or manufactured home permit required by this article that the owner submit proof that all state and county taxes accruing and payable with respect to subject mobile or manufactured home have been paid.
- (d) *Utilities.*
- (1) Water to a mobile or manufactured home may be from a public water system or private well.
 - (2) The sewage system for a mobile or manufactured home must be connected to a system approved by the county health department. Every plumbing fixture, water, and waste pipe of a new manufactured home and pre-owned manufactured home shall be in a sanitary working condition when property connected, and shall be free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one bathroom shall contain a tub and/or shower facilities. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.
 - (3) No public utility may connect or provide permanent service to any newly installed mobile or manufactured home without proof of location and sanitary permits.
 - (4) Power companies are authorized to provide temporary power not to exceed 110 volts for the express purpose of completing necessary construction and installation of a mobile or manufactured home. This provision specifically does not allow permanent power hookup or overnight occupancy of a mobile or manufactured home.
- (e) *Manufacturing standards.*

- (1) Each newly installed mobile or manufactured home in the county shall conform to the minimum construction standards required by HUD in the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401 et seq. and shall not have been altered in such a way that the home no longer meets the HUD Code.
- (2) It is the intent of this article to prohibit moving mobile or manufactured homes into the county unless they conform to the aforementioned HUD standards. Mobile or manufactured homes existing within the county as of March 12, 1996, which do not conform to the HUD standards may be relocated within the county, however relocation cannot occur subsequent to a change in ownership of the mobile or manufactured home after March 12, 1996.

(f) *Installation.*

- (1) Each mobile or manufactured home shall be installed so that the finished floor level shall not exceed an average height higher than five feet in elevation from the finished grade.
- (2) Each newly installed mobile or manufactured home shall be installed on and supported by piers prescribed by Chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
- (3) Tie-downs. Each mobile or manufactured home shall be secured with tie-downs with provisions for distributing the load of these tie-downs and provisions for the attachment of ground anchors so as to resist wind overturning or sliding. Each tie-down shall be designed to resist an allowable working load equal to or exceeding 3,150 pounds and shall be capable of withstanding a 50 percent overload without failure. Each tie-down shall be securely attached to a ground anchor.
- (4) Towing Devices. All towing devices, wheels, axles, and bolt-on hitches must be removed.
- (5) Skirting. Within 30 days after the certificate of occupancy is issued, the foundation of each mobile or manufactured home shall be enclosed by a curtain wall, manufactured skirting material, masonry construction or other material(s) manufactured for such purpose. All such enclosures shall be permanently installed and shall extend from the lower edge of the exterior walls of the mobile or manufactured home to the ground surface. A minimum of four ventilation openings shall be covered with wire mesh screen or its equivalent.
- (6) Landing/stairs. Each mobile or manufactured home shall be provided with permanent stairs and landings constructed from pressurized treated lumber, masonry or metal sufficient to provide ingress and egress from at least two exterior doors. Stairs and landings shall be constructed in accordance with Section 1112 (Stairway Construction) of the Georgia State Building Code.
- (7) All mobile and manufactured homes and auxiliary structures shall be installed in accordance with Chapter 12-3-7, Rules and Regulations for Manufactured Homes, as promulgated and administered by the office of the insurance and fire commissioner for the state or the manufacturer's instructions, whichever is more stringent.
- (8) Interior Condition. Every floor, interior wall, and ceiling of a new manufactured home and pre-owned manufactured home shall be in sound condition. Doors and windows shall be operable, watertight and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.
- (9) Exterior Condition. The exterior of all New Manufactured Homes and Pre-Owned Manufactured Home shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior siding shall be free of rot and rust. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.
- (10) Heating Systems. Heating shall be safe and in working condition. Un-vented heaters shall be prohibited.

- (11) **Electrical Systems.** Switches, receptacles, fixtures, etc. shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, with all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to assure that all metallic parts are properly bonded. Each new manufactured home and pre-owned manufactured home shall contain a water heater in safe and working order. This section shall be certified to the Building Inspector by a licensed and bonded electrician or by a qualified and licensed installer as certified by the State of Georgia. All cost for this certification is the responsibility of the owner of the home being installed. The County assumes no liability for this certification.
- (12) **Hot Water Supply.** Each home shall contain a water heater in safe and working condition.
- (13) **Egress Windows.** Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.
- (14) **Ventilation.** The kitchen in the home shall have at least one operating window or other ventilation device.
- (15) **Smoke Detectors.** Each new manufactured home and pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.

Sec. 50-4. Conflicts.

Whenever any part of this article is in conflict with the provisions of the Hart County Land Use Ordinance adopted March 10, 1992, as now or hereafter amended, then the more restrictive ordinance shall apply and shall prevail.

Sec. 50-5. Enforcement.

- (a) The board of commissioners of the county is hereby given the authority to appoint a building inspector to enforce the provisions of this article in addition to all employees and officials of the Hart County Health Department, the County Administrator, public works director, and all deputy sheriffs. In cases where a violation of any provision of this article has been found, the building inspector or public works director shall notify the owner of the property on which such violation is found by certified mail sent to the address of the property owner as it appears in tax information. If the owner of the mobile or manufactured home is different from the property owner, the violation notice shall also be sent by certified mail to the owner of the mobile or manufactured home. In the case a valid mailing address cannot be obtained, or if the certified mail is returned, the notice of violation may be hand delivered by the building inspector or the public works director to the person deemed responsible for said violation.
- (b) The notice of violation shall clearly state the nature of the violation, including the specific provision(s) of this article which have not been complied with, and the date upon which said violation(s) are to be remedied. Said date will be determined based on the nature and extent of the violation, but in no case shall exceed 30 days from the date the notice was received. In cases where a violation has occurred and the violator has not remedied the violation within the specified time period, said violator shall be issued a citation requiring appearance before the magistrate court of the county. The procedure for enforcement of this article shall be provided in O.C.G.A. tit. 15, ch. 10, art. 4, as amended, which is entitled "Violation of Ordinances of Counties and State Authorities." The building inspector, county administrator, public works director, all employees and officials of the county health department, and all deputy sheriffs are hereby authorized to issue citations for violations of this article.
- (c) Owners of pursuant to this Ordinance that are not in compliance upon a third inspection shall have their permit revoked and shall be required to remove the home from the jurisdiction at their own expense.

- (d) The guarantee of condition bond or cash deposit will be forfeited after 90 days from the date of inspection unless all conditions and standards are met prior to the end of the 90 days or an extension has been issued in writing by the Building Inspector.
- (c) Upon conviction, a violation of this article may be punished by a fine not greater than \$1,000.00. Each violation shall constitute a separate offense.

Secs. 50-6—50-30. Reserved.

This Amendment shall be effective immediately.

All other parts of said Ordinance, as amended, shall remain in full force and effect.

SO RESOLVED, in open and public meetings on the dates set forth below.

MARSHALL SAYER, Chairman

ATTEST:

Lawana Kahn, County Clerk

1st Reading: _____, 202____
2nd Reading: _____, 202____
3rd Reading: _____, 202____
Adopted on _____, 202____ by vote of ____ to ____.



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 13 A Credit for Experience Jail

Attached are two requests from Sheriff Cleveland requesting 2 new hires at the jail be given credit for previous job experience.

One is the request that David Haueisen be given credit for 2 years. The other is a request that Miyako Ardister be given credit for 6 years of experience.



Hart County Sheriff

MIKE CLEVELAND

P.O. Box 886
Hartwell, GA 30643
706-376-3114

November 6, 2023

TO: BOARD OF COMMISSIONERS

RE: Miyako S Ardister

Gentlemen:

As a newly hired Certified Detention Officer for the Hart County Sheriff's Office, I am requesting that **Miyako S. Ardister**, be given credit for 6 years certified detention officer.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Cleveland", with a long, sweeping flourish extending to the right.

Sheriff Mike Cleveland



Hart County Sheriff

MIKE CLEVELAND

P.O. Box 886
Hartwell, GA 30643
706-376-3114

October 25, 2023

TO: BOARD OF COMMISSIONERS

RE: David Haueisen

Gentlemen:

Mr. Haueisen worked with the Hart County as a certified detention officer from 10/45/21 to 4/6/23. He was re-hired on 7/18/23. I am requesting that **David Haueisen**, be given credit for 2 years certified detention officer.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Cleveland".

Sheriff Mike Cleveland



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 13 B Resolution for Continued State Support to Improve Mental Health Services in Georgia

Attached is a resolution ACCG has asked every County to pass urging the State of Georgia to continue it's support for Mental Health funding.

**RESOLUTION URGING THE GOVERNOR AND GENERAL ASSEMBLY OF
GEORGIA TO CONTINUE EFFORTS TO REFORM AND IMPROVE MENTAL
HEALTH SERVICES FOR THE CITIZENS OF GEORGIA**

WHEREAS, being the constitutional level of government closest to their constituents, Georgia counties are on the front lines of responding to mental health issues within the community as well as the development of mental health reform efforts; and

WHEREAS, the Hart County Board of Commissioners supports efforts designed to provide every citizen in need to have accessible, affordable, and adequate mental health services; and

WHEREAS, the Hart County Board of Commissioners is grateful for the efforts of Georgia's executive, legislative, and judicial branches in working towards mental health reform in recent years, such as the passage of HB 1013 (2022) and introduction of HB 520 (2023), Chief Justice Boggs's work on jail diversion initiatives, and Governor Kemp's commitment to expanding mental health resources in schools for children and young adults; and

WHEREAS, despite these prior steps and successes, the Hart County Board of Commissioners recognizes that there is still a tremendous amount of work for the citizens of Hart County and other citizens across Georgia to receive adequate healthcare for mental health and substance abuse disorders; and

NOW, THEREFORE, BE IT RESOLVED by the Hart County Board of Commissioners that Hart County government reaffirms its commitment to reforming and improving mental health services for its citizens and all citizens of the state of Georgia.

BE IT FURTHER RESOLVED, that the Hart County Board of Commissioners specifically urges the Governor and General Assembly to continue efforts in the 2024 Session of the Georgia General Assembly to enhance Georgia citizens' access to vital mental health services, including the provision of state budgetary funding for additional behavioral health crisis centers across the state, additional co-responder units, and other resources to assist those with mental health and substance abuse disorders.

BE IT FURTHER RESOLVED that the Clerk to the Board of Commissioners is hereby directed to provide an executed copy of this Resolution to each member of the Hart County delegation to the Georgia Senate and Georgia House of Representatives and to the Association County Commissioners of Georgia.

SO RESOLVED, this _____ day of _____, 2023.

HART COUNTY BOARD OF COMMISSIONERS

By: _____

Hart County, Chairperson

ATTEST: _____

Hart County, Clerk to the Commission



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 13 C Intergovernmental Agreement with School System for Tax Disbursements

Attached is a IGA between the County, the School System, and the Tax Commissioner concerning the timing of disbursements of tax revenue collected by the Tax Commissioner and paid out to the School System and the County. The County's and School System's Attorney produced the document, and the Tax Commissioner has read and approved the verbiage.

STATE OF GEORGIA
COUNTY OF HART

INTERGOVERNMENTAL AGREEMENT

This Agreement is by, among and between the Hart County Tax Commissioner ("Tax Commissioner"), the Board of Commissioners of Hart County, Georgia ("Board of Commissioners") and the Hart County Board of Education ("Board of Education") (the Board of Commissioners and the Board of Education being hereinafter collectively referred to as the "Boards").

WHEREAS, pursuant to O.C.G.A. § 48-5-141(b) the Tax Commissioner is required to pay over to the proper County officials, including, the Board, that portion of the county taxes which are to be paid to the Board by law on a bi-weekly basis; and

WHEREAS, the Tax Commissioner and the Boards desire to change the current practice so that monies collected will be disbursed to the Boards on a monthly basis beginning on _____, 202____; and

WHEREAS, the Tax Commissioner and the Board are authorized by Art. IX, Sec. III, Par. 1 of the Constitution of the State of Georgia to enter into an agreement of this nature; and

WHEREAS, the Boards and the Tax Commissioner have conferred and have determined it is in the best interest of all parties to memorialize this Agreement; and

NOW THEREFORE, in consideration of the promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Tax Commissioner and the Boards agree as follows:

Beginning _____, 202____, and continuing thereafter unless changed according to the terms of this Agreement, the Tax Commissioner shall disburse monies collected on behalf of the Boards to the Boards on a monthly basis (hereinafter the "Disbursals"). The Board of Commissioners and the Board of Education have each duly approved this monthly disbursement and do hereby specifically authorize and agree to same. The parties hereby agree that the Tax Commissioner as the official designated by law to collect county taxes shall disburse payment to the Board one time per month that portion of the county taxes which are to be paid by law to the Board and in doing so hereby agree to vary from the provisions of O.C.G.A. § 48-5-141(b).

If at any time from and after the date of this Agreement the Boards desire to change the Disbursals to a weekly basis thereby revoking this Agreement, such revocation must be provided to the Tax Commissioner in writing not less than thirty (30) days prior to the date of the next Disbursals. Such revocation will be effective thirty (30) days after actual receipt of such written notice by the Tax Commissioner.

The Tax Commissioner shall disburse to all the Boards (including all levying authorities) monthly, with checks for such disbursements provided to the Boards no later than the 15th of each month. If there are any delays in disbursing due to unforeseen circumstances, this will be promptly communicated to all parties in advance and a disbursement date for that month will be agreed upon by the parties.

Along with the checks for the disbursements, the Tax Commissioner will continue to furnish to the Boards a detailed report showing what taxes have been collected for the period that the disbursement covers.

All parties hereto have voluntarily entered into this Agreement, having weighed the benefits of this Agreement, and recognize the importance of accurate and concise reporting and Disbursals on a monthly basis. This Agreement may be executed in one or more counterparts, each of which shall constitute an original. It shall not be necessary that each signatory sign the same counterpart as long as each has signed an identical counterpart. The individuals who execute this Agreement agree and represent that they are authorized to execute this Agreement on behalf of their respective government and further agree and represent that this Agreement has been passed upon by the respective government/Board and shall appear in the respective minutes. Accordingly, the Tax Commissioner and the Boards waive and release any right to contest the enforceability of this Agreement based upon the execution and/or approval thereof.

This _____ day of _____, 2023.

**HART COUNTY TAX
COMMISSIONER**

Mrs. Karen Martin

Attest

**HART COUNTY BOARD OF
COMMISSIONERS**

Marshall Sayer, Chairman

Attest

**HART COUNTY BOARD OF
EDUCATION**

Mrs. Jennifer Carter, Superintendent

Attest



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 13 D FY 24 DHS contract (Transit)

Attached is the FY24 contract for transportation of DHS clients by Hart County Transit. The contract is the same as the FY23 contract. Only the dates were changed.

AGREEMENT
for Department of Human Services (DHS) Coordinated Transportation Services

AGREEMENT BETWEEN:

Hart County, Georgia, a political subdivision of the State of Georgia acting by and through its governing authority, the **Hart County Senior Center**; hereinafter referred to as Contractor; and Deanna Specialty Transportation, a Georgia Corporation; hereinafter referred to as the Deanna Specialty Transportation Inc, agree:

This Agreement has an effective beginning date of the 1st day of July 2023 shall terminate on the 30th day of June 2024 unless terminated earlier under other provisions of this Agreement.

WITNESSETH:

WHEREAS, the Deanna Specialty Transportation, Inc. has a need for, and desires to purchase transportation services for eligible DHS consumers as needed;

AND

WHEREAS, the Contractor has represented to the Deanna Specialty Transportation, Inc it is available to provide transportation services for the described population;

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, it is agreed by and between the parties hereto to abide by the conditions set forth in the remainder of this Agreement.

1. Purpose:

The purpose of this Agreement is to provide transportation services to eligible DHS consumers.

2. Agreement Term:

The term of this agreement shall be from July 1, 2023 through June 30, 2024 unless terminated earlier in accordance with this Agreement.

3. Services to Be Provided:

- a) The Contractor is solely engaging to provide congregate (senior) meal Transportation for seniors receiving services at the **Hart County Senior Center** Transportation services provided will be to and from the **Senior Center**. Any other services performed by the Contractor are outside the scope of this Agreement. Contractor agrees to provide sufficient personnel and vehicles, as necessary, to render transportation services for the **Hart County Senior Center's** seniors per GADHS policies and procedures.
- b) The parties expect that authorized DHS Human Service Contractors will notify the Regional Transportation Office, Region 2, as to which consumers are eligible. This notification is done via a completed client registration and trip order entered on the TRIP\$ System. Contractor shall deliver transportation services to individuals registered with the Regional Transportation

Office TRIP\$ System in accordance to regulations administered by the Georgia Department of Human Services.

- c) Contractor shall be solely responsible for the maintenance of the vehicles and shall maintain said vehicles in accordance with the vehicle standards established by the Georgia Department of Human Services to ensure safe operation and to comply with all federal, state and local laws and codes and/or required inspections. Contractor will be responsible for providing vehicle insurance on those vehicles owned by the Contractor. Contractor shall be responsible for purchasing new vehicles to replace those that are not repairable or those that do not comply with DHS safety requirements.
- d) Drivers shall comply with regulations set forth by the Georgia Department of Public Safety and the Georgia Department of Human Services. Drivers shall possess such licenses and permits as required by law.
- e) Contractor agrees to provide the Deanna Specialty Transportation, Inc certification/proof of workers' compensation insurance coverage on all Contractor's employees, upon request of the Deanna Specialty Transportation, Inc.

4. Training:

Drivers and dispatchers employed by Contractor shall undergo such training as required by the Georgia Department of Human Services including on the subject of client rights and confidentiality; accessibility; drug free workplace; sexual harassment; CPR/First-aid; Defensive Driving; and Universal Precautions for STD's, HIV/Aids and Infectious Disease. Drivers will also be trained in use of all auxiliary equipment including radios, fire extinguishers, and wheelchair lifts.

5. Drug and Alcohol Testing:

Contractor shall be responsible for complying with all requirements of the Federal Transit Administration regarding the testing of safety-sensitive employees for drug and alcohol use. The cost of compliance will be the sole responsibility of Contractor.

6. Information:

The Contractor agrees to make vehicles, vehicle files, and driver files available for DHS site visits, to the extent permitted by law. Contractor agrees to provide information and reports as requested by the Regional Transportation Coordinator.

7. Monitoring and Inspection

The Deanna Specialty Transportation, Inc and Regional Transportation Office/DHS may review trip documents, logs, driver logs, vehicle maintenance records, driver qualification records and may inspect vehicles. Contractor will cooperate with The Deanna Specialty Transportation, Inc and Regional Transportation Office/DHS in making these and other documents and vehicles available to the extent permitted by law.

8. Payment:

The Deanna Specialty Transportation, Inc agrees to remit payment for approved transportation services rendered by Contractor when Deanna Specialty Transportation, Inc receives reimbursement from the Georgia Department of Human Services of 10 days of receiving payment.

9. Fee Schedule:

Each trip will be billed at the following rates:

Aging \$6.50 per trip

Hourly \$35.00

Total Budget \$24000.00

10. Invoicing:

- a) The Contractor shall invoice using TRIP\$ on a per client/per trip basis. Invoicing will be completed by the Fifteenth (15th) of the month following the activity.
- b) Contractor shall provide the Deanna Specialty Transportation, Inc with completed billing summaries which will include the name of each client transported, the date transported, trip type and the number of approved trips provided. This can include the TRIP\$ Invoice Backup Report and/or Invoice Summary Report. Contractor shall provide said billing summary on a monthly basis no later than the Fifteenth (15th) of the month following the activity.

11. Termination Without Cause:

Either party may terminate this agreement without cause upon sixty (60) days written notice to the other party. Upon such termination without cause, Contractor shall be entitled to payment, in accordance with Agreement provisions, for services rendered up to the termination date. Contractor shall be obligated to continue performance of contract services, in accordance with this Agreement, until the termination date.

12. Amendments

Any change, alteration, deletion, or addition to the terms set forth in this agreement must be in the form of a written amendment signed by both parties.

13. Compliance With Law:

Contractor shall perform all services required by this contract in accordance with all applicable federal, state and local laws and regulations. Contractor shall use only licensed personnel to perform work required by law or regulation to be performed by such personnel.

14. Equal Opportunity:

During the performance of this contract, Contractor agrees that it will, in good faith, afford equal opportunity required by applicable federal, state, or local law to all employees and applicants for employment without regard to race, color, religion, sex, age, disability or national origin.

In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and all other provisions of Federal law, the parties agree that, during performance of this Agreement, they will not discriminate against any employee or applicant for employment, any subcontractor, or any supplier because of race, color, creed, national origin, gender, age or disability.

15. Non Availability of Funds:

This Agreement is subject to the condition that funds be made available by the Congress of the United States, by the General Assembly of Georgia, or other sources, and by the proper budget authority for carrying out the functions which this Agreement implements. If Deanna Specialty Transportation, Inc becomes aware of funding issues jeopardizing its ability to reimburse Contractor, it shall immediately provide notice of same to Contractor.

16. Force Majeure:

Each party will be excused from performance under this contract to the extent that it is prevented from performing, in whole or in substantial part, due to delays caused by any cause beyond their reasonable control, an act of God, civil or military authority, war, court order, acts of public enemy, and such nonperformance will not be default under this contract nor a basis for termination for cause.

17. Entire Agreement:

This Agreement constitutes the complete agreement between the parties and supersedes any and all other agreements, either oral or in writing, between the parties with respect to the subject matter of this Agreement. No other agreement, statement or promise relating to the subject matter of this Agreement not contained in this Agreement shall be valid or binding. This Agreement may be modified or amended only by a written document signed by representatives of both parties with appropriate authorization.

18. Applicable Law:

If any action at law or in equity is brought to enforce or interpret the provision of this Agreement, the rules, regulations, statutes and laws of the State of Georgia will control.

19. Severability:

Should any article(s) or section(s) of this Agreement, or any part thereof, later be deemed unenforceable by a court of competent jurisdiction, the offending portion of the Agreement should be severed, and the remainder of this Agreement shall remain in full force and effect to the extent possible.

20. Waiver of Agreement:

No failure by either party to enforce any right or power granted under this Agreement, or to insist upon strict compliance with this Agreement, and no custom or practice of the parties at variance with the terms and conditions of this Agreement shall constitute a general waiver of any future breach or default or affect the parties' right to demand exact and strict compliance with the terms and conditions of this Agreement.

21. No Third Party Rights:

This Agreement shall be exclusively for the benefit of the parties and shall not provide any third parties with any remedy, claim, liability, reimbursement, cause of action or other right.

22. Sovereign Immunity:

Nothing contained in this Agreement shall be construed to be a waiver of the Contractor's sovereign immunity or any individual's qualified good faith or official immunities.

23. Notices:

All notices, requests, demands writings, or correspondence, as required by this Agreement, shall be in writing and shall be deemed received, and shall be effective, when: (1) personally delivered, or (2) on the third day after the postmark date when mailed by certified mail, postage prepaid, return receipt requested, or (3) upon actual delivery when sent via national overnight commercial carrier to the parties at the address given below, or to a substitute address previously furnished to the other party by written notice in accordance herewith:

Contractor's Address for Official Correspondence

Hart County Senior Center
139 Clay Street
Hartwell, Ga. 30643
Contact Person: Jacob Jones
Email: jjones@hartcountyga.gov
Telephone: 706-376-3975

DST's Address for Official Correspondence

Deanna Specialty Transportation, Inc.
211 Sand Bar Ferry Road
Augusta, GA, 30901
Contact Person: Shawn Thomas
Email: sthomas.tttransportation@gmail.com
Telephone: (706) 722-7030

[SIGNATURES ON FOLLOWING PAGE]

Hart County, Georgia

Signature

Print Name

Title

Date

Attest:

Signature

Print Name

County Clerk
Title

[COUNTY SEAL]

Deanna Specialty Transportation, Inc.

Signature

Shawn Thomas
Print Name

CEO.,
Title

Date:

Attest:

Signature

Print Name

Corporate Secretary
Title

[CORPORATE SEAL]



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 13 E Atkins Setback Variance Request Parcel No. C67E 017

Attached are tax map photos of the parcel. There is a new house under construction on this lot. The foundation and walls of the house are approximately 7' from each side property lines. The construction has already begun and was approved by the inspectors based on the attached form exempting this lot from current setback requirements. This subdivision was originally platted in the mid to late 1960's. The original plat is attached. The situation with these old platted small lots creates an ongoing point of contention between neighbors. I have attached the form relating to the setback requirements that is furnished and signed by applicants requesting a building permit. This document seems to remove any requirement for setbacks on these older lots. I would like to have clarification and affirmation that this is or isn't the Board's policy. This would save having property owner appear before the board to ask for variances they may not need.



Paradise Point



HART COUNTY, GEORGIA
1115th DIST. S. W.
SURVEYED APRIL 1966
SCALE 1"=100'

A. M. Britt

Recorded May 30, 1966
Clerk C. L. Smith, P. M. P. Clerk

IRON PIN CORNERS



Affidavit

By signing below you are hereby certifying that you are aware of and will comply with the following County Ordinance for parcels of land subdivided after 2000:

County Ordinance Sec. 46-191. Lot sizes and proportions.

(c) The principal building on any lot shall meet the following setback requirements:

Front: 40 feet

Rear: ten feet. Applies to newly subdivided lots after enacted of this revision on July 27, 2010.

Side: ten feet

Signature of Owner

Date

Transportation Permit Number: _____



MEMORANDUM

Terrell Partain,
County Administrator
November 10, 2023

RE: Item 13 F Bowman Hwy. / Bio Church Road / Clay brown Road Intersection
Discussion

Commissioner Dorsey asked that this be added to the agenda. We had many wrecks with serious injuries and deaths for many years at this intersection. The Board asked GDOT to evaluate this and the initial result was to change the intersection to a 4-Way stop. This action seems to have solved the issue. I have checked the 911 records and there haven't been any wrecks reported at that intersection since the 4-way stop has been installed. We have received notice that GDOT has a roundabout planned for there and are requesting the County financial assistance with the maintenance cost in the future. I believe the Board's opinion is that the dollars they are planning to spend on that could be used better for other improvements to our roads.