



CITY OF KINGSLAND, GEORGIA

CITY COUNCIL

AGENDA • JANUARY 13, 2025

Regular Meeting

City Council Chamber

6:00 PM

107 South Lee Street - City Hall, Kingsland, GA 31548

I. PUBLIC HEARING - STARTS AT 6:00PM

1. Public Hearing - Abandonment of an Unopened Section of South Island Street -

The City of Kingsland is seeking to abandon an unopened section of South Island Street. This section has never been opened for public use and there is no benefit of ever opening this section.

II. CALL TO ORDER AND WELCOME GUESTS

III. ROLL CALL

Charles Grayson Day Jr.
Paul E. Chamberlin
Farran Fullilove
Kristy Chance
Alex Blount

Mayor
Councilman
Councilman
Councilwoman
Mayor Pro Tem

IV. INVOCATION AND PLEDGE TO THE FLAG

V. OATH OF OFFICE

1. Oath of Office -
 1. Paul Chamberlin - City Council Member - Post 1
 2. Farran Fullilove - City Council Member - Post 2

VI. CONSENT DOCKET

- A. Approve the Council Minutes of the last regular Council Meeting
- B. Approve the Agenda as Presented
- C. Approve the Payments of Accounts Payable as Due and Funds Available

VII. GRANTING AUDIENCE TO THE PUBLIC

VIII. OLD BUSINESS

IX. PLANNING AND ZONING

1. Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A -

Ronald Sawyer with Sawdawg, LLC has applied for a rezoning of parcels 106 037 & 106 037A containing approximately 212 acres located on the north side of Laurel Island Parkway and on the east side of Bristol Hammock Road. The applicant is requesting the parcels be rezoned to PD/R-2 (Planned Development/Medium Density Residential) for a proposed 630 lot subdivision that will include single family homes and town homes. The applicant has also submitted a PD for approval that has been reviewed and approved by the Planning Department staff. Current zoning is PD/R-1.

Planning Commission recommends denying the rezoning application.

2. Approval of Home Occupation-121 East Lakemont Drive - Map & Parcel 121E 010B -

Matthew Liddell has applied for a Home Occupation Permit for a mobile detail business known as "First Response Mobile Detail, LLC". The applicant has been notified and has agreed to the requirements of a Home Occupation as noted in KLADO. Zoning is R-3. **Planning Commission recommends approval.**

3. Approval of Home Occupation-145 West Woodhaven Drive - Map & Parcel 082E 030C -

Chonda S. Foster has applied for a Home Occupation Permit for a printing business known as "Customized Hustle, LLC". The applicant has been notified and has agreed to the requirements of a Home Occupation as noted in KLADO. Zoning is R-1. **Planning Commission recommends approval.**

4. Approval of Home Occupation-236 The Villas Way - Map & Parcel 107 01 011B -

Leslie Thomas Carpenter has applied for a Home Occupation Permit for an E-Commerce on-line sales business known as "1 of a Kind by Leslie, LLC". The applicant has been notified and has agreed to the requirements of a Home Occupation as noted in KLADO. Zoning is PD/MU. **Planning Commission recommends approval.**

X. NEW BUSINESS

1. Appointment Of: Mayor Pro Tem 2025 -

Pursuant to the City of Kingsland Charter, at its first regular meeting after qualification and upon organization, or as soon thereafter as practicable, the council shall elect one of their number Mayor Pro Tem.

2. City Officer Appointments for 2025 -

Pursuant to the City of Kingsland Charter, the following City Officers shall be appointed by Mayor and Council at its first regular meeting after qualification and upon organization, or as soon thereafter as practicable.

- a) City Clerk (Tax Receiver) - Incumbent Ms. Jo Seigler-Horne
- b) City Marshall (Chief of Police) - Incumbent Mr. Rickey Evans
- c) City Treasurer (Finance Director/Tax Collector) - Incumbent Ms. Filiz Morrow

3. Council Appointments to the Kingsland Planning Commission - -

Councilman Chamberlin Appointment -

Councilwoman Chance Appointment -

Mayor and Council Collective Appointment -

4. Appointments to the Kingsland Downtown Development Authority -

a) Council appointment of Council Member -

b) Incumbent Jolene Anderson

5. Appointment to the Camden County Joint Development Authority Board -

6. Approval Of: IGA Between City of Kingsland and Camden County for ROW Acquisition -

Kingsland is currently engaged in the Transportation Alternatives Program GDOT grant for the Highway 40 and Boone Extension Pedestrian Improvements Project. Camden County holds the required GDOT Local Administered Projects (LAP) Certification and is therefore assisting Kingsland with the ROW acquisitions required in the grant project. Camden County approved and executed the IGA on January 7, 2025.

Staff recommends approval.

7. Approval of: Intergovernment Agreement with Camden County Board of Commissioners for TAD #1 -

Approval of an Intergovernmental Agreement (IGA) between the City of Kingsland and the Camden County Board of Commissioners regarding the Kingsland Tax Allocation District (TAD) #1.

Staff recommends approval.

8. Bid Award: Water Treatment Plant No. 3 -

Successful bidder will furnish all material, equipment, and labor necessary to construct a water treatment plant as outlined in the RFP specifications.

City engineer recommends low bid, Sawcross, Inc, for \$10,775,400.

9. Bid Award: East Regional Force Main and May Creek Sewer -

Successful bidder will furnish all material, equipment, and labor necessary to perform the work for the project as outlined in the RFP specifications.

City engineer recommends low bid, Popco, Inc, for a total base bid amount of \$6,297,448.80.

There is an option available for a lower DR rating on the pipe as potential cost savings. This would result in an approximately \$215,000 reduction if the City elected to go with the thinner-walled pipe.

10. Approval Of: Asset Disposition Services Agreement -

The Police department is in need of disposition services for confiscated items. These services will be conducted through a full-service auction process. Three companies were reviewed.

Staff recommends PropertyRoom.com.

11. Bid Award: Meadows Subdivision Culvert Replacement -

Successful bidder will furnish all material, equipment, and labor for the removal and replacement of 14 culvert pipes impacting 3 paved residential streets as outlined in the RFP specifications.

Staff recommends Curb and Gutter Professionals, Inc, for \$154,520.

12. Approval of: Resolution 2025-01 - Abandonment of an Unopened Section of South Island Street -

The City of Kingsland is seeking to abandon an unopened section of South Island Street. This section has never been opened for public use and there is no benefit of ever opening this section.

Staff recommends approval.

13. Approval of: Ordinance 2025-01 - To Amend Chapter 8 - Community Risk Reduction -

An amendment to Kingsland Code of Ordinances Chapter 8-Community Risk Reduction, to provide for prohibited acts, enforcement, and penalties for violation of Article III related to the Control and Containment of Hazardous Materials.

Staff recommends approval.

14. Discussion - Georgia House Bill 581 - The Local Opt -Out Floating Homestead Exemption & Floating Local Option Sales Tax (FLOST) - Mayor Pro Tem Alex Blount

Discussion regarding Georgia House Bill 581, its implications for local governance, and potential impacts on city operations.

XI. MAYOR AND COUNCIL ANNOUNCEMENT

XII. ADJOURNED



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Public Hearing
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:

AGENDA ITEM (ID # 4631)

DOC ID: 4631

Public Hearing - Abandonment of an Unopened Section of South Island Street

The City of Kingsland is seeking to abandon an unopened section of South Island Street. This section has never been opened for public use and there is no benefit of ever opening this section.



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4645)

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Miscellaneous
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:
DOC ID: 4645

Oath of Office

1. Paul Chamberlin - City Council Member - Post 1
2. Farran Fullilove - City Council Member - Post 2



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: Planning and Zoning
Category: Planning & Zoning
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

AGENDA ITEM (ID # 4650)

DOC ID: 4650

Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A

Ronald Sawyer with Sawdawg, LLC has applied for a rezoning of parcels 106 037 & 106 037A containing approximately 212 acres located on the north side of Laurel Island Parkway and on the east side of Bristol Hammock Road. The applicant is requesting the parcels be rezoned to PD/R-2 (Planned Development/Medium Density Residential) for a proposed 630 lot subdivision that will include single family homes and town homes. The applicant has also submitted a PD for approval that has been reviewed and approved by the Planning Department staff. Current zoning is PD/R-1.

Planning Commission recommends denying the rezoning application.



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development

Staff Report

Planning Commission Meeting Date: December 2, 2024

City Council Meeting Date: December 9, 2024

Agenda Item: Rezoning & PD Approval

Background:

The surrounding parcels are a mix of commercial and residential. The proposed subdivision (Wright's Island) will be located next to Fiddler's Cove. The main entrance to the project will be off of Laurel Island Pkwy. along with a second entrance off of Bristol Hammock Rd. which will include a right in turn lane. The two entrances and turn lane is for life safety reasons and will also help with traffic flow. The project will consist of 40', 50' and 60' wide single family lots and a portion of the project will include 140 townhomes. There will be an approx. total of 630 residential units at full build out.

Summary:

Ronald Sawyer with Sawdawg, LLC has applied for a rezoning of parcels 106 037 & 106 037A containing approx. 212 acres located on the north side of Laurel Island Pkwy. and on the East side of Bristol Hammock Road. The applicant is requesting the parcels be rezoned to PD/R-2 (Planned Development Medium Density Residential) for a proposed 630 lot subdivision that will include single family homes and townhomes. The applicant has also submitted a PD for approval that has been reviewed and approved by the Planning Department staff.

Current Zoning: PD/R-1

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff Recommends Approval

Scott L. Kimball
Planning Director

Attachment: Jan 2025-Rezoning & PD Approval (4650 : Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A)

*AN AMENDMENT TO THE PLANNED
DEVELOPMENT
PROJECT DESCRIPTION*

FOR:

**PARCEL 2 & 3 OF THE WRIGHT'S ISLAND
TRACT**

SUBMITTED TO:

**THE KINGSLAND CITY COUNCIL
AND
PLANNING COMMISSION**

BY:

SAWYER & ASSOCIATES, INC.

NOVEMBER 4, 2024

BENNETT SURVEYING, INC.

(AGENT FOR SAWYER & ASSOCIATES, INC.)



CITY OF KINGSLAND ZONING APPLICATION

Please attach to this application a plot plan/survey showing the location and dimensions of the property to be rezoned. Also attach the appropriate fee for this request (fee schedule attached). If paid by check make payable to "City of Kingsland".

REQUEST

EXISTING PD (R-1) EXISTING RESIDENTIAL
ZONING _____ USE _____

REQUESTED PD (R-2) REQUESTED TOWNHOUSES &
ZONING _____ USE _____ RESIDENTIAL _____

PROPERTY OWNER(S)

Name(s) _____ SAWDAWG, LLC _____

Address _____ 100 Marsh Harbour Pkwy. Kingsland, Georgia 31548 _____

Phone No. _____ 912-576-9003 _____ (Work and/or home); Fax No. _____

___ Individual ___ Partnership ___ Sole Proprietor ___ Firm ___ ☒ Corporation
___ Association

Corporation: Submit list of officers, directors and major stockholders with name, address and title.

Partnership: Submit list of all partners with name, address and title.

GENERAL INFORMATION

Location or Legal

Property Description: _____ FIDDLERS COVE AREA/WRIGHTS/ISLAND _____

Property

Address: North Side of Laurel Island Pkwy & East Side of Bristol Hammock Rd.

Tax Map Reference Number: _____ 106 037 & 037A _____ Zoning Map: _____

Property Size: ~~7.135~~ 212 Acres Property Frontage: 1508 Feet Bristol Hammock Rd.

Attachment: Jan 2025-Rezoning & PD Approval (4650 : Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A)

City of Kingsland Zoning Application
Page Two

Check One: ☒ Paved Road or ☐ Unpaved
 ☒ Public Water or ☐ Individual Well
 ☒ Public Sewer or ☐ Individual Septic Tank

REASON FOR REQUEST

Would be in harmony with the character of the neighborhood because _____
 _____ the project will reflect multi-family and commercial uses _____

Would not be detrimental to property or persons in the area because _____
 _____ The project will further enhance the City of Kingsland's _____
 surrounding developments _____

Other Comments: _____

DISCLOSURE

Identify all members of the City Council of the City of Kingsland, City of Kingsland Planning Commission and Employees of the City of Kingsland Community Development who

(1) Have a property interest in the real property affected by this request

_____ ☒ _____

(2) Have a financial interest (direct ownership interest of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

_____ ☒ _____

(3) Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

x

City of Kingsland Zoning Application
Page Three

CAMPAIGN CONTRIBUTION

List below the names of local government officials of the City of Kingsland to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name	Amount of Description of Gift
_____	_____
_____	_____

SIGNATURE(S) OF OWNER(S)

I/We, the owner(s), submit this application and certify that the information is correct and true to the best of my knowledge.

Sawyer LLC by Ronald H Sawyer
Owner

Owner

HEARING DATE

This application is scheduled to be heard by the City of Kingsland Planning Commission at their meeting of _____ November 4, _____, 2024, at ___6:00___ P.M. in the Council Chambers of Kingsland City Hall, 107 S. Lee St., Kingsland, Georgia.

Owner or agent must be present in order for the request to be heard.

RECEIPT

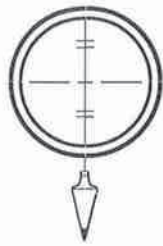
Submission fee for rezoning received from Sawyer & Assoc.
in the amount of \$ 600.

City of Kingsland

BY: [Signature]
Planning & Zoning Administrator

Date: 10/15/24

Attachment: Jan 2025-Rezoning & PD Approval (4650 : Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A)



BENNETT SURVEYING, INC.
Surveyors and Land Planners

102 Marsh Harbour Parkway, Unit 103
Kingsland, GA 31548
P.O. Box 2729
Brunswick, GA 31521
(912) 258-8899

9.1.a

Application Request: the Applicant, Sawyer & Associates, Inc., 100 Marsh Harbour Parkway, Kingsland, Georgia 31548 request that the Planning Commission & City Council approve the following application:

AN AMENDED DEVELOPMENT PLAN TO ALLOW FOR A PLANNED DEVELOPMENT IN KINGSLAND, GEORGIA, FOR THE PURPOSE OF PROVIDING TOWNHOUSES AND SINGLE FAMILY RESIDENTIAL ON +/- 135 ACRES ADJOINING LAUREL ISLAND PARKWAY KNOWN AS CAMDEN COUNTY TAX PARCEL No. 106 037 & 037A

NOVEMBER 4, 2024

Introduction

The Applicant, Sawyer & Associates, Inc., hereby submits this application for a revised Planned Development Plan to the existing PD (R-1) Development district in accordance with City of Kingsland, Georgia, Zoning Ordinance. The conceptual land usage plan and supporting documents shall serve as the basis of which is required by the Ordinance.

After approval by the Kingsland City Council and Planning Commission, the Applicant or his agent will be entitled to develop this site in accordance with this Application, upon receipt of final plat approvals from the City of Kingsland Council and Planning Commission, with the allowed uses, densities, and development standards contained or referenced herein. The development standards granted hereunder shall be conditioned upon receipt and approval of such materials by the City of Kingsland, prior to any development activity. Furthermore, the Applicant also requests that the terms and conditions of this written report be incorporated into any future zoning map and text amendments, as a PD Zoning District, to be governed pursuant to the terms hereof.

Project Description Summary

This project consists of a total of 135 acres, more or less. It is known as parcel 2 & 3 of the Wright's Island Tract. As with the surrounding developments, this parcel will contain townhouses and single family residential property with defined specifications. The concept of this project is to provide townhouses and residential lots equivalent to surrounding areas. The density of mixed usage may exceed those allowed in various surrounding mixed use developments.

The project will be accessed from Laurel Island Parkway & Bristol Hammock Road. The development will be served with underground utilities, including sewer and water from the City of Kingsland. Any and all utilities needed within the development will meet or exceed the City of Kingsland standards with the intent to dedicate, if needed, to the City of Kingsland.

Minimum lot specifications

PD R-2 (Townhouses) +/-140 units

Minimum Lot Area	7,000 Sq. Ft. for the first two units, 2,000 Sq. Ft. for each additional unit
Front Yard Setback	15 feet
Side Yard Setback	0 feet & 10 feet (10 feet side street)
Rear Yard Setback	10 feet (10 feet rear street)

PD R-1 (60' lots) +/-53 lots

Minimum Lot Area	6,000 Sq. Ft.
Lot width at building line	60.0 ft.
Front Yard Setback	20 feet
Side yard setback	5 feet (10 feet side street)
Rear Yard Setback	10feet (10 feet rear street)

PD R-1 (50' lots) +/-234 lots

Minimum Lot Area	5,000 Sq. Ft.
Lot width at building line	50.0 ft.
Front Yard Setback	20 feet
Side yard setback	5 feet (10 feet side street)
Rear Yard Setback	10feet (10 feet rear street)

PD R-1 (40' lots) +/-198 lots

Minimum Lot Area	4,400 Sq. Ft.
Lot width at building line	40.0 ft.
Front Yard Setback	20 feet
Side yard setback	5 feet (10 feet side street)
Rear Yard Setback	10feet (10 feet rear street)

This parcel will be accurately surveyed and presented to the Kingsland Planning Commission and Council at the time it is to be developed. At this time, all parcels will meet or exceed the minimum specifications outlined within this PD.

Development Standards

The development standards applicable to the Planned Development District under the City of Kingsland zoning ordinance and the development standards contained therein, shall govern development within the property, and no development activity shall commence until the proper authorities has received, reviewed and approved final site plans, plats and all documents necessary for each parcel to be in compliance with the City of Kingsland Zoning Ordinance standards for a mixed use planned development.

wrights island 2 narrative

WRIGHT'S ISLAND

18' TOWNHOME LOTS
140 TOTAL

40' LOTS TOTAL
218 LOTS

50' LOTS TOTAL
236 LOTS

60' MARSH LOTS
53 TOTAL

TOTAL
647 LOTS

TOTAL ±102.79 AC
TOTAL 94% WETLANDS WITH ROADS
AND WETLANDS

TOTAL ±57.46 AC
WETLANDS

PARCEL 4
TOTAL ±39.30 AC
COMMERCIAL WITH ROADS
±16.00 AC

PARCEL 3
±8.05 AC

PARCEL 2
±7.52 AC

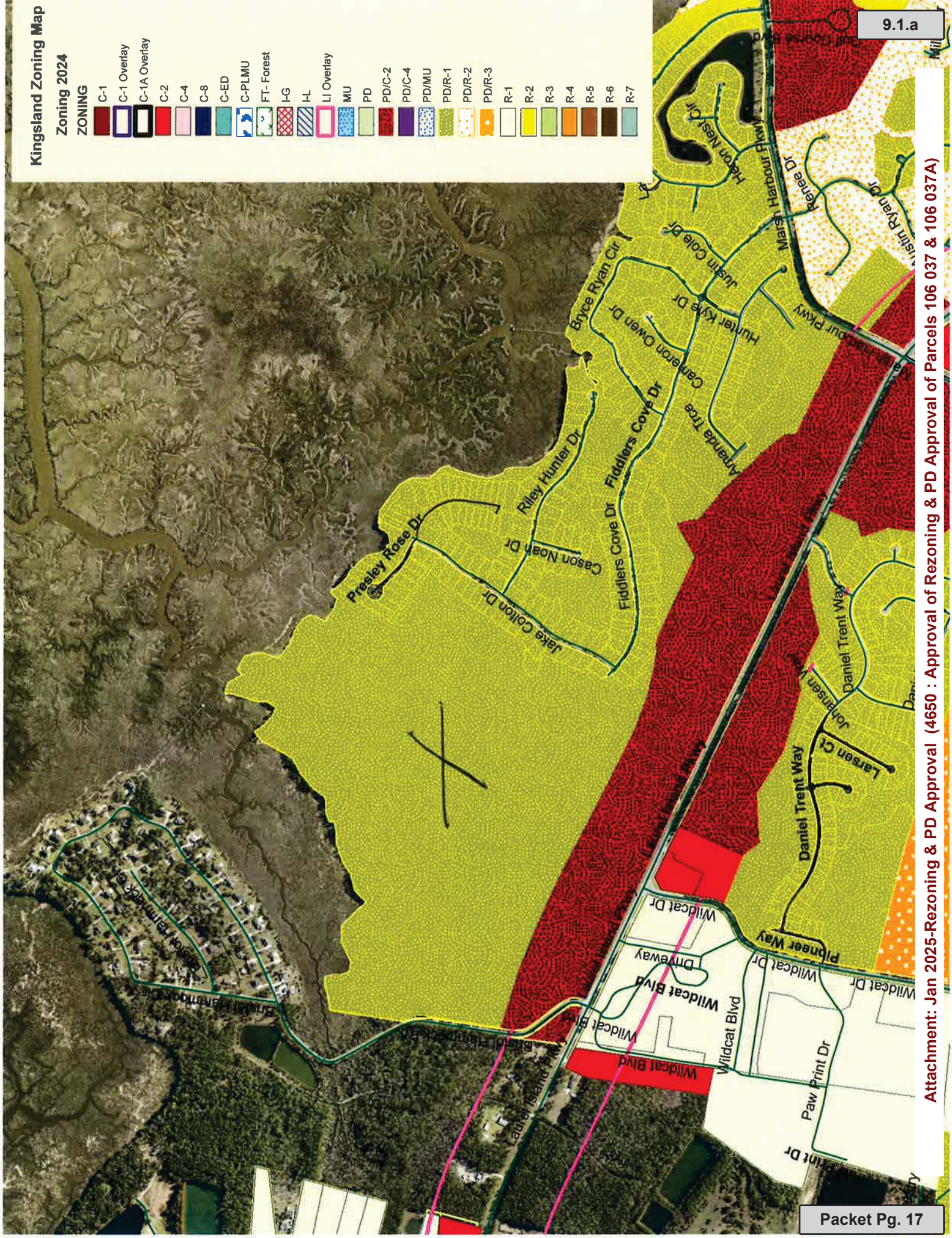
PARCEL 1
±4.73 AC

Kingsland Zoning Map

Zoning 2024

ZONING

C-1	C-1 Overlay	C-1A Overlay	C-2	C-4	C-8	C-ED	C-PLMU	FT- Forest	I-G	HL	LI Overlay	MU	PD	PD/C-2	PD/C-4	PD/MU	PD/R-1	PD/R-2	PD/R-3	R-1	R-2	R-3	R-4	R-5	R-6	R-7
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9.1.a

Attachment: Jan 2025-Rezoning & PD Approval (4650 : Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A)



Camden County, GA



Overview



Legend

- Parcels
- Roads
- USA Major Highways**
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels**

Parcel ID	106 037	Owner	SAWDAG LLC	Last 2 Sales			
Class Code	Residential		100 MARSH HARBOUR PARKWAY	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		KINGSLAND, GA 31548	10/10/2023	\$2511600	XS	U
	KINGSLAND	Physical Address	n/a	9/29/2016	\$438689	MP	U
Acres	171.49	Assessed Value	Value \$1894288				

(Note: Not to be used on legal documents)

THE PARCEL LINES SHOWN ON THIS SITE ARE NOT LEGAL BOUNDRIES AND MUST NOT BE USED FOR LEGAL DOCUMENTS. THE PARCEL LINEWORK ARE FOR LOCATING PARCELS FOR TAX PURPOSES ONLY. THEY ARE NOT SURVEYS DUE TO THE NATURE OF HOW THE ARE PRODUCED. LEGAL BOUNDRIES SHOULD BE TAKEN FROM LEGALLY DOCUMENTED PLATS AND DEEDS.

Date created: 11/19/2024

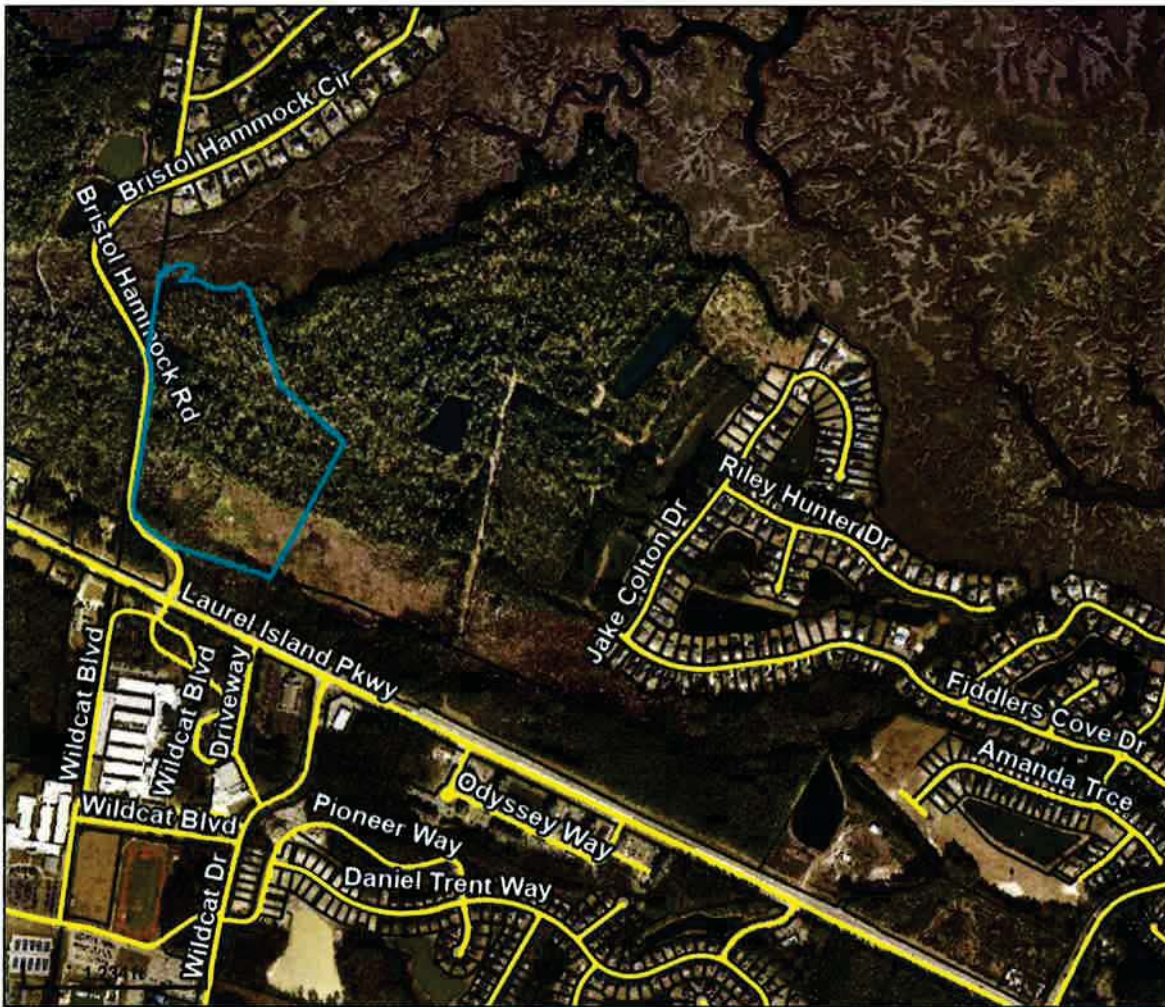
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Developed by SCHNEIDER
GEOSPATIAL

Attachment: Jan 2025-Rezoning & PD Approval (4650 : Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A)



Camden County, GA



Overview



Legend

- Parcels
- Roads
- USA Major Highways**
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels

Parcel ID	106 037A	Owner	SAWDAWG LLC	Last 2 Sales			
Class Code	Residential		100 MARSH HARBOUR PARKWAY	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		KINGSLAND, GA 31548	10/10/2023	\$993600	XS	U
	KINGSLAND	Physical Address	n/a	n/a	0	n/a	n/a
Acres	40.67	Assessed Value	Value \$749613				

(Note: Not to be used on legal documents)

THE PARCEL LINES SHOWN ON THIS SITE ARE NOT LEGAL BOUNDRIES AND MUST NOT BE USED FOR LEGAL DOCUMENTS. THE PARCEL LINEWORK ARE FOR LOCATING PARCELS FOR TAX PURPOSES ONLY. THEY ARE NOT SURVEYS DUE TO THE NATURE OF HOW THE ARE PRODUCED. LEGAL BOUNDRIES SHOULD BE TAKEN FROM LEGALLY DOCUMENTED PLATS AND DEEDS.

Date created: 11/19/2024

Last Data Uploaded: 11/18/2024 7:45:14 PM

Developed by SCHNEIDER
GEOSPATIAL

Attachment: Jan 2025-Rezoning & PD Approval (4650 : Approval of Rezoning & PD Approval of Parcels 106 037 & 106 037A)

To: Whom this may concern

From: Community awareness advisor

Via: Community residents (D.J. Smith)

I am presenting this letter to all of the community resident of our local community. It have come to my attention, there's a team of developer that has chosen our community to develop. This has caused me to ask the community to stand up against the development of this community for several reason. In this letter I will address all or most of the issues that I feel need to be address by the development team prior to any approval from the county or city planning and development board.

The very first issues is "whether or not they have been an environmental study on the property being developed".

The next and equally important issues is "if all the community have had oppuntuniuty to review and submit input on the new development plans".

Please allow me to explain why I have such an issue with this development. When I elected to purchase my property in this community I made my decision based on all the wildlife that was around the property. That gave me the feeling that I was out of the range were big companies could just come in and develop the area without taken wildlife under consideration. I'm sure if there is an ecological study taken, you would see that this type of development will affect our environment. I will be contacting the county soil and water supervisor to see if there has been any request of such ecological studies to our area.

In my conclusion I truly would like to have all the community involve in this project before the county give the authority to any company to build apartments in this community. I'm unsure of the loss in property valve if there are apartment built, however I'm sure it will not equal to the valve of the single family unit hear

Thank you,



THIS MAP HAS BEEN ORIGINATED FOR CLOSURE AND IS FOUND TO BE
ACCURATE WITHIN ONE FOOT IN 1,000,000 FEET.

FOR: SAWYER & ASSOCIATES

Packet Pg. 21



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: Planning and Zoning
Category: Home Office Occupancy
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

AGENDA ITEM (ID # 4651)

DOC ID: 4651

Approval of Home Occupation-121 East Lakemont Drive - Map & Parcel 121E 010B

Matthew Liddell has applied for a Home Occupation Permit for a mobile detail business known as "First Response Mobile Detail, LLC". The applicant has been notified and has agreed to the requirements of a Home Occupation as noted in KLADO. Zoning is R-3. **Planning Commission recommends approval.**



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development Staff Report

Planning Commission Meeting Date: January 6, 2024

City Council Meeting Date: January 13, 2024

Agenda Item: Home Occupation- 121 E. Lakemont Drive. Parcel # 121E 010B

Summary:

Matthew Liddell has applied for a home occupation permit for a mobile detailing business known as "First Response Mobile Detail, LLC". The applicant has been notified and agrees to the requirements of a Home Occupation as noted in KLADO.

Zoning: R-3

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff recommends approval

Scott L. Kimball
Planning & Zoning Director



The City of Kingsland, GA
 107 South Lee Street
 P.O. Box 250
 Kingsland, GA 31548
 Ph: 912-729-5613
 Fax: 912-729-7618

Member:

Bryant Shepard, Chairman
Fyrth Morris, Vice Chairman
Walter Fuller, Jr.
Michael Haynes
Matthew Hooks
Kathryn Markes
Becci Shannon

TO WHOM IT MAY CONCERN:

Matthew Liddell filed an application with our office. The applicant asks that the Kingsland Planning Commission recommend approval and that the Kingsland City Council approve the following item:

(X) HOME OCCUPATION: The applicant has applied for a Home Occupation Permit for a mobile detail business known as "First Response Mobile Detail, LLC" located at 121 E. Lakemont Dr. Map & Parcel 121E 010B. Zoning is R-3.

In order to review the application, the Kingsland Planning Commission will hold a public hearing on Monday, January 6, 2024 at 6:00 p.m. and the Kingsland City Council will vote on the Planning Commission recommendation at their meeting on Monday, January 13, 2024 at 6:00 p.m. at Kingsland City Hall in the Council Chambers located at 107 S. Lee St. in Downtown Kingsland.

If you are unable to attend either meeting, you may submit a written statement to our office which will be read at the meeting, or give me a call expressing your concern. For further information, please call our office at 912-729-8296.

Sincerely,


Scott Kimball, Planning Director



Jan. 2028
240101

CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT

This application is based on the requirements of Section 110 of the KLADO and must be filed with the planning and Zoning Administrator at least 4 weeks before the Planning Commission meeting at which it will be heard. Your presence or that of your representative is encouraged at the Planning Commission public hearing.

APPLICANT: Matthew Liddell PHONE: 904-646-8861
ADDRESS: 121 E LAKEMONT DR Kingsland GA 31548
FAX: N/A E-MAIL: Mattliddell99@yahoo.com

Type of use you are requesting:

- () **Home Office:** (requires planning director & city manager approval. Permit is valid for as long as the Home Office is located at the address stated herein.)
- (☒) **Home Occupation:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)
- () **Residential Business:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

GROUP/BUSINESS YOU REPRESENT: First Response Mobile Detail LLC
STREET ADDRESS WHERE THIS USE IS TO BE LOCATED: 121 E Lakemont Dr Kingsland GA
TAX MAP & PARCEL NUMBER: 121E0108 ZONING: R-3
OWNER OF SITE, IF NOT APPLICANT: Damon Brantley
ADDRESS: 63 Millers Branch Dr
CITY: ST. MARY'S STATE: GA ZIP: 31558

PLEASE COMPLETE AND ATTACH THE REQUIRED AFFIDAVIT FOR THE PARTICULAR TYPE HOME OCCUPATION YOU ARE APPLYING FOR. (THIS WILL BE FURNISHED BY THE PLANNING & ZONING DEPARTMENT.)

ATTACH REQUIRED HOME OCCUPATION PERMIT FEE TO THIS APPLICATION:

HOME OFFICE	\$50.00
HOME OCCUPATION	\$50.00
RESIDENTIAL BUSINESS	\$50.00

I UNDERSTAND THAT I AND/OR THE GROUP I REPRESENT CARRY THE BURDEN OF PROVING THE NEED FOR THIS PERMIT. FURTHER, I/WE AM/ARE RESPONSIBLE FOR THE CONDITION OF THE SITE WHILE THE PERMIT IS IN EFFECT.

SIGNED: [Signature] DATE: 12/03/2024

Attachment: Jan 2025-Home Occ-121 E Lakemont Dr (4651 : Approval of Home Occupation-121 East Lakemont Drive - Map & Parcel 121E 010B)



CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT

TO BE COMPLETED BY PLANNING & ZONING ADMINISTRATOR

1. DATE COMPLETE APPLICATION FILED: 12/12/24
2. DATE APPLICANT NOTIFIED THAT COMPLETE APPLICATION HAD BEEN RECEIVED: 12/12/24
3. DATE PERMIT FEE PAID: 12/12/24 AMOUNT PAID: \$ 50.00
4. PLANNING COMMISSION REVIEW:

() APPROVAL RECOMMENDED () DENIAL RECOMMENDED

DATE THIS APPLICATION WAS REVIEWED BY THE PLANNING COMMISSION: 1/6/24

CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

5. CITY COUNCIL ACTION:

() APPROVED () DENIED

DATE THIS APPLICATION WAS REVIEWED BY CITY COUNCIL: 1/13/24

CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

6. DATE APPLICANT NOTIFIED OF FINAL ACTION: 1/14/24

THIS APPLICATION FOR HOME OCCUPATION HAS BEEN APPROVED AND A BUSINESS LICENSE (WHEN COMPLETED APPLICATION HAS BEEN RECEIVED BY THE CITY) MAY BE ISSUED SHOWING A Home Occupation PERMIT HAS BEEN ISSUED.

[Signature]
 PLANNING DIRECTOR
 CITY OF KINGSLAND

12/12/24
 DATE

 CITY MANAGER
 CITY OF KINGSLAND

 DATE



CITY OF KINGSLAND
AFFIDAVIT FOR A HOME OCCUPATION

APPLICANT: Matthew Liddell
 ADDRESS: 121 E Lakemont Dr
 CITY: Kingsland STATE: Ga ZIP: 31548
 PHONE: (904-646-8861) FAX: () E-MAIL: Dyl2491@yahoo.com
 PROPOSED BUSINESS: First Response Mobile Detail LOCATION: _____
 TAX PARCEL: 121E0108 ZONING: R-3

A Home Occupation Business is a conditional use that can only be approved subject to the recommendation of the Planning Commission and approval by the City Council. The Planning Commission can recommend approval and the City Council can approve your application subject to it meeting the specific conditions listed below. Either, or both the Planning Commission and City Council may also add any reasonable conditions they deem necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

HOME OCCUPATION: *An occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A Home Occupation is designed to be less restrictive than a Home Office but more than a Residential Business in regard to access by the public, size, visibility, number of employees and types of business.*

HOME OCCUPATION SHALL MEET THE FOLLOWING CONDITIONS:

- If the applicant is not the owner of the property, a letter from the property owner must be attached to the application giving permission for the applicant to conduct a home occupation in the premises.
- Home occupations shall not include the repair and/or maintenance of motor vehicles or boats, nor shall it allow manufacturing or any other use which will create noise, noxious odors, or any other hazard that may endanger the health, safety, or welfare of the neighborhood.
- Home occupations shall not allow customers or the public to come to the premises.
- The occupation or profession must be conducted entirely within the dwelling.
- The dwelling must be the bona fide residence of the principal practitioner at the time of the application and the home occupation shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- Home occupations shall be limited to no more than twenty-five percent (25%) of the total heated floor area of the residence, or five hundred (500) square feet, whichever is less. The size of the home occupation shall be specified at the time of the application. Please complete: 300 Business area sq. ft. 1426 Home heated floor area sq. ft.
- The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
- No other employees other than family members residing on the premises shall be permitted.
- There shall be no exterior evidence of a business being conducted on the premises. No outside storage or display shall be allowed.
- No more than one home occupation or residential business is allowed in a residence at one time.
- One business vehicle used exclusively by the resident is permitted. The vehicle shall be no larger in size than a pick-up truck, panel truck, or van and is limited in size to a one-ton carrying capacity. The vehicle may have reasonable business identification (signs) on it when it is parked at the premises and will not have any equipment used in the business left on the vehicle in a manner that can be seen from the surrounding property.
- Any pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day. Such pickups and/or deliveries, if any, are to be during daylight hours.

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE CONDITIONS AND AGREE TO COMPLY WITH EACH REQUIREMENT AS LONG AS THE BUSINESS IS CONDUCTED AT THIS LOCATION.

Matthew Liddell
 SIGNATURE OF APPLICANT

12-12-2024
 DATE

Scott Kimball

From: DAMON BRANTLEY <brantleygs@icloud.com>
Sent: Monday, December 16, 2024 8:43 AM
To: skimball@kingslandgeorgia.com
Subject: 121 E. Lakemont

Good morning Sir. My name is Damon W. Brantley and I am the owner of the property located at 121 E. Lakemont Dr, Kingsland, GA 31548.

My current renter, Mr. Liddell has requested permission to use the address for documentation needed to operate a personal business. I have given him that permission. If I can provide and additional information or be of service in any way, please do not hesitate to ask.

Thank you in advance for your consideration.

Damon Brantley MD, CPE, FACS

Sent from my iPhone

Attachment: Jan 2025-Home Occ-121 E Lakemont Dr (4651 : Approval of Home Occupation-121 East Lakemont Drive - Map & Parcel 121E 010B)

Zoning 2024

ZONING

- C-1
- C-1 Overlay
- C-1A Overlay
- C-2
- C-4
- C-8
- C-ED
- C-PLMU
- FT- Forest
- I-G
- I-L
- LI Overlay
- MU
- PD
- PD/C-2
- PD/C-4
- PD/MU
- PD/R-1
- PD/R-2
- PD/R-3
- R-1
- R-2
- R-3
- R-4
- R-5
- R-6
- R-7

9.2.a





Overview



Legend

- Parcels
- Roads
- USA Major Highways
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels

Parcel ID	121E 010B	Owner	BRANTLEY DAMON W & CYNTHIA Y	Last 2 Sales			
Class Code	Residential		121 EAST LAKEMONT DRIVE	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		KINGSLAND, GA 31548	1/19/2021	\$123800	FM	Q
	KINGSLAND	Physical Address	121 E LAKEMONT DR	2/11/2019	\$91500	FM	Q
Acres	0.12	Assessed Value	Value \$163648				

(Note: Not to be used on legal documents)

THE PARCEL LINES SHOWN ON THIS SITE ARE NOT LEGAL BOUNDRIES AND MUST NOT BE USED FOR LEGAL DOCUMENTS. THE PARCEL LINEWORK ARE FOR LOCATING PARCELS FOR TAX PURPOSES ONLY. THEY ARE NOT SURVEYS DUE TO THE NATURE OF HOW THE ARE PRODUCED. LEGAL BOUNDRIES SHOULD BE TAKEN FROM LEGALLY DOCUMENTED PLATS AND DEEDS.

Date created: 12/12/2024

Last Data Uploaded: 12/11/2024 8:00:57 PM

Developed by SCHNEIDER
GEOSPATIAL



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4652)

Meeting: 01/13/25 06:00 PM
Department: Planning and Zoning
Category: Home Office Occupancy
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

DOC ID: 4652

Approval of Home Occupation-145 West Woodhaven Drive - Map & Parcel 082E 030C

Chonda S. Foster has applied for a Home Occupation Permit for a printing business known as "Customized Hustle, LLC". The applicant has been notified and has agreed to the requirements of a Home Occupation as noted in KLADO. Zoning is R-1. **Planning Commission recommends approval.**



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development Staff Report

Planning Commission Meeting Date: January 6, 2024

City Council Meeting Date: January 13, 2024

Agenda Item: Home Occupation- 145 Woodhaven Drive- Parcel # 082E 030C

Summary:

Chonda Foster has applied for a home occupation permit for a printing business known as "Customized Hustle, LLC". The applicant has been notified and agrees to the requirements of a Home Occupation as noted in KLADO.

Zoning: R-1

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff recommends approval

Scott L. Kimball
Planning & Zoning Director



The City of Kingsland, GA
 107 South Lee Street
 P.O. Box 250
 Kingsland, GA 31548
 Ph: 912-729-5613
 Fax: 912-729-7618

Member:

Bryant Shepard, Chairman
Fyrth Morris, Vice Chairman
Walter Fuller, Jr.
Michael Haynes
Matthew Hooks
Kathryn Markes
Becci Shannon

TO WHOM IT MAY CONCERN:

Chonda S. Foster filed an application with our office. The applicant asks that the Kingsland Planning Commission recommend approval and that the Kingsland City Council approve the following item:

(X) HOME OCCUPATION: The applicant has applied for a Home Occupation Permit for a printing business known as "Customized Hustle, LLC" located at 145 W. Woodhaven Dr. Map & Parcel 082E 030C. Zoning is R-1.

In order to review the application, the Kingsland Planning Commission will hold a public hearing on Monday, January 6, 2024 at 6:00 p.m. and the Kingsland City Council will vote on the Planning Commission recommendation at their meeting on Monday, January 13, 2024 at 6:00 p.m. at Kingsland City Hall in the Council Chambers located at 107 S. Lee St. in Downtown Kingsland.

If you are unable to attend either meeting, you may submit a written statement to our office which will be read at the meeting, or give me a call expressing your concern. For further information, please call our office at 912-729-8296.

Sincerely,

Scott Kimball, Planning Director



dec 12
\$50

9.3.a

Jan. 2025
240100

CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT

This application is based on the requirements of Section 110 of the KLADO and must be filed with the planning and Zoning Administrator at least 4 weeks before the Planning Commission meeting at which it will be heard. Your presence or that of your representative is encouraged at the Planning Commission public hearing.

APPLICANT: Chonda S. Foster PHONE: 912-567-4800
ADDRESS: 145 Woodhaven Drive, Kingsland, GA 31548
FAX: _____ E-MAIL: CustomizedHustle@gmail.com

Type of use you are requesting:

- ☒ **Home Office:** (requires planning director & city manager approval. Permit is valid for as long as the Home Office is located at the address stated herein.)
☒ **Home Occupation:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)
☐ **Residential Business:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

GROUP/BUSINESS YOU REPRESENT: Customized Hustle, LLC

STREET ADDRESS WHERE THIS USE IS TO BE LOCATED: _____

TAX MAP & PARCEL NUMBER: 082E 030C ZONING: R-1

OWNER OF SITE, IF NOT APPLICANT: Kyle & Mirang Goddard / Corner Stone mfg.

ADDRESS: _____

CITY: Kingsland STATE: GA ZIP: 31548

PLEASE COMPLETE AND ATTACH THE REQUIRED AFFIDAVIT FOR THE PARTICULAR TYPE HOME OCCUPATION YOU ARE APPLYING FOR. (THIS WILL BE FURNISHED BY THE PLANNING & ZONING DEPARTMENT.)

ATTACH REQUIRED HOME OCCUPATION PERMIT FEE TO THIS APPLICATION:

HOME OFFICE	\$50.00
HOME OCCUPATION	\$50.00
RESIDENTIAL BUSINESS	\$50.00

I UNDERSTAND THAT I AND/OR THE GROUP I REPRESENT CARRY THE BURDEN OF PROVING THE NEED FOR THIS PERMIT. FURTHER, I/WE AM/ARE RESPONSIBLE FOR THE CONDITION OF THE SITE WHILE THE PERMIT IS IN EFFECT.

SIGNED: [Signature] DATE: dec 12 . 2024

Attachment: Jan 2025-Home Occ-145 Woodhaven Dr (4652 : Approval of Home Occupation-145 West Woodhaven Drive - Map & Parcel 082E



CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT
TO BE COMPLETED BY PLANNING & ZONING ADMINISTRATOR

1. DATE COMPLETE APPLICATION FILED: 12/12/24
2. DATE APPLICANT NOTIFIED THAT COMPLETE APPLICATION HAD BEEN RECEIVED: 12/12/24
3. DATE PERMIT FEE PAID: 12/12/24 AMOUNT PAID: \$ 50.00
4. PLANNING COMMISSION REVIEW:
 () APPROVAL RECOMMENDED () DENIAL RECOMMENDED
 DATE THIS APPLICATION WAS REVIEWED BY THE PLANNING COMMISSION: 1/6/24
 CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

5. CITY COUNCIL ACTION:
 () APPROVED () DENIED
 DATE THIS APPLICATION WAS REVIEWED BY CITY COUNCIL: _____
 CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

6. DATE APPLICANT NOTIFIED OF FINAL ACTION: 1/13/24

THIS APPLICATION FOR HOME OCCUPATION HAS BEEN APPROVED AND A BUSINESS LICENSE (WHEN COMPLETED APPLICATION HAS BEEN RECEIVED BY THE CITY) MAY BE ISSUED SHOWING A Home Occupation PERMIT HAS BEEN ISSUED.

[Signature]
 PLANNING DIRECTOR
 CITY OF KINGSLAND

12/12/24
 DATE

 CITY MANAGER
 CITY OF KINGSLAND

 DATE



CITY OF KINGSLAND
AFFIDAVIT FOR A HOME OCCUPATION

APPLICANT: Chonda S. Foster

ADDRESS: 145 ~~145~~ Woodhaven Drive

CITY: Kingsland STATE: GA. ZIP: 31548

PHONE: 912 567-4800 FAX: () E-MAIL: Customized Hurtle @

PROPOSED BUSINESS: Printing Business LOCATION: 145 Woodhaven Dr

TAX PARCEL: 082E 030C ZONING: R-1

A Home Occupation Business is a conditional use that can only be approved subject to the recommendation of the Planning Commission and approval by the City Council. The Planning Commission can recommend approval and the City Council can approve your application subject to it meeting the specific conditions listed below. Either, or both the Planning Commission and City Council may also add any reasonable conditions they deem necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

HOME OCCUPATION: *An occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A Home Occupation is designed to be less restrictive than a Home Office but more than a Residential Business in regard to access by the public, size, visibility, number of employees and types of business.*

HOME OCCUPATION SHALL MEET THE FOLLOWING CONDITIONS:

- If the applicant is not the owner of the property, a letter from the property owner must be attached to the application giving permission for the applicant to conduct a home occupation in the premises.
- Home occupations shall not include the repair and/or maintenance of motor vehicles or boats, nor shall it allow manufacturing or any other use which will create noise, noxious odors, or any other hazard that may endanger the health, safety, or welfare of the neighborhood.
- Home occupations shall not allow customers or the public to come to the premises.
- The occupation or profession must be conducted entirely within the dwelling.
- The dwelling must be the bona fide residence of the principal practitioner at the time of the application and the home occupation shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- Home occupations shall be limited to no more than twenty-five percent (25%) of the total heated floor area of the residence, or five hundred (500) square feet, whichever is less. The size of the home occupation shall be specified at the time of the application. Please complete: 400 Business area sq. ft. 1288 Home heated floor area sq. ft.
- The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
- No other employees other than family members residing on the premises shall be permitted.
- There shall be no exterior evidence of a business being conducted on the premises. No outside storage or display shall be allowed.
- No more than one home occupation or residential business is allowed in a residence at one time.
- One business vehicle used exclusively by the resident is permitted. The vehicle shall be no larger in size than a pick-up truck, panel truck, or van and is limited in size to a one-ton carrying capacity. The vehicle may have reasonable business identification (signs) on it when it is parked at the premises and will not have any equipment used in the business left on the vehicle in a manner that can be seen from the surrounding property.
- Any pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day. Such pickups and/or deliveries, if any, are to be during daylight hours.

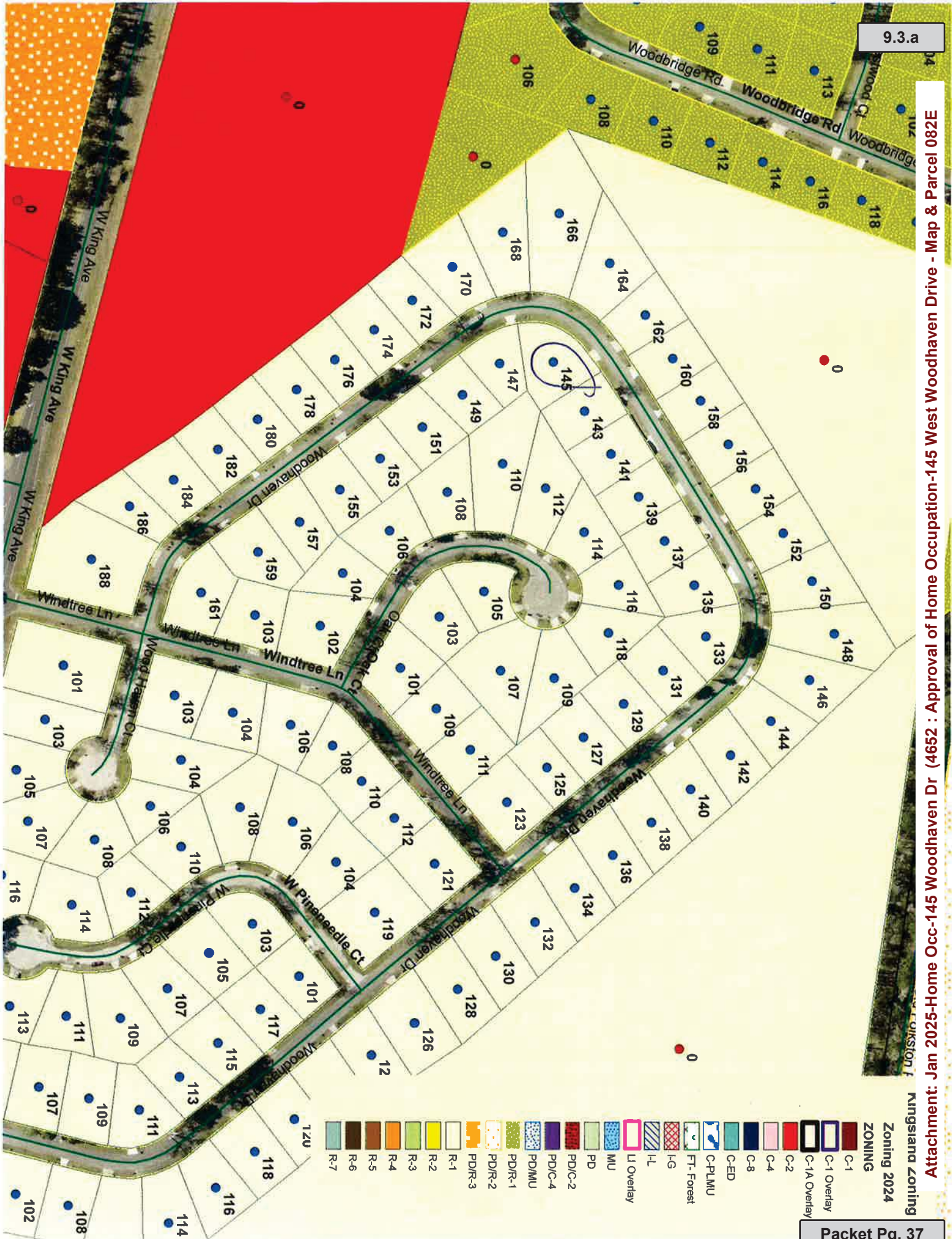
I HEREBY CERTIFY THAT I HAVE READ THE ABOVE CONDITIONS AND AGREE TO COMPLY WITH EACH REQUIREMENT AS LONG AS THE BUSINESS IS CONDUCTED AT THIS LOCATION.

SIGNATURE OF APPLICANT

DATE

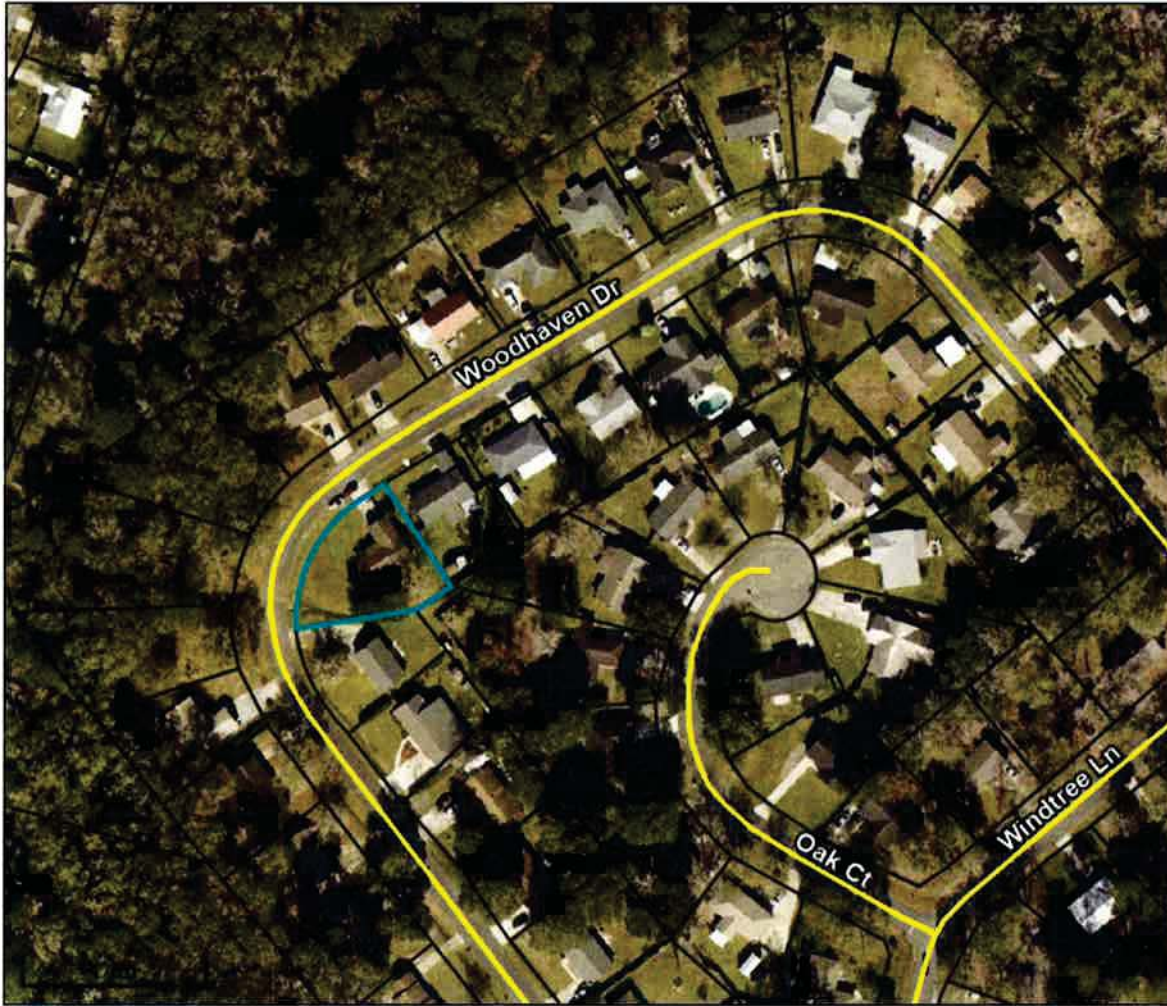
12/12/2024

Attachment: Jan 2025-Home Occ-145 Woodhaven Dr (4652 : Approval of Home Occupation-145 West Woodhaven Drive - Map & Parcel 082E





Camden County, GA



Overview



Legend

- Parcels
- Roads
- USA Major Highways**
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels**

Parcel ID	082E 030C	Owner	GODDARD RYEIN & MIRANG	Last 2 Sales			
Class Code	Residential		145 WEST WOODHAVEN DRIVE	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		KINGSLAND, GA 31548	10/15/2021	\$159000	FM	Q
	KINGSLAND	Physical Address	145 WOODHAVEN DR	4/6/2013	0	FY	U
Acres	n/a	Assessed Value	Value \$204975				

(Note: Not to be used on legal documents)

THE PARCEL LINES SHOWN ON THIS SITE ARE NOT LEGAL BOUNDRIES AND MUST NOT BE USED FOR LEGAL DOCUMENTS. THE PARCEL LINEWORK ARE FOR LOCATING PARCELS FOR TAX PURPOSES ONLY. THEY ARE NOT SURVEYS DUE TO THE NATURE OF HOW THE ARE PRODUCED. LEGAL BOUNDRIES SHOULD BE TAKEN FROM LEGALLY DOCUMENTED PLATS AND DEEDS.

Date created: 12/12/2024

Last Data Uploaded: 12/11/2024 8:00:57 PM

Developed by  **SCHNEIDER**
GEOSPATIAL



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: Planning and Zoning
Category: Home Office Occupancy
Prepared By: Natalie Moreland
Initiator: Natalie Moreland
Sponsors:

AGENDA ITEM (ID # 4653)

DOC ID: 4653

Approval of Home Occupation-236 The Villas Way - Map & Parcel 107 01 011B

Leslie Thomas Carpenter has applied for a Home Occupation Permit for an E-Commerce on-line sales business known as "1 of a Kind by Leslie, LLC". The applicant has been notified and has agreed to the requirements of a Home Occupation as noted in KLADO. Zoning is PD/MU.

Planning Commission recommends approval.



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Planning and Community Development Staff Report

Planning Commission Meeting Date: January 6, 2024

City Council Meeting Date: January 13, 2024

Agenda Item: Home Occupation- 236 the Villas Way- Parcel # 10701 011B

Summary:

Leslie carpenter has applied for a home occupation permit for an on-line E-commerce business known as "1 of A Kind by Leslie, LLC". The applicant has been notified and agrees to the requirements of a Home Occupation as noted in KLADO.

Zoning: PD/MU

Is Proposal Consistent with the Comprehensive Plan? Yes

Staff Recommendation: Staff recommends approval

Scott L. Kimball
Planning & Zoning Director



The City of Kingsland, GA
107 South Lee Street
P.O. Box 250
Kingsland, GA 31548
Ph: 912-729-5613
Fax: 912-729-7618

Member:

Bryant Shepard, Chairman
Fyrth Morris, Vice Chairman
Walter Fuller, Jr.
Michael Haynes
Matthew Hooks
Kathryn Markes
Becci Shannon

TO WHOM IT MAY CONCERN:

Leslie Thomas Carpenter filed an application with our office. The applicant asks that the Kingsland Planning Commission recommend approval and that the Kingsland City Council approve the following item:

(X) HOME OCCUPATION: The applicant has applied for a Home Occupation Permit for an E-Commerce on-line sale business known as "1 of a Kind by Leslie, LLC" located at 236 The Villas Way. Map & Parcel 107 01 011B. Zoning is PD/MU.

In order to review the application, the Kingsland Planning Commission will hold a public hearing on Monday, January 6, 2024 at 6:00 p.m. and the Kingsland City Council will vote on the Planning Commission recommendation at their meeting on Monday, January 13, 2024 at 6:00 p.m. at Kingsland City Hall in the Council Chambers located at 107 S. Lee St. in Downtown Kingsland.

If you are unable to attend either meeting, you may submit a written statement to our office which will be read at the meeting, or give me a call expressing your concern. For further information, please call our office at 912-729-8296.

Sincerely,

Scott Kimball, Planning Director



? Jan. 2025?
240099

CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT

This application is based on the requirements of Section 110 of the KLADO and must be filed with the planning and Zoning Administrator at least 4 weeks before the Planning Commission meeting at which it will be heard. Your presence or that of your representative is encouraged at the Planning Commission public hearing.

APPLICANT: Leslie Thomas Carpenter PHONE: 562-458-1564

ADDRESS: 236 The Villas Way Kingsland, GA 31548

FAX: _____ E-MAIL: customclub@1ofakindbyleslie.com

Type of use you are requesting:

() **Home Office:** (requires planning director & city manager approval. Permit is valid for as long as the Home Office is located at the address stated herein.)

(X) **Home Occupation:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

() **Residential Business:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

GROUP/BUSINESS YOU REPRESENT: 1ofakindbyLeslie LLC (E-commerce)

STREET ADDRESS WHERE THIS USE IS TO BE LOCATED: 236 The Villas Way

TAX MAP & PARCEL NUMBER: 10701011B ZONING: PD/MU

OWNER OF SITE, IF NOT APPLICANT: Same as above

ADDRESS: _____

CITY: _____ STATE: X ZIP: _____

PLEASE COMPLETE AND ATTACH THE REQUIRED AFFIDAVIT FOR THE PARTICULAR TYPE HOME OCCUPATION YOU ARE APPLYING FOR. (THIS WILL BE FURNISHED BY THE PLANNING & ZONING DEPARTMENT.)

ATTACH REQUIRED HOME OCCUPATION PERMIT FEE TO THIS APPLICATION:

HOME OFFICE	\$50.00
HOME OCCUPATION	\$50.00
RESIDENTIAL BUSINESS	\$50.00

I UNDERSTAND THAT I AND/OR THE GROUP I REPRESENT CARRY THE BURDEN OF PROVING THE NEED FOR THIS PERMIT. FURTHER, I/WE AM/ARE RESPONSIBLE FOR THE CONDITION OF THE SITE WHILE THE PERMIT IS IN EFFECT.

SIGNED: Leslie Thomas Carpenter DATE: 12/2/24



CITY OF KINGSLAND
APPLICATION FOR HOME OCCUPATION PERMIT

TO BE COMPLETED BY PLANNING & ZONING ADMINISTRATOR

1. DATE COMPLETE APPLICATION FILED: 12/3/24
2. DATE APPLICANT NOTIFIED THAT COMPLETE APPLICATION HAD BEEN RECEIVED: 12/3/24
3. DATE PERMIT FEE PAID: 12/3/24 AMOUNT PAID: \$ 50.
4. PLANNING COMMISSION REVIEW:
() APPROVAL RECOMMENDED () DENIAL RECOMMENDED
DATE THIS APPLICATION WAS REVIEWED BY THE PLANNING COMMISSION: 1/6/24
CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

5. CITY COUNCIL ACTION:
() APPROVED () DENIED
DATE THIS APPLICATION WAS REVIEWED BY CITY COUNCIL: 1/13/24
CONDITIONS OF APPROVAL/REASONS FOR DENIAL: _____

6. DATE APPLICANT NOTIFIED OF FINAL ACTION: _____

THIS APPLICATION FOR HOME OCCUPATION HAS BEEN APPROVED AND A BUSINESS LICENSE (WHEN COMPLETED APPLICATION HAS BEEN RECEIVED BY THE CITY) MAY BE ISSUED SHOWING A Home Occ. PERMIT HAS BEEN ISSUED.


PLANNING DIRECTOR
CITY OF KINGSLAND

12/3/24
DATE

CITY MANAGER
CITY OF KINGSLAND

DATE



CITY OF KINGSLAND
AFFIDAVIT FOR A HOME OCCUPATION

APPLICANT: Leslie Thomas Carpenter
 ADDRESS: 236 The Villas Way
 CITY: Kingsland STATE: GA ZIP: 31548
 PHONE: (678) 458-1564 FAX: () E-MAIL: customclub@lofakindb
 PROPOSED BUSINESS: E-commerce online sales LOCATION: Kingsland, GA
 TAX PARCEL: 10701011B ZONING: PD/MU

A Home Occupation Business is a conditional use that can only be approved subject to the recommendation of the Planning Commission and approval by the City Council. The Planning Commission can recommend approval and the City Council can approve your application subject to it meeting the specific conditions listed below. Either, or both the Planning Commission and City Council may also add any reasonable conditions they deem necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.

HOME OCCUPATION: *An occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A Home Occupation is designed to be less restrictive than a Home Office but more than a Residential Business in regard to access by the public, size, visibility, number of employees and types of business.*

HOME OCCUPATION SHALL MEET THE FOLLOWING CONDITIONS:

- If the applicant is not the owner of the property, a letter from the property owner must be attached to the application giving permission for the applicant to conduct a home occupation in the premises.
- Home occupations shall not include the repair and/or maintenance of motor vehicles or boats, nor shall it allow manufacturing or any other use which will create noise, noxious odors, or any other hazard that may endanger the health, safety, or welfare of the neighborhood.
- Home occupations shall not allow customers or the public to come to the premises.
- The occupation or profession must be conducted entirely within the dwelling.
- The dwelling must be the bona fide residence of the principal practitioner at the time of the application and the home occupation shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- Home occupations shall be limited to no more than twenty-five percent (25%) of the total heated floor area of the residence, or five hundred (500) square feet, whichever is less. The size of the home occupation shall be specified at the time of the application. **Please complete:** 120 Business area sq. ft. 1898 Home heated floor area sq. ft.
- The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
- No other employees other than family members residing on the premises shall be permitted.
- There shall be no exterior evidence of a business being conducted on the premises. No outside storage or display shall be allowed.
- No more than one home occupation or residential business is allowed in a residence at one time.
- One business vehicle used exclusively by the resident is permitted. The vehicle shall be no larger in size than a pick-up truck, panel truck, or van and is limited in size to a one-ton carrying capacity. The vehicle may have reasonable business identification (signs) on it when it is parked at the premises and will not have any equipment used in the business left on the vehicle in a manner that can be seen from the surrounding property.
- Any pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day. Such pickups and/or deliveries, if any, are to be during daylight hours.

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE CONDITIONS AND AGREE TO COMPLY WITH EACH REQUIREMENT AS LONG AS THE BUSINESS IS CONDUCTED AT THIS LOCATION.

Leslie Thomas Carpenter
 SIGNATURE OF APPLICANT

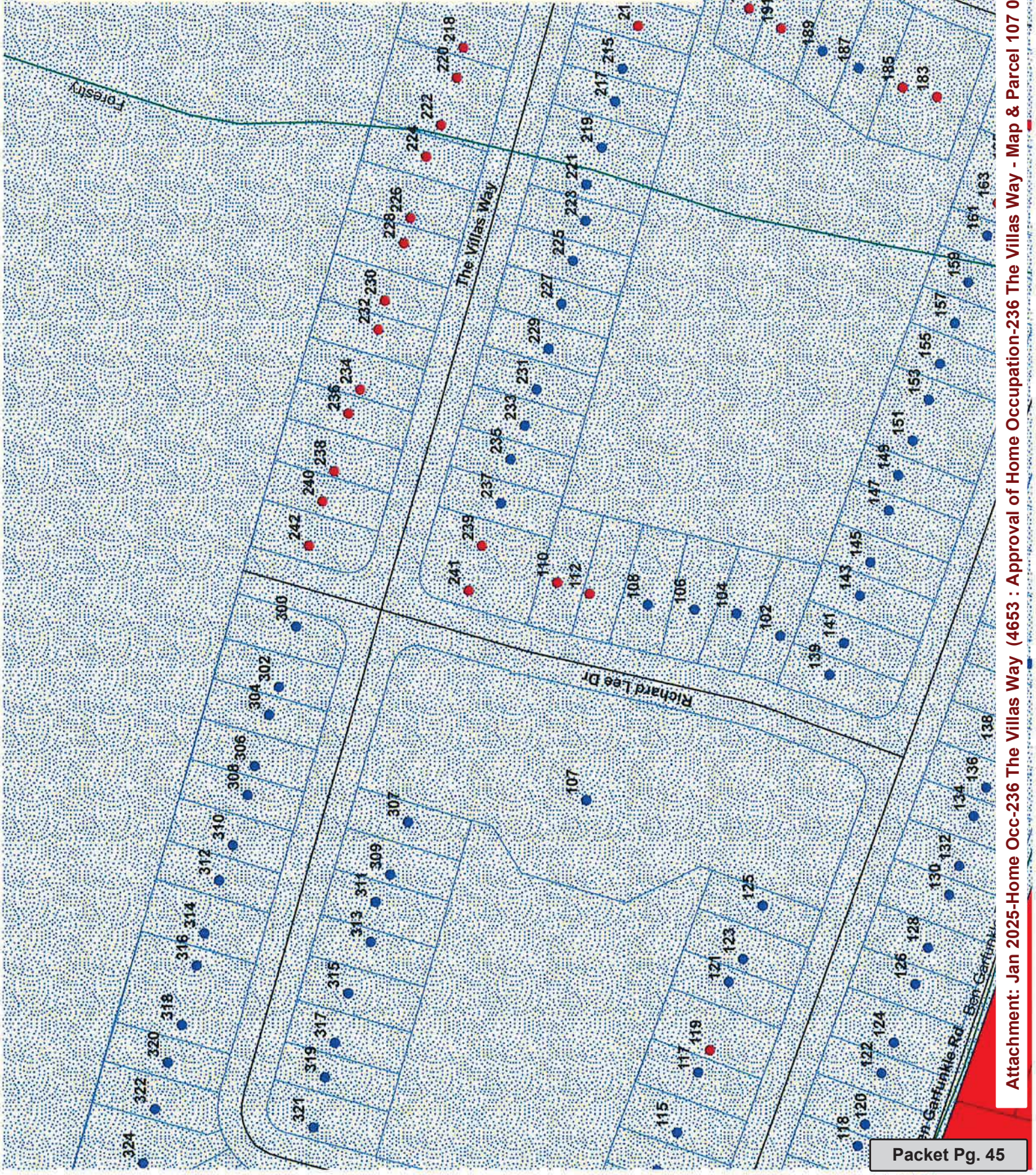
12-2-24
 DATE

Attachment: Jan 2025-Home Occ-236 The Villas Way (4653 : Approval of Home Occupation-236 The Villas Way - Map & Parcel 107 01 011B)

Kingsland Zoning Map

Zoning 2024

- ZONING
- C-1
 - C-1 Overlay
 - C-1A Overlay
 - C-2
 - C-4
 - C-8
 - C-ED
 - C-PLMU
 - FT- Forest
 - I-G
 - I-L
 - LI Overlay
 - MU
 - PD
 - PD/C-2
 - PD/C-4
 - PD/MU
 - PD/R-1
 - PD/R-2
 - PD/R-3
 - R-1
 - R-2
 - R-3
 - R-4
 - R-5
 - R-6
 - R-7



9.4.a

Attachment: Jan 2025-Home Occ-236 The Villas Way (4653 : Approval of Home Occupation-236 The Villas Way - Map & Parcel 107 01 011B)



Overview



Legend

- Parcels
- Roads
- USA Major Highways**
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels

Parcel ID	107 01 011B	Owner	CARPENTER MICHAEL & LESLIE	Last 2 Sales			
Class Code	Residential		236 THE VILLAS WAY	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND TAD #2		KINGSLAND, GA 31548	11/9/2023	\$301900	FM	Q
	KINGSLAND TAD #2	Physical Address	236 THE VILLAS WAY	n/a	0	n/a	n/a
Acres	0.12	Assessed Value	Value \$301900				

(Note: Not to be used on legal documents)

THE PARCEL LINES SHOWN ON THIS SITE ARE NOT LEGAL BOUNDRIES AND MUST NOT BE USED FOR LEGAL DOCUMENTS. THE PARCEL LINEWORK ARE FOR LOCATING PARCELS FOR TAX PURPOSES ONLY. THEY ARE NOT SURVEYS DUE TO THE NATURE OF HOW THE ARE PRODUCED. LEGAL BOUNDRIES SHOULD BE TAKEN FROM LEGALLY DOCUMENTED PLATS AND DEEDS.

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GEOSPATIAL



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: City Manager
Category: Appointment
Prepared By: Lee Spell
Initiator: Lee Spell
Sponsors:
DOC ID: 4656

AGENDA ITEM (ID # 4656)

Appointment Of: Mayor Pro Tem 2025

Pursuant to the City of Kingsland Charter, at its first regular meeting after qualification and upon organization, or as soon thereafter as practicable, the council shall elect one of their number Mayor Pro Tem.



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4646)

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Appointment
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:
DOC ID: 4646

City Officer Appointments for 2025

Pursuant to the City of Kingsland Charter, the following City Officers shall be appointed by Mayor and Council at its first regular meeting after qualification and upon organization, or as soon thereafter as practicable.

- a) City Clerk (Tax Receiver) - Incumbent Ms. Jo Seigler-Horne
- b) City Marshall (Chief of Police) - Incumbent Mr. Rickey Evans
- c) City Treasurer (Finance Director/Tax Collector) - Incumbent Ms. Filiz Morrow



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Appointment
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:

AGENDA ITEM (ID # 4647)

DOC ID: 4647

Council Appointments to the Kingsland Planning Commission -

Councilman Chamberlin Appointment -
Councilwoman Chance Appointment -
Mayor and Council Collective Appointment -



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4649)

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Appointment
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:
DOC ID: 4649

10.4

Appointments to the Kingsland Downtown Development Authority

- a) Council appointment of Council Member -
- b) Incumbent Jolene Anderson



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4648)

Meeting: 01/13/25 06:00 PM
Department: City Manager
Category: Appointment
Prepared By: Lee Spell
Initiator: Lee Spell
Sponsors:
DOC ID: 4648

10.5

Appointment to the Camden County Joint Development Authority Board



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4663)

Meeting: 01/13/25 06:00 PM
Department: Finance
Category: Agreement
Prepared By: Filiz Morrow
Initiator: Filiz Morrow
Sponsors:
DOC ID: 4663

10.6

Approval Of: IGA Between City of Kingsland and Camden County for ROW Acquisition

Kingsland is currently engaged in the Transportation Alternatives Program GDOT grant for the Highway 40 and Boone Extension Pedestrian Improvements Project. Camden County holds the required GDOT Local Administered Projects (LAP) Certification and is therefore assisting Kingsland with the ROW acquisitions required in the grant project. Camden County approved and executed the IGA on January 7, 2025.

Staff recommends approval.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF KINGSLAND AND CAMDEN COUNTY
FOR ROW ACQUISITION**

This Intergovernmental Agreement ("Agreement") is made and entered into as of this ____ day of _____, 2024, by and between the **City of Kingsland, Georgia** a municipal corporation organized under the laws of the State of Georgia (hereinafter referred to as "Kingsland"), and **Camden County Board of Commissioners**, a political subdivision of the State of Georgia (hereinafter referred to as "County").

WITNESSETH:

WHEREAS, Kingsland has undertaken the Boone Street Pedestrian and Bicycle Improvements Project ("Project") as part of the Kingsland TAP Project, which includes the acquisition of Right-of-Way ("ROW") to facilitate improvements; and

WHEREAS, the County is the Local Administered Projects (LAP) certified entity required to contract with the Georgia Department of Transportation ("GDOT") for ROW acquisition and reimbursement; and

WHEREAS, the parties desire to establish their respective roles, responsibilities, and financial obligations concerning ROW acquisition, reimbursements, and the conveyance of title to Kingsland.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

Article 1: Roles and Responsibilities

1. County Responsibilities:

- 1.1. Act as the contracting entity with GDOT for ROW acquisition and reimbursement.
- 1.2. Administer ROW acquisition contracts, including payments to contractors and property owners.
- 1.3. Submit invoices for reimbursement to GDOT, including payments for ROW acquisition, property transactions, and related services.
- 1.4. Provide Kingsland with regular updates on project progress, expenses incurred, and reimbursements received.

2. Kingsland Responsibilities:

- 2.1. Contract with Johnson, Mirmiran & Thompson ("JMT") or other designated contractors for ROW appraisal and acquisition services, subject to the County's administrative oversight.
- 2.2. Reimburse the County for any non-reimbursable expenses incurred under the GDOT contract.
- 2.3. Accept title to all acquired ROW properties upon completion of acquisition and reimbursement processes.

Article 2: Financial Terms

3. Project Funding:

3.1. The total project cost is \$820,000, of which GDOT will reimburse \$656,000, with a required local match of \$164,000.

3.2. Kingsland agrees to cover the local match portion (\$164,000) and any additional costs not reimbursed by GDOT.

4. Reimbursement Process:

4.1. The County will submit reimbursement requests to GDOT as expenses are incurred.

4.2. Upon receipt of reimbursements from GDOT, the County will allocate funds to the respective accounts or repay Kingsland as applicable.

4.3. Kingsland will promptly reimburse the County for any documented expenses deemed ineligible by GDOT.

Article 3: Title and Ownership**5. ROW Title Conveyance:**

5.1. The County will ensure that all acquired ROWs are conveyed to Kingsland upon the completion of acquisition and resolution of GDOT reimbursements.

Article 4: Term and Termination**6. Term:**

6.1. This Agreement shall remain in effect until all ROW acquisitions and reimbursements are completed and titles are transferred.

7. Termination:

7.1. This Agreement may be terminated by mutual consent of the parties or by either party upon 60 days' written notice, provided all financial and legal obligations are fulfilled.

Article 5: Miscellaneous Provisions**8. Compliance with Laws:**

8.1. Both parties agree to comply with all applicable federal, state, and local laws and regulations related to the Project.

9. Dispute Resolution:

9.1. Any disputes arising under this Agreement shall be resolved through mediation before resorting to litigation.

10. Amendments:

10.1. This Agreement may be amended only in writing, signed by both parties.

Signatures

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first written above.

CITY OF KINGSLAND

By: _____
Lee H. Spell, City Manager

Date: _____

CAMDEN COUNTY

By: _____
Shawn Boatright, County Administrator

Date: 1/7/25





City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Agreement
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:
DOC ID: 4644

AGENDA ITEM (ID # 4644)

**Approval of: Intergovernment Agreement with Camden
County Board of Commissioners for TAD #1**

Approval of an Intergovernmental Agreement (IGA) between the City of Kingsland and the Camden County Board of Commissioners regarding the Kingsland Tax Allocation District (TAD) #1.

Staff recommends approval.

STATE OF GEORGIA**CITY OF KINGSLAND****INTERGOVERNMENTAL AGREEMENT**

This INTERGOVERNMENTAL AGREEMENT (“Agreement”), is made and entered into as of this ____ day of _____, 2024 (the “Effective Date”) by and between the CITY OF KINGSLAND, a municipal corporation of the State of Georgia (the “City”) and CAMDEN COUNTY COMMISSION, the duly elected governing authority of a political subdivision of the State of Georgia (the “County”).

W I T N E S S E T H:

In consideration of the respective representations and agreements hereinafter contained and in furtherance of the mutual public purposes hereby sought to be achieved, the City and the County do hereby agree, as follows:

ARTICLE 1**DEFINITIONS**

In addition to the words and terms defined elsewhere herein, the following words and terms shall have the meanings specified below, unless the context or use indicates another or different meaning or intent:

1.1 **“Agreement”** or **“Intergovernmental Agreement”** means this Intergovernmental Agreement, dated as of _____, 2024, between the City and the County.

1.2 **“Approved Projects”** means, collectively, the specific capital improvements to be undertaken within the City of Kingsland Tax Allocation District (TAD) Number One: Exit 3 Commercial and Entertainment District, by the City or by a private developer to

achieve the goals and objectives of the Redevelopment Plan, pursuant to the Redevelopment Plan.

1.3 **“Bond Indenture”** means, collectively and each respectively, each Trust Indenture, Bond Resolution, Bond Ordinance, Loan Agreement, Financing Agreement or other document or form of financing, including “pay-as-you-go” agreements, pursuant to which one or more series of TAD Bonds is issued.

1.4 **“City”** means the City of Kingsland, Georgia.

1.5 **“City Resolution”** means that certain Resolution 2024-__, adopted by the Kingsland City Council on ____2024, approving and adopting the City of Kingsland Redevelopment Plan: creating Tax Allocation District Number One: Exit 3 Commercial and Entertainment District, establishing the Redevelopment Area, authorizing the Kingsland City Council to act as the Redevelopment Agency and other related matters.

1.6 **“County”** means Camden County, Georgia.

1.7 **“County Resolution”** means that certain resolution adopted by the Board of Commissioners of Camden County on November 19, 2024, *inter alia*, consenting to the inclusion of certain County ad valorem taxes in computation of the Tax Allocation Increments with respect to the TAD subject to the terms and conditions set forth therein and herein, authorizing the execution, delivery and performance of this Agreement, and other related matters.

1.8 **“County Tax Allocation Increment”** means the tax allocation increment within the meaning of O.C.G.A. Section 36-44-3(14) of the Redevelopment Powers Law with respect to the TADs, including, without limitation, Real Property Tax Allocation Increment. The proportional share of accumulated Real Property Tax Allocation Increments attributable to the contributions of City, County and School District millage may also be referred to in this Agreement as City, County and School District Tax Allocation Increments, respectively. The County Tax Allocation Increment shall be limited to Real Property Taxes only, unless or until such time as the Board of Commissioners agrees to include other ad valorem taxes.

1.9 **“Georgia Constitution”** means the Constitution of the State of Georgia of 1983, as amended.

1.10 **“Redevelopment Agency”** means the City Council of the City of Kingsland, Georgia, which will act as the redevelopment agency, in accordance with the Redevelopment Powers Law.

1.11 **“Redevelopment Area”** means that certain area located within the geographic limits of the City and within the County created and established as a redevelopment area (as defined in O.C.G.A. §36-44-3(7)) by the City in the City Resolution and designated as the “City of Kingsland TAD #1 Redevelopment Area”, as more fully described in the City Resolution and the Redevelopment Plan.

1.12 **“Redevelopment Costs”** shall have the meaning set forth in O.C.G.A. §36-44-3(8).

1.13 **“Redevelopment Plan”** means the written plan of redevelopment for the Redevelopment Area approved by the City in the City Resolution and designated as the “An Amended Redevelopment Plan for Tax Allocation District #1 City of Kingsland Exit 3 Commercial and Entertainment District.”

1.14 **“State”** means the State of Georgia.

1.15 **“Redevelopment Powers Law”** means Chapter 44 of Title 36 of the Official Code of Georgia Annotated, as amended from time to time.

1.16 **“Scheduled Debt Service Payments”** means the aggregate scheduled principal and interest payments on the TAD Bonds or other forms of financing in each calendar year in accordance with the Bond Indenture, which shall include any scheduled sinking fund redemption payments on the TAD bonds or other forms of TAD financing in such year.

1.17 **“Special Fund”** means the special funds with respect to the TAD created pursuant to O.C.G.A. §36-44-11(c).

1.18 **“TAD Financing”** means those certain tax allocation bonds, notes or other obligations issued by the City in accordance with O.C.G.A. §36-44-3(12), or funds borrowed from financial institutions in accordance with O.C.G.A. §36-44-16 with respect to the TAD, that the City may issue or borrow as necessary to implement the provisions of the Redevelopment Plan, as provided in the City Resolution, which may include one or more series of bonds, notes or other obligations and which may be issued at one or more times.

1.19 **“Tax Allocation District” or “TAD”** means those certain tax allocation districts (as defined in O.C.G.A. §36-44-3(13)) created by the City and designated as the TAD Number One—Exit 3 Commercial and Entertainment District, (also referred to as TAD Number One or “the TAD”) as more fully identified in the applicable redevelopment plan with respect thereto approved by the City.

1.20 **“Tax Allocation Increment”** means the amount of the tax allocation increment with respect to real property accrued in each calendar year within Kingsland’s TAD #1, as provided in O.C.G.A. §36-44-3(14).

1.21 **“Term”** means the term of this Agreement as prescribed in Section 3.1 hereof.

ARTICLE 2

2.1 **Representations of the City.** The City makes the following representations as the basis for the undertakings on its part herein contained:

2.1.1 The City created the Kingsland TAD Number One effective as of _____, 2024, pursuant to its redevelopment powers as authorized by the Redevelopment Powers Law and the City Resolution. The City duly adopted the Redevelopment Plan pursuant to the Redevelopment Powers Law and the City Resolution.

2.1.2 The City has made certain findings with respect to the Redevelopment Plan in accordance with the Redevelopment Powers Law, including, without limitation, that: (i) the Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan, and (ii) the public improvements created in the Redevelopment Area is likely to enhance the value of a substantial portion of the real property in the Kingsland's TAD Number One.

2.1.3 The City intends to authorize the issuance of TAD financing, consisting of bonds, notes or other means of TAD financing as may be necessary to implement provisions of the Redevelopment Plan.

2.1.4 The City is permitted by ARTICLE IX, SECTION III, PARAGRAPH I of the Georgia Constitution to contract for any period not exceeding fifty (50) years with the County for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, provided such contracts deal with activities, services or facilities the contracting parties are authorized by law to undertake or provide, and accordingly as a corollary, the Redevelopment Powers Law provides that the City may exercise its redevelopment powers and create redevelopment plans and tax allocation districts, and issue one or more series of bonds, notes or other obligations to finance, in whole or in part, the development costs within a tax allocation district and which are issued on the basis of pledging for the payment or security for payment of such bonds positive tax allocation increments derived from the tax allocation district, all or part of the general funds derived from the tax allocation district, and any other property from which the bonds may be paid as provided in the Redevelopment Powers Law.

2.1.5 The City has the power to enter into this Agreement and perform all obligations contained herein, and by proper action has duly authorized the execution, delivery, and performance of this Agreement. This Agreement is a valid and binding legal obligation of the City, enforceable against the City in accordance with its terms.

2.2 Representations of the County. The County makes the following representations as the basis for the undertakings on its part herein contained:

2.2.1 The County is permitted by Article IX, Section III, Paragraph I of the Georgia Constitution to contract for any period not exceeding fifty (50) years with the City for joint services, for the provision of services, or for the joint or separate use of facilities Equipment, provided such contracts deal with activities, services, of facilities the Contracting parties are authorized by law to undertake or provide.

2.2.2 The County has the power to enter into this Agreement and perform all obligations contained in this agreement, and by proper action has duty authorized the execution, delivery, and performance of this agreement, including, without limitation, the inclusion of ad valorem property taxes levied by the County on taxable real property within the City of Kingsland Tax Allocation District #1: Exit 3 Commercial and Entertainment District in the computation of the Tax Allocation Increments for the purposes set forth in the Redevelopment Plan, pursuant OCGG 36-44-9 (c).

2.2.3 This Agreement is a valid and binding legal obligation of the County, enforceable against the County in accordance with its terms.

ARTICLE 3

3.1 **Term of the Agreement.** The term of this Agreement (the “Term”) shall commence on the Effective Date hereof and this Agreement shall remain in full force and effect for the TAD until (i) all TAD Financing and eligible Redevelopment Costs have been paid in full; (ii) the TAD has been terminated by Resolution for other reasons; or (iii) twenty-five years have elapsed from the Effective Date, whichever first occurs.

3.2 **Certification of Tax Allocation Increment Base.** The City and the County hereby agree that the Tax Allocation Increment Base for the Kingsland TAD Number One, which

will be certified by the State Revenue Commissioner as of December 31, 2024, is the taxable value of all real property subject to ad valorem property taxation located within the TAD, net of all exemptions and exclusions applicable as of such date.

3.3 Inclusion of Ad Valorem Property Taxes in Computation of Tax Allocation Increment for City TAD. Pursuant to the County Resolution, the County hereby consents and Agrees to the inclusion of County ad valorem taxes on real property within the TAD in computation of the Tax Allocation Increments for the TAD in accordance with the Redevelopment Powers Law, effective as of December 31, 2024, subject to and in accordance with this Agreement.

3.3.2 Commencing in 2025, the County agrees to remit to the City each year, in Accordance with the Redevelopment Powers Law, the County Tax Allocation Increment for the TAD for such year within forty-five (45) days after the due date for all ad valorem taxes paid by the due date and within forty-five (45) days after the end of the calendar month of collection as to all such taxes paid after the due date thereof.

3.3.3 **Issuance of TAD Bonds or other TAD Financing.** The City shall be solely responsible for the issue or cause of TAD bonds or other TAD Financing to be issued for Kingsland TAD Number One. The aggregate principal amount of any and all TAD Financing issued with respect to the TADs shall be determined on the basis of the judgment of qualified professionals as to the projected estimate of the Tax Allocation Increment.

3.4 **Reporting.** The City will provide to the County commencing with calendar year 2025 and each calendar year thereafter (i) within thirty (30) days after the end of each such calendar year, a comprehensive annual report regarding the current status of redevelopment occurring within TAD Number One, forecasts of future development, the amount of positive Tax Allocation Increments generated by that development and the intended uses of Tax Allocation Increments generated within the TAD. The City will also provide to the County, within fifteen (15) days after issuance of the City's Comprehensive Annual Financial Report, a copy of the annual audit of, as applicable, the Redevelopment

Agency for the TAD or the City, to include the amount of positive Tax Allocation Increment deposited into the respective TAD Special Fund, the Year-end Fund balances, the uses of such funds and all debt service obligations outstanding.

3.5 Use of County Tax Allocation Increment. The County's Tax Allocation Increment may be used for purposes consistent with the anticipated uses of estimated future TAD proceeds as specified in the Redevelopment Plan, including but not necessarily limited to the following:

- 3.5.1 To pay TAD financing costs as defined in O.C.G.A. §36-44-3(8)(B).
- 3.5.2 To pay organizational costs, imputed administrative costs, and professional services costs associated with the implementation of the Redevelopment Plan and TAD as provided in O.C.G.A. §36-44-3(8).
- 3.5.3 To pay capital costs, professional services costs and real property assembly costs associated with private development on private property.
- 3.5.4 Excess Funds attributable to the County Tax Allocation Increment from any calendar year may be applied by the City to prepay the amount of TAD Financing then outstanding.
- 3.5.5 Nothing in this section shall be intended or should be construed to limit the use of proceeds from TAD Bonds or other TAD Financing, and the same may be used for all purposes allowed under the Redevelopment Powers Law.

3.6 Special Conditions, Stipulations or Requirements. The City shall promptly notify the County in writing of any special conditions, stipulations or requirements imposed at any time or from time-to-time hereafter by any other taxing authority with respect to the Tax Allocation Increment and the TAD. If so elected by the County, the County shall be entitled to the benefit of any special financial conditions, stipulations or requirements imposed with respect to the Tax Allocation Increment and the TAD. The parties hereto hereby agree that this Agreement shall be amended or supplemented to provide for such special financial conditions,

stipulations or requirements imposed hereafter, and the City hereby agrees to enter into any such amendment or supplement to this Agreement required as aforesaid.

3.7 **Request to Include Camden County Increment.** The parties specifically acknowledge that City shall seek the consent of the Camden County Board of Commissioners for inclusion of County Tax Allocation Increments for the purposes of paying redevelopment costs.

3.8 **City's Indemnification of County.** The City hereby agrees to defend and hold harmless the County, officials, employees, agents and representatives from and against any and all claims, losses, damages, costs or expenses arising from or in connection with any actions, claims, suits or challenges of any kind related to the exercise, use, implementation or performance by the City or its Redevelopment Agency of the City's rights, powers or authority under the Redevelopment Powers Law or the actions of the City or its Redevelopment Agency under this Agreement.

3.9 **Limitation of Obligations.** The County shall have no financial obligation as a result of the redevelopment and improvement of the TADs or the Redevelopment Area other than the inclusion of County ad valorem taxes in the computation of the Tax Allocation Increment of the TAD as provided herein. TAD Bonds shall not constitute an indebtedness of or a charge against the general taxing power of the County.

ARTICLE 4

4.1 **Governing Law.** This Agreement and the rights and obligations of the parties hereto shall be governed, construed, and interpreted according to the laws of the State of Georgia.

4.2 **Entire Agreement.** This agreement expresses the entire understanding and all agreements between the parties hereto with respect to the matters set forth herein.

4.3 **Survival of Warranties.** All agreements, covenants, certifications, representations, and warranties of the parties hereunder, or made in writing by or on behalf of them in connection with the transaction contemplated hereby shall survive the execution and delivery hereof, regardless of any investigation or other action taken by any person relying thereon.

4.4 **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be original, and all of which shall constitute but one and the same instrument.

4.5 **Amendments in Writing.** This Agreement may be amended, supplemented or otherwise modified solely by a document in writing duly executed and delivered by the City and the County. No waiver, release, or similar modification of this agreement shall be established by conduct, custom, or course of dealing, but solely by a document in writing duly executed and delivered by a duly authorized official of the County.

4.6 **Notices.** Except as otherwise specifically provided herein, any notices, demands, approvals, consents, requests, and other communications hereunder shall be in writing and shall be deemed given when the writing is delivered in person, or one business day after being sent by reputable overnight registered delivery service, charges prepaid, or three business days after being mailed, if mailed, by certified mail, return receipt requested, postage prepaid, to the City and the County at the addresses shown below or at such other addresses as may be furnished by the City and the County in writing from time to time.

CITY:

City Manager
City of Kingsland
107 S. Lee Street
P.O. Box 250
Kingsland, GA 31548

With A Copy to:

City Attorney

Camden County:

Camden County Administrator
P.O. Box 99
100 E. 4th Street
Woodbine, GA 31569

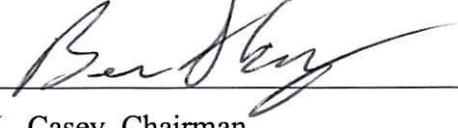
With a copy to:

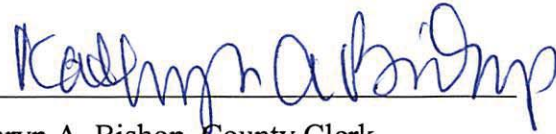
4.7 Severability. If any provision of this Agreement shall be held or deemed to be or shall, in fact, be inoperative or unenforceable under any particular circumstances, because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or sections contained in this agreement shall not affect the remaining portions of this agreement or any part thereof.

4.8 Limitation of Rights. Nothing in this agreement, express or implied, shall give to any person, other than the parties hereto and their successors and assigns hereunder, any benefit or any legal or equitable right, remedy, or claim under this agreement.

IN WITNESS WHEREOF, the City and the County have caused this Intergovernmental Agreement to be executed in their respective official names and have caused their respective official seals to be hereunto affixed and attested by their duly authorized officers, all as of the effective date set forth hereinabove.

CAMDEN COUNTY COMMISSION

By: 
Ben L. Casey, Chairman

Attest: 
Kathryn A. Bishop, County Clerk

This 19th day of November, 2024.



RESOLUTION

A RESOLUTION CONSENTING TO THE INCLUSION OF CERTAIN CAMDEN COUNTY AD VALOREM TAXES IN THE COMPUTATION OF THE TAX ALLOCATION INCREMENTS FOR THE CITY OF KINGSLAND TAX ALLOCATION DISTRICT NUMBER ONE – EXIT 3 COMMERCIAL AND ENTERTAINMENT DISTRICT; SUBJECT TO AN INTERGOVERNMENTAL AGREEMENT ENTERED INTO BY CAMDEN COUNTY AND THE CITY OF KINGSLAND SATISFYING CERTAIN REQUIREMENTS APPROVED HEREBY; AND FOR OTHER RELATED PURPOSES

WHEREAS, the City of Kingsland, Georgia (the “City”) through its Mayor and City Council, prepared and approved a Redevelopment Plan and designated as the “An Amended Redevelopment Plan for Tax Allocation District #1 City of Kingsland Exit 3 Commercial and Entertainment District” (the “Redevelopment Plan”) and has created the City of Kingsland Tax Allocation District Number One – Exit 3 Commercial and Entertainment District, within the incorporated portion of Kingsland, Camden County, Georgia and Camden County (the “County”) in the area of the City designated as the “Redevelopment Area,” by City Resolution adopted on Nov 12, 2024, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the City Resolution provides that TAD Number One – Exit 3 Commercial and Entertainment District was created pursuant to the City’s redevelopment powers as authorized by the Redevelopment Powers Law, O.C.G.A. §36-44-1, *et seq.*, and became effective on _____ 2024; and

WHEREAS, copies of the Redevelopment Plan for the TAD and the City Resolution have been furnished to Camden County; and

WHEREAS, the City made certain findings with respect to the Redevelopment Plan, including the following:

(a) the Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan; and

(b) the planned public improvements in the Redevelopment Area is likely to enhance the value of a substantial portion of the real property in the district; and

WHEREAS, the City Resolution provides that the City intends to authorize the issuance of tax allocation bonds and/or other forms of financing obligations as may be necessary to implement provisions of the Redevelopment Plan; and

WHEREAS, the Board of Commissioners desires that the County and the City enter into an Intergovernmental Agreement (the “Intergovernmental Agreement”), with the goal of completing successful redevelopment and paying off all redevelopment costs as quickly as possible; and

WHEREAS, subject to the terms contained in the Intergovernmental Agreement, the County has determined that it is in the best interest of the citizens of the County that the County to participate in the TAD so as to maximize its value and therefore maximize the redevelopment potential of the Redevelopment Area; and

WHEREAS, the Redevelopment Powers Law provides that ad valorem property taxes levied by the County derived from a municipal tax allocation district may be included in the computation of tax allocation increment of the tax allocation district if the governing body of the County consents to such inclusion by resolution; and

WHEREAS, based on the agreements contained in the Intergovernmental Agreement, the County Commission now wishes to consent to inclusion of County ad valorem taxes in the computation of the tax allocation increment for the City of Kingsland TAD Number One, subject to the terms contained in the Intergovernmental Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CAMDEN COUNTY COMMISSION and it is hereby resolved by the authority of the same as follows:

Section 1. The Board of Commissioners does hereby consent to inclusion of County ad valorem taxes on real property within Kingsland's TAD Number One – Exit 3 Commercial and Entertainment District, in the computation of the tax allocation increments for the TAD in accordance with the Redevelopment Powers Law, as of December 31, 2024.

Section 2. The City agrees to provide the County with annual progress reports on the implementation of each TAD, including the provision of audited annual financial reports detailing the amount of positive total and County Tax Allocation Increments deposited into the respective TAD Special Funds, the Year-end Fund balances, the uses of such funds and all debt service and/or other obligations outstanding.

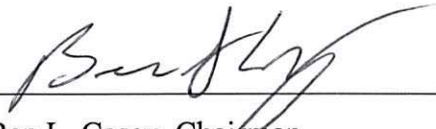
Section 3. No stipulation, obligation or agreement herein contained or contained in the Intergovernmental Agreement will be deemed to be a stipulation, obligation or agreement of any officer, director, agent or employee of Camden County in his or her individual capacity and no officer, director, agent or employee of the County in his or her individual capacity shall be held liable in connection therewith.

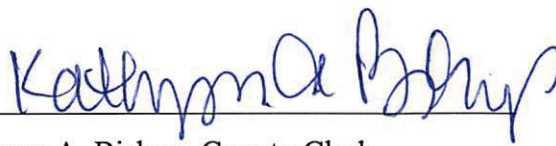
Section 4. All acts and doings of the officers, Board of Commissioners, agents and employees of the County in conformity with the purposes and intent of this Resolution and the furtherance of the execution, delivery and performance of the Intergovernmental Agreement or the Development Agreement are in all respects hereby approved and confirmed.

Section 5. This Resolution shall be effective immediately upon adoption. All resolutions and parts of resolutions in conflict with this Resolution are hereby rescinded to the extent of such conflict.

PASSED AND ADOPTED by the Camden County Board of Commissioners, Georgia, this 19th day of November, 2024.

CAMDEN COUNTY BOARD OF COMMISSIONERS

By: 
Ben L. Casey, Chairman

Attest: 
Kathryn A. Bishop, County Clerk



Attachment: TAD 1 IGA (4644 : Approval of: Intergovernment Agreement with CCBOC for TAD #1)

ATTACHMENT A
City Resolution

Attachment: TAD 1 IGA (4644 : Approval of: Intergovernment Agreement with CCBOC for TAD #1)

CITY OF KINGSLAND, GEORGIA

A RESOLUTION

2024-14

A RESOLUTION AMENDING TAD #1: EXIT 3 COMMERCIAL AND ENTERTAINMENT DISTRICT REDEVELOPMENT PLAN; TO AMEND THE BOUNDARIES OF THE TAD #1 REDEVELOPMENT AREA; TO DISSOLVE INITIAL TAX ALLOCATION DISTRICT NUMBER ONE – EXIT 3 COMMERCIAL AND ENTERTAINMENT DISTRICT; TO CREATE NEW TAX ALLOCATION DISTRICT NUMBER ONE - EXIT 3 COMMERCIAL AND ENTERTAINMENT DISTRICT; TO DESIGNATE THE BOUNDARIES AND ESTABLISH THE TAX INCREMENT BASE OF TAX ALLOCATION DISTRICT NUMBER ONE; TO ESTABLISH THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS AND SUCH REDEVELOPMENT BONDS OR OTHER FORMS OF FINANCING NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF EXIT 3 MIXED USE DISTRICT REDEVELOPMENT AREA; TO AUTHORIZE THE CITY OF KINGSLAND, GEORGIA CITY COUNCIL TO ACT AS THE REDEVELOPMENT AGENCY TO IMPLEMENT THE AMENDED REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW; TO AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENT RELATED HERETO, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR ALL OTHER PURPOSES.

WHEREAS, O.C.G.A. *36-44-1, et seq., is known and may be cited as the Redevelopment Powers Law; and

WHEREAS, the Redevelopment Powers Law (O.C.G.A. *36-44-1, et seq.) provides for the exercise of redevelopment powers, the adoption of redevelopment plans, and the creation tax allocation districts by municipalities in the State of Georgia; and

WHEREAS, a Redevelopment Plan was adopted for the Exit 3 Commercial and Entertainment District Redevelopment Area pursuant to O.C.G.A. 36-44-3(9) on December 3, 2012 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan covered and included the Exit 3 Commercial and Entertainment District in the Redevelopment Area properties in the City of Kingsland; and

WHEREAS, the Exit 3 Commercial and Entertainment District - Tax Allocation District Number One — covered the entire Redevelopment Area under the Redevelopment Plan; and

WHEREAS, the City has determined that it is in the best interest of Kingsland and its citizens, and that redevelopment Exit 3 Commercial and Entertainment District Redevelopment Area will best be served by expanding the boundaries of the Tax Allocation District and the overall Redevelopment Area; and

WHEREAS, the City has determined that, as there are no outstanding redevelopment costs in the existing Exit 3 Commercial and Entertainment District Tax Allocation District Number One and it is in the best interest of the City of Kingsland and its citizens, and that redevelopment in this expanded mixed use area between Exit 3 and Exit 1 of Interstate 95 within the City of Kingsland, will best be served by the termination of the existing Exit 3 Commercial and Entertainment District Tax Allocation District Number One and by the creation of a larger, separate tax allocation district to serve the City; and

WHEREAS, the City of Kingsland proposes to amend the Exit 3 Commercial and Entertainment District Redevelopment Plan by adjusting the proposed plan boundaries and to create a larger separate tax allocation district to serve the future mixed use development of the new redevelopment area and

WHEREAS, the City Council held two public hearings at the meetings of October 15, 2024, and October 28, 2024 duly noticed as prescribed by law and published in the Tribune and Georgian and as set forth in the minutes of said meeting. The purpose of the meetings was to receive suggestions and comments on the proposed amendment and tax allocation district; and

WHEREAS, the City of Kingsland desires to adopt and approve the amendments to the Exit 3 Commercial and Entertainment District Redevelopment Plan; and

WHEREAS, the City of Kingsland desires to create Tax Allocation District Number One, known as Exit 3 Commercial and Entertainment District.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KINGSLAND, GEORGIA, AND IT IS HEREBY RESOLVED

Section 1. The City of Kingsland finds and declares that the Exit 3 Commercial and Entertainment District Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the amendments to the Redevelopment Plan.

Section 2. The City of Kingsland finds and declares that the improvement in the expanded portion of the Redevelopment Area is likely to enhance the value of a substantial portion of real property in the district.

Section 3. The Exit 3 Commercial and Entertainment District Tax Allocation District Number One — as approved in December 3, 2012 is hereby dissolved and terminated.

Section 4. The amendments to the Redevelopment Plan are hereby approved and adopted, and the Amended Exit 3 Commercial and Entertainment District Redevelopment Plan attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby adopted and approved as the Redevelopment Plan for the Exit 3 Commercial and Entertainment District Redevelopment Area pursuant to the Redevelopment Powers Law O.C.G.A. §36-44-1 et seq.

Section 5. The City of Kingsland hereby creates the Tax Allocation District Number One —Exit 3 Commercial and Entertainment District pursuant to the Amended Exit 1 Commercial and Entertainment District Redevelopment Plan and the Redevelopment Powers Law.

Section 6. The Tax Allocation District Number One —Exit 3 Commercial and Entertainment District is hereby created as of November 12, 2024, and shall continue in existence for thirty (30) years thereafter, or until all redevelopment costs, including financing costs and debt service on tax allocation bonds, are paid in full.

Section 7. The City of Kingsland hereby establishes the estimated Tax Allocation Increment Base of \$1,695,441 for the Tax Allocation District Number One — Exit 3 Commercial and Entertainment District. The property taxes to be used for computing tax allocation increments are specified in the attached Amended Redevelopment Plan and incorporated herein by this reference.

Section 8. The City Council will act as the redevelopment agency to implement the provisions of the Amended Redevelopment Plan and to effectuate the redevelopment of the Redevelopment Area pursuant to the Amended Redevelopment Plan and the Redevelopment Powers Law.

Section 9. The Council intends to authorize issuance of tax allocation bonds and/or obtain commercial bank financing and/or commit available or future revenues and to use the proceeds of any tax allocation bonds or financing or revenues for any and all eligible uses including, without limitation, costs of issuance of the tax allocation bonds or commercial financing; capital costs of public and private improvements, including but not limited to streets, bridges, utilities, storm and sanitary sewers, sidewalks and streetscapes, parking facilities and parks; professional services

costs, including fees for architectural, engineering and environmental services; real estate assembly; and such other uses deemed necessary pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law, as it has been and may hereafter be amended.

Section 10. The property proposed to be pledged for payment or as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments from ad valorem taxes levied on all taxable real property within the boundaries of Tax Allocation District Number One—Exit 3 Commercial and Entertainment District.

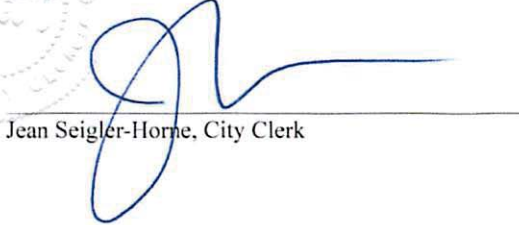
Section 11. All resolutions and parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Adopted and approved by the City Council of the City of Kingsland, Georgia this 12th day of November, 2024.

Approved:


Dr. C. Grayson Day, Jr., Mayor

ATTEST:


Jean Seigler-Horne, City Clerk

[Faint, illegible text covering the majority of the page, likely bleed-through from the reverse side.]

[Handwritten signature]

[Circular official seal of the Commonwealth of Massachusetts, featuring the state coat of arms and the text "COMMONWEALTH OF MASSACHUSETTS" and "OFFICE OF THE ATTORNEY GENERAL"]



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4658)

Meeting: 01/13/25 06:00 PM
Department: Finance
Category: Bid Award
Prepared By: Filiz Morrow
Initiator: Filiz Morrow
Sponsors:
DOC ID: 4658

10.8

Bid Award: Water Treatment Plant No. 3

Successful bidder will furnish all material, equipment, and labor necessary to construct a water treatment plant as outlined in the RFP specifications.

City engineer recommends low bid, Sawcross, Inc, for \$10,775,400.



January 8, 2025

Mr. Lee Spell, City Manager
City of Kingsland
107 S Lee St
Kingsland, GA 31548

SUBJECT: City of Kingsland, Georgia
Water Treatment Plant No. 3
C&S Project No.: K5000.134

Dear Mr. Spell:

As you are aware, bids were received and opened for the above subject project on Thursday, December 19, 2024 at 2:00 PM. A total of three (3) responsive bids were received out of the four (4) companies listed on the plan-holders list. Sawcross, Inc. out of Jacksonville, Florida with a Bid Form A base bid of \$10,775,400.00 was determined to be the low bidder. We have checked and tabulated the base bids received as follows:

<u>Contractor</u>	<u>Total Base Bid</u>	<u>% Over Low Bid</u>
1. Sawcross, Inc.	\$10,775,400.00	---
2. Southern Civil, LLC	\$10,792,853.00	0.16%
3. Petticoat-Schmitt Civil Contractors, Inc.	\$11,990,000.00	11.27%

As required in the bid documents, the low bidder submitted a bid with a 10% bid bond from the Western Surety Company, which is listed in the U.S. Treasury Circular #570. The Western Surety Company is shown as being licensed in the state of Georgia with an underwriting limitation that is greater than the bond amount. The Western Surety Company has a current A.M. Best rating of "A" which meets the requirements of the contract documents.

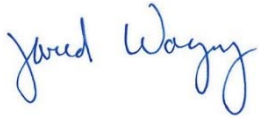
Based on our findings, the low bidder appears to have adequate experience, technical ability, and financial capability to complete this project. **Carter & Sloope therefore recommends the project be awarded to Sawcross, Inc. at a Total Base Bid amount of \$10,775,400.00.**

We are enclosing one (1) copy of the certified "Bid Tabulation" for your records. We are also enclosing one (1) copy of the Notice of Award for this project. Please execute the Notice of Award and return as soon as possible. We will prepare four (4) originals of the Agreement and forward them to you when the Contractor has executed the Agreement and delivered all the necessary Payment and Performance Bonds and Certificates of Insurance.

If you have any questions or need any additional information, please call us.

Sincerely,

CARTER & SLOOPE, INC.



Jared Wozny, P.E.

Encl: Certified Bid Tabulation – 1 copy
Notice of Award – 1 copy

BID TABULATION FOR ALL BIDS
RECEIVED AT THE CITY HALL OF KINGSLAND
ON DECEMBER 19, 2024 AT 2:00 PM

Project: Water Treatment Plant No. 3
C&S Project No.: K5000.134

Sawcross, Inc.
10970 New Berlin Rd.
Jacksonville, FL 32226

Southern Civil, LLC
18525 US Hwy 17
Townsend, GA 31331

Petticoat-Schmitt Civil Contractors, Inc.
6380 Philips Hwy.
Jacksonville, FL 32216

1. WATER TREATMENT PLANT (EXCLUDING NEW DEEP WELL)									
Item No.	Item Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Bidder agrees to furnish all material and equipment and perform all labor necessary to construct the water treatment plant as shown on the Drawings and as specified. More specifically, the work shall include, but not be limited to, degasifier, 100,000 gallon clearwell, operations building, bulk chemical storage and feed systems, high service pump station, on-site generator, electrical work and a new SCADA system. The work also includes clearing and grubbing, earthwork, preloading of site, settlement monitoring program, site work, yard piping, stormwater piping, erosion and sediment control measures, grassing, construction staking, mobilization/ demobilization, bonds, insurance, delivery of materials, taxes and all other appurtenances required for completion of the work.	1	LS	\$ 9,680,000.00	\$ 9,680,000.00	\$ 9,137,953.00	\$ 9,137,953.00	\$ 10,431,340.00	\$ 10,431,340.00
ITEM 1 TOTAL				\$	9,680,000.00	\$	9,137,953.00	\$	10,431,340.00

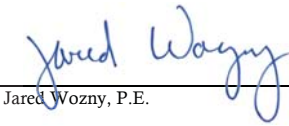
2. NEW DEEP WELL									
Item No.	Item Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
a.	Mobilization/Demobilization	1	LS	\$ 89,700.00	\$ 89,700.00	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00	\$ 11,000.00
b.	Pilot Hole Drill	800	VF	\$ 175.00	\$ 140,000.00	\$ 125.00	\$ 100,000.00	\$ 121.00	\$ 96,800.00
c.	26" x 0.375" Carbon Steel Surface Casing (Including Grout in 32" Hole)	80	VF	\$ 375.00	\$ 30,000.00	\$ 830.00	\$ 66,400.00	\$ 874.50	\$ 69,960.00
d.	20" x 0.375" ASTM A53 Type E Grade B Steel Well Casing (Including Grout in 26" Hole)	500	VF	\$ 325.00	\$ 162,500.00	\$ 690.00	\$ 345,000.00	\$ 726.00	\$ 363,000.00
e.	18" Open Hole Construction	300	VF	\$ 150.00	\$ 45,000.00	\$ 400.00	\$ 120,000.00	\$ 423.50	\$ 127,050.00
f.	Well Development	1	LS	\$ 7,500.00	\$ 7,500.00	\$ 15,000.00	\$ 15,000.00	\$ 6,050.00	\$ 6,050.00
g.	24 Hour Pumping Test (24 hour @ 2500 gpm)	1	LS	\$ 27,500.00	\$ 27,500.00	\$ 15,000.00	\$ 15,000.00	\$ 11,000.00	\$ 11,000.00
h.	Water Quality Analysis	1	LS	\$ 8,200.00	\$ 8,200.00	\$ 3,500.00	\$ 3,500.00	\$ 3,300.00	\$ 3,300.00
i.	Procure & install 2000 gpm Vertical Turbine Pump (Section 11500), 40 HP Motor, column pipe, discharge head, blow-off, concrete base, and all appurtenances including pipe, valves, fittings, and gauges	1	LS	\$ 105,000.00	\$ 105,000.00	\$ 500,000.00	\$ 500,000.00	\$ 390,500.00	\$ 390,500.00
ITEM 2 TOTAL				\$	615,400.00	\$	1,174,900.00	\$	1,078,660.00

3. ALLOWANCES									
Item No.	Item Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
a.	Subgrade Stabilization	1	LS	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
b.	Supplemental Work Allowance	1	LS	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00
c.	Spare Parts	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
d.	Office & Lab Furnishings	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
ITEM 3 TOTAL				\$	480,000.00	\$	480,000.00	\$	480,000.00

TOTAL BASE BID FOR ITEMS 1-3 INCLUSIVE	\$	10,775,400.00	\$	10,792,853.00	\$	11,990,000.00
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4. EQUIPMENT SCHEDULE									
Item No.	Item Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
a.	Section 11200 – Forced Draft Degasifier								
	Base Bid: Indusco Environmental Services Inc.	1	LS	\$ 429,700.00	\$ 429,700.00	\$ 422,300.00	\$ 422,300.00	\$ 429,700.00	\$ 429,700.00
b.	Section 11211 – Horizontal Centrifugal Pumps								
	Base Bid: Peerless Pump Company	1	LS	\$ 93,825.00	\$ 93,825.00	\$ 93,825.00	\$ 93,825.00	\$ 93,825.00	\$ 93,825.00
c.	Section 11220 – Submersible Mixer								
	Base Bid: PAX Water Technologies	1	LS	\$ 152,600.00	\$ 152,600.00	\$ 152,600.00	\$ 152,600.00	\$ 134,680.00	\$ 134,680.00
d.	Section 11300 – Chemical Metering Pumps								
	Base Bid: Blue-White Industries	1	LS	\$ 38,000.00	\$ 38,000.00	\$ 38,000.00	\$ 38,000.00	\$ 38,000.00	\$ 38,000.00
e.	Section 11305 – Chemical Feed Accessories								
	Base Bid: Blue-White Industries	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
f.	Section 11350 – Chemical Storage Tanks								
	Base Bid: Assman	1	LS	\$ 70,336.00	\$ 70,336.00	\$ 64,750.00	\$ 64,750.00	\$ 64,750.00	\$ 64,750.00
g.	Section 11500 – Vertical Turbine Pumps								
	Base Bid: Peerless Pump Company	1	LS	\$ 91,000.00	\$ 91,000.00	\$ 301,000.00	\$ 301,000.00	\$ 330,000.00	\$ 330,000.00
h.	Section 13100 – Glass-Fused-to-Steel Water Storage Tank (Excluding Foundation)								
	Base Bid: CST Storage	1	LS	\$ 440,500.00	\$ 440,500.00	\$ 440,500.00	\$ 440,500.00	\$ 440,500.00	\$ 440,500.00
i.	Section 13100 – Foundation System for Glass-Fused-to-Steel Water Storage Tank								
	Base Bid: CST Storage	1	LS	\$ 384,000.00	\$ 384,000.00	\$ 505,500.00	\$ 505,500.00	\$ 505,500.00	\$ 505,500.00
j.	Section 13400 – Instrumentation, Operator Workstations, Human Machine Interface Terminals, and Programmable Logic Controllers								
	Base Bid SCADA/CSI Installation & Integration Cost	1	LS	\$ 350,000.00	\$ 350,000.00	\$ 400,000.00	\$ 400,000.00	\$ 420,000.00	\$ 420,000.00
Provide name of SCADA/CSI Integrator:				C2i	C2i	C2I	C2I	M/R Systems	M/R Systems
ITEM 4 TOTAL				\$	2,054,961.00	\$	2,321,875.00	\$	2,334,705.00

I hereby certify that this Bid Tabulation is a true and accurate representation of all proposals received on December 19, 2024 at 2:00 PM.



Jared Wozny, P.E.

Attachment: (K5000.134) Recommendation of Award Packet_Water Treatment Plant No 3 (4658 : Bid Award: Water Treatment Plant No. 3)

SECTION 00621 - 1
NOTICE OF AWARD

NOTICE OF AWARD

Date of Issuance:

Owner: City of Kingsland

Owner's Project No.:

Engineer: Carter & Sloope, Inc.

Engineer's Project No.: K5000.134

Project: Water Treatment Plant No. 3

Contract Name: Water Treatment Plant No. 3

Bidder: Sawcross, Inc.

Bidder's Address: 10970 New Berlin Rd., Jacksonville, FL 32226

You are notified that Owner has accepted your Bid dated Thursday, December 19, 2024 at 2:00 PM for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

Water Treatment Plant No. 3

The Contract Price of the awarded Contract is **\$10,775,400.00**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

___ unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☐ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner **4** counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): **N/A**

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: **City of Kingsland**

By (signature): _____

Name (printed): _____

Title: _____

Copy: Engineer



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4659)

Meeting: 01/13/25 06:00 PM
Department: Finance
Category: Bid Award
Prepared By: Filiz Morrow
Initiator: Filiz Morrow
Sponsors:
DOC ID: 4659

10.9

Bid Award: East Regional Force Main and May Creek Sewer

Successful bidder will furnish all material, equipment, and labor necessary to perform the work for the project as outlined in the RFP specifications.

City engineer recommends low bid, Popco, Inc, for a total base bid amount of \$6,297,448.80.

There is an option available for a lower DR rating on the pipe as potential cost savings. This would result in an approximately \$215,000 reduction if the City elected to go with the thinner-walled pipe.



Carter & Sloope

CONSULTING ENGINEERS

January 8, 2025

Lee Spell, City Manager
City of Kingsland
107 S Lee Street
Kingsland, GA 31548

SUBJECT: City of Kingsland, Georgia
East Regional Force Main & May Creek Gravity Sewer
C&S Project No.: K5000.135

Dear Mr. Spell:

As you are aware, bids were received and opened for the above subject project on Thursday, December 19, 2024 at 1:30 P.M. A total of two (2) responsive bids were received out of the five (5) companies listed on the plan-holders list. Popco, Inc. out of Sylvester, Georgia with a Base Bid of \$6,297,448.80 was determined to be the low bidder. We have checked and tabulated the base bids received as follows:

<u>Contractor</u>	<u>Total Base Bid</u>	<u>% Over Low Bid</u>
1. Popco, Inc.	\$6,297,448.80	---
2. Southeast Connections, LLC	\$7,783,479.34	23.6%

As required in the bid documents, the low bidder submitted a bid with a 10% bid bond from The Cincinnati Insurance Company, which is listed in the U.S. Treasury Circular #570. The Cincinnati Insurance Company is shown as being licensed in the state of Georgia with an underwriting limitation that is greater than the bond amount. The Cincinnati Insurance Company has a current A.M. Best rating of "A+" which exceeds the requirements of the contract documents.

Based on our findings, the low bidder appears to have adequate experience, technical ability, and financial capability to complete this project. **Carter & Sloope therefore recommends the project be awarded to Popco, Inc. at a Total Base Bid amount of \$6,297,448.80.**

We are enclosing one (1) copy of the certified "Bid Tabulation" for your records. We are also enclosing one (1) copy of the Notice of Award for this project. Please execute the Notice of Award and return as soon as possible. We will prepare four (4) originals of the Agreement and forward them to you when the Contractor has executed the Agreement and delivered all the necessary Payment and Performance Bonds and Certificates of Insurance.

Please contact me with questions or if additional information or explanation is needed.

Sincerely,

CARTER & SLOOPE, INC.



Jared Wozny, P.E

Encl: Certified Bid Tabulation – 1 copy
Notice of Award – 1 copy

BID TABULATION FOR ALL BIDS
 RECEIVED AT CITY OF KINGSLAND, 107 S LEE STREET
 ON THURSDAY 19, 2024 1:30 AM
 PROJECT: EAST REGIONAL FORCE MAIN & MAY CREEK GRAVITY SEWER
 C&S PROJ. NO.:K5000.135

Popco, Inc.
 P.O Box 526
 Sylvester, GA 31791

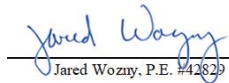
Southeast Connections, LLC
 2720 Dogwood Drive
 Conyers, GA 30013

Item No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price
1	Al Gay Lift Station Modifications	1	LS	\$ 56,396.00	\$ 56,396.00	\$ 183,461.80	\$ 183,461.80
2	Crowne Point Lift Station Modifications	1	LS	\$ 82,550.00	\$ 82,550.00	\$ 85,181.41	\$ 85,181.41
3	Winn Dixie Lift Station Modifications	1	LF	\$ 434,600.00	\$ 434,600.00	\$ 230,094.70	\$ 230,094.70
4	20" HDPE (DR 11) Force Main	8,850	LF	\$ 238.00	\$ 2,106,300.00	\$ 339.06	\$ 3,000,681.00
5	20" HDPE (DR 11) Fittings	12	EA	\$ 1,902.00	\$ 22,824.00	\$ 5,589.51	\$ 67,074.12
6	18" HDPE (DR 11) Force Main	4,832	LF	\$ 226.00	\$ 1,092,032.00	\$ 199.07	\$ 961,906.24
7	18" HDPE (DR 11) Fittings	3	EA	\$ 2,604.00	\$ 7,812.00	\$ 5,402.04	\$ 16,206.12
8	14" HDPE (DR 11) Force Main	475	LF	\$ 203.00	\$ 96,425.00	\$ 153.11	\$ 72,727.25
9	14" HDPE (DR 11) Fittings	3	EA	\$ 2,346.60	\$ 7,039.80	\$ 760.79	\$ 2,282.37
10	Air Release Valve in Manhole	6	EA	\$ 17,615.00	\$ 105,690.00	\$ 20,505.33	\$ 123,031.98
11	10" HDPE (DR-11) 45 Degree Bend	1	EA	\$ 526.00	\$ 526.00	\$ 4,936.89	\$ 4,936.89
12	Force Main Termination	1	EA	\$ 51,012.00	\$ 51,012.00	\$ 1,098.29	\$ 1,098.29
13	Horizontal Directional Drill 30" Fusible PVC (DR 21) Casing	530	LF	\$ 1,755.00	\$ 930,150.00	\$ 1,507.51	\$ 798,980.30
14	Eccentric Cone Precast Concrete Manhole	9	EA	\$ 7,695.00	\$ 69,255.00	\$ 10,319.16	\$ 92,872.44
15	8" PVC (SDR 26) Sewer Pipe	864	LF	\$ 78.00	\$ 67,392.00	\$ 325.68	\$ 281,387.52
16	8" Ductile Iron Sewer Pipe	60	LF	\$ 182.00	\$ 10,920.00	\$ 331.05	\$ 19,863.00
17	8" PVC to DI Coupling and Restraint	1	EA	\$ 1,445.00	\$ 1,445.00	\$ 2,975.92	\$ 2,975.92
18	16" Jack & Bore Steel Casing	50	LF	\$ 540.40	\$ 27,020.00	\$ 2,013.51	\$ 100,675.50
19	36" Jack & Bore Steel Casing	240	LF	\$ 1,251.00	\$ 300,240.00	\$ 1,759.11	\$ 422,186.40
20	30" Jack & Bore Steel Casing	440	LF	\$ 1,084.00	\$ 476,960.00	\$ 1,695.68	\$ 746,099.20
21	4" PVC Longside Service Extension w/ Clean out	2	EA	\$ 4,327.00	\$ 8,654.00	\$ 11,494.23	\$ 22,988.46
22	4" PVC Shortside Service Extension w/ Clean out	5	EA	\$ 3,276.00	\$ 16,380.00	\$ 2,684.79	\$ 13,423.95
23	Concrete D/W Remove and Replace	70	LF	\$ 409.50	\$ 28,665.00	\$ 87.60	\$ 6,132.00
24	4" Asphalt Walkway Remove and Replace	151	LF	\$ 211.00	\$ 31,861.00	\$ 193.38	\$ 29,200.38
25	Erosion and Sediment Control	1	LS	\$ 105,300.00	\$ 105,300.00	\$ 338,012.10	\$ 338,012.10
26	Testing Allowance	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
27	Supplemental Work Allowance	1	LS	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
TOTAL BASE BID:				\$	6,297,448.80	\$	7,783,479.34

Alternate Bid Items:

Item No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price
4A	20" HDPE (DR 13.5) Force Main	8,850	LF	\$ 218.00	\$ 1,929,300.00	\$ 339.06	\$ 3,000,681.00
5A	20" HDPE (DR 13.5) Fittings	12	EA	\$ 1,891.00	\$ 22,692.00	\$ 5,589.51	\$ 67,074.12
6A	18" HDPE (DR 13.5) Force Main	4832	LF	\$ 218.00	\$ 1,053,376.00	\$ 199.07	\$ 961,906.24
7A	18" HDPE (DR 13.5) Fittings	3	EA	\$ 2,604.00	\$ 7,812.00	\$ 5,402.04	\$ 16,206.12
8A	14" HDPE (DR 13.5) Force Main	475	LF	\$ 204.00	\$ 96,900.00	\$ 153.11	\$ 72,727.25
9A	14" HDPE (DR 13.5) Fittings	3	EA	\$ 2,397.00	\$ 7,191.00	\$ 760.79	\$ 2,282.37
11A	10" HDPE (DR 13.5) 45 Degree Bend	1	EA	\$ 526.00	\$ 526.00	\$ 4,936.89	\$ 4,936.89

I hereby certify that this is a true and accurate Bid Tabulation of bids received FRIDAY DECEMBER 19, 2024 1:30 PM


 Jared Wozny, P.E. #42829

Attachment: (K5000.135) Recommendation of Award Packet_East Regional Force Main (4659 : Bid Award:

SECTION 00510-1
NOTICE OF AWARD**SECTION 00510
NOTICE OF AWARD**

Date of Issuance: _____

Owner: City of Kingsland Engineer's Project No.: K5000.135

Engineer: Carter & Sloope, Inc.

Project: East Regional Force Main & May Creek Gravity Sewer

Bidder: Popco, Inc.

Bidder's Address: P.O Box 526 Sylvester, GA 31791

You are notified that Owner has accepted your Bid dated **December 19, 2024** for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

East Regional Force Main & May Creek Gravity Sewer

The Contract Price of the awarded Contract is **\$56,297,448.80**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

3 unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☒ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner **3** counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Deliver the Certificate of Insurance as specified in the General Conditions (Article 6.03) and amended by the Supplementary Conditions.
4. Section 00484 – Subcontractor Affidavit & Agreement for any subcontractors.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

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City of Kingsland
East Regional Force Main & May Creek Gravity Sewer

C & S Project No.: K5000.135
November 2024

SECTION 00510-2
NOTICE OF AWARD

Owner: City of Kingsland

By *(signature)*: _____

Name
(printed): _____

Title: _____

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award
is hereby acknowledged by.

Contractor: Popco, Inc.

By *(signature)*: _____

Name *(printed)*: _____

Title: _____

Copy: Engineer

END OF SECTION

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City of Kingsland
East Regional Forceman & May Creek Gravity Sewer

C & S Project No.: K5000.135
November 2024

BASE BID (LOW BIDDER) vs ALTERNATE BID COMPARISON
PROJECT: EAST REGIONAL FORCE MAIN & MAY CREEK GRAVITY SEWER
C&S PROJ. NO.:K5000.135

Popco, Inc.
P.O Box 526
Sylvester, GA 31791

Base Bid Items:

Item No.	Description	Qty	Unit	Unit Price	Total Price
4	20" HDPE (DR 11) Force Main	8,850	LF	\$ 238.00	\$ 2,106,300.00
5	20" HDPE (DR 11) Fittings	12	EA	\$ 1,902.00	\$ 22,824.00
6	18" HDPE (DR 11) Force Main	4,832	LF	\$ 226.00	\$ 1,092,032.00
7	18" HDPE (DR 11) Fittings	3	EA	\$ 2,604.00	\$ 7,812.00
8	14" HDPE (DR 11) Force Main	475	LF	\$ 203.00	\$ 96,425.00
9	14" HDPE (DR 11) Fittings	3	EA	\$ 2,346.60	\$ 7,039.80
11	10" HDPE (DR-11) 45 Degree Bend	1	EA	\$ 526.00	\$ 526.00
TOTAL BASE BID:				\$	3,332,958.80

Alternate Bid Items:

Item No.	Description	Qty	Unit	Unit Price	Total Price
4A	20" HDPE (DR 13.5) Force Main	8,850	LF	\$ 218.00	\$ 1,929,300.00
5A	20" HDPE (DR 13.5) Fittings	12	EA	\$ 1,891.00	\$ 22,692.00
6A	18" HDPE (DR 13.5) Force Main	4832	LF	\$ 218.00	\$ 1,053,376.00
7A	18" HDPE (DR 13.5) Fittings	3	EA	\$ 2,604.00	\$ 7,812.00
8A	14" HDPE (DR 13.5) Force Main	475	LF	\$ 204.00	\$ 96,900.00
9A	14" HDPE (DR 13.5) Fittings	3	EA	\$ 2,397.00	\$ 7,191.00
11A	10" HDPE (DR 13.5) 45 Degree Bend	1	EA	\$ 526.00	\$ 526.00

TOTAL ALTERNATE BID:

\$ 3,117,797.00

SAVINGS (BASE-ALTERNATE):

\$ 215,161.80



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4662)

Meeting: 01/13/25 06:00 PM
Department: Finance
Category: Agreement
Prepared By: Filiz Morrow
Initiator: Filiz Morrow
Sponsors:
DOC ID: 4662

10.10

Approval Of: Asset Disposition Services Agreement

The Police department is in need of disposition services for confiscated items. These services will be conducted through a full-service auction process. Three companies were reviewed. **Staff recommends PropertyRoom.com.**

Asset Disposition Services Agreement

This Asset Disposition Services Agreement ("Agreement") is made by and between PropertyRoom.com, Inc., a Delaware corporation ("Contractor") and _____ ("Owner"). The Agreement is effective upon Owner's signature date ("Effective Date").

Whereas Contractor's business involves surplus asset management, selling, auction, disposition and related services ("Services"); and

Whereas Contractor desires to provide Services to Owner and Owner desires Contractor to provide Services subject to this Agreement.

Now therefore, in consideration of premises above and mutual covenants and agreements set forth herein, Contractor and Owner agree as follows.

Any other municipal, county, or state government agency located within the same state as Owner may also procure Services under this Agreement under the same terms and conditions stated in this Agreement by executing an adoption agreement with Contractor based upon this Agreement.

1. **Items Requiring Services.** Owner will identify items ("Assets") it desires to provide to Contractor for Services. Contractor retains the right to accept or reject certain Assets in its sole discretion.
2. **Title to Assets.** Owner shall retain, at all times, legal title to Assets unless and until Assets are purchased or otherwise disposed of according to the Agreement, at which time Owner will be deemed to have transferred title directly to an Asset purchaser or other acquirer ("Buyer") identified by Contractor. Owner appoints Contractor as its representative and instrumentality to hold and offer Assets for sale, on Owner's behalf, in accordance with the Agreement. Owner appoints Contractor as its attorney-in-fact to sign any and all documents necessary to assign to Buyers all of Owner's rights, title and interest in and to Assets sold or disposed. Cash receipts, accounts receivable, contract rights, notes, general intangibles, and other rights to payment of any kind arising out of Asset sales ("Proceeds") belong to Owner. Contractor may withhold from Proceeds amounts owed to Contractor and any third parties in connection with Services, which amounts shall be disbursed by Contractor on Owner's behalf. Contractor will remit remaining balances to Owner ("Owner Net Proceeds").
3. **Term and Termination**
This Agreement shall commence on the Effective Date and shall continue for an initial term of one (1) year from the Effective Date and thereafter will automatically renew for consecutive one (1) year terms unless written

notice of non-renewal is provided by either party to the other at least sixty (60) days prior to the expiration of the then current term.

- a. Either Owner or Contractor (the "Party" or "Parties") may terminate the Agreement upon thirty (30) days prior notice to the other Party.
 - b. The rights of the Parties to terminate the Agreement are not exclusive of any other rights and remedies available at law or in equity, and such rights will be cumulative. Exercising any such right or remedy will not preclude exercising these or any other rights and remedies.
 - c. Upon any termination or expiration, Contractor may continue to provide Services for any unsold Assets then in the possession of Contractor. Alternatively, Owner may, at Owner's expense, arrange for the return of Owner Assets.
4. **Payment for Services**
- a. **Fees.** Fees for Contractor Services appear in signed addendums to this Agreement.
 - b. **Remittance of Proceeds.** Once a month, Contractor will remit Owner Net Proceeds from sales completed the prior month. Sales are deemed completed when all items from an asset list line-item are sold, paid for and shipped. Contractor may defer payment of any amount less than \$250 until such time as the amount owed Owner equals or exceeds \$250.
 - c. **Invoices.** If monthly Proceeds do not cover amounts owed, Contractor and Owner will mutually agree for Contractor to either:
 - (1) Invoice Owner for Services, net of Proceeds collected, or
 - (2) Accrue and carry-over unpaid balances, invoicing Owner when negative balances persist for six (6) consecutive months.
 - d. **Reporting.** Each month, Contractor will publish a standard online report containing information related to Owner Assets, Services provided, Fees and Owner Net Proceeds.
5. **Contractor Obligations.** Contractor may utilize subcontractors in its performance of Services, provided Contractor shall be responsible for any breach of this Agreement by such subcontractors. With respect to delivering Services:
- a. Contractor shall maintain insurance covering Assets against fire, theft, and extended coverage risks ordinarily included in similar policies.
 - b. For auction Services, Contractor will use organic marketing techniques ("OMT") to increase bidding on Owner Assets. OMT may include, but not be limited to, email, publicity related to this Agreement, and facilitation of

Asset Disposition Services Agreement

clickable links on Owner website(s) to websites used by Contractor for Asset sales.

6. Asset Lists

- a. **Manifest & Asset Lists.** Owner will complete paperwork reasonably necessary to convey custodial possession of Assets to Contractor, such as written manifests or Asset lists (the "Asset Lists") describing items in sufficient detail for proper identification. Contractor owns exclusive rights to sell Assets described in Asset Lists provided by Owner for a period of 120 days from the date Owner releases an Asset to Contractor for sale and Owner will not grant any such rights to any third party (or itself sell the applicable Assets).
- b. **Excluded Assets.** Owner agrees it will not knowingly provide illegal or hazardous Assets or Assets that infringe intellectual property rights of any third party ("Excluded Assets"). In the event Contractor identifies any item as an Excluded Asset, Contractor shall have the right to suspend, cancel, or unwind any sale or disposal of such Excluded Asset.

7. Salability of Assets.

- a. Owner states Assets subject to Services are legally available for sale to the general public; and
- b. If required, Owner has taken necessary actions for transfer of Asset title(s) to Buyers.

8. **Books and Records.** Contractor will keep complete and accurate books of account, records, and other documents with respect to the Agreement ("Books and Records") for at least 3 years following Agreement expiration or termination. Upon reasonable notice, Books and Records will be available for inspection by Owner, at Owner's expense, at the location where Books and Records are regularly maintained, during Contractor's normal business hours.

9. **Assignment.** This Agreement shall be binding upon and inure to the benefit of the Parties named herein and their respective successors and assigns. Neither Party may assign any of its obligations under this Agreement without the prior written consent of the other Party, such consent not to be unreasonably withheld or delayed, provided that Contractor may assign this Agreement without such consent to a successor in interest by way of a merger, consolidation, or sale of all or substantially all of Contractor's assets.

10. **Notices.** Any notice or other communication given under the Agreement will be in writing and delivered by hand, sent by facsimile (provided

acknowledgment of receipt thereof is delivered to the sender), sent by certified, registered mail or sent by any nationally recognized overnight courier service to the addresses provided in the Owner information section. Notices sent by registered mail or national overnight carrier shall be effective upon delivery. The Parties may, from time to time and at any time, change their respective addresses and each will have the right to specify as its address any other address by written notice to the other Party. A change of address will take effect upon receipt of notice unless a later date is otherwise specified.

11. **Interpretation.** Whenever possible, each provision of the Agreement will be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of the Agreement is held to be prohibited by or invalid under applicable law, such provision will be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of the Agreement. The Agreement headings are inserted for convenience of reference only and shall not constitute a part hereof.

12. **Governing Law.** The internal law, and not the law of conflicts, of the state in which Owner is located will govern all questions concerning construction, validity and interpretation of the Agreement and the performance of the obligations imposed by the Agreement. The proper venue for any proceeding at law or in equity will be the state and county in which the Owner is located, and the Parties waive any right to object to the venue.

13. **Further Assurances.** Contractor and Owner will each sign such other documents and take such actions as the other may reasonably request in order to effect the relationships, Services and activities contemplated by the Agreement and to account for and document those activities.

14. **Relationship of the Parties.** No representations or assertions will be made or actions taken by either Party that could imply or establish any joint venture, partnership, employment or trust relationship between the Parties with respect to the subject matter of the Agreement. Except as expressly provided in the Agreement, neither Party will have any authority or power whatsoever to enter into any agreement, contract or commitment on behalf of the other, or to create any liability or obligation whatsoever on behalf of the other, to any person or entity.

Asset Disposition Services Agreement

15. **Force Majeure.** Neither Party will be liable for any failure of or delay in performance of the Agreement for the period that such failure or delay is due to acts of God, public enemy, war, strikes or labor disputes, or any other cause beyond the Parties' reasonable control (each a "Force Majeure"), it being understood that lack of financial resources

will not to be deemed a cause beyond a Party's control. Each Party will notify the other Party promptly of any Force Majeure occurrence and carry out the Agreement as promptly as practicable after such Force Majeure is terminated. The existence of any Force Majeure will not extend the term of the Agreement.

This Agreement, together with one or more signed addendums attached hereto, comprises the entire agreement between Contractor and Owner relating to Services and supersedes any prior understandings, agreements, or representations by or between the parties, whether written or oral.

<u>OWNER</u>	
Signature	_____
Name	_____
Title	_____
Date	_____

<u>CONTRACTOR</u>	
Signature	_____
Name	_____
Title	_____
Date	_____

OWNER INFORMATION & AGREEMENT OPTIONS SELECTED

Owner Name:	Account #:
Street Address:	Cooperative Purchasing Agreement? Sourcewell ☐ Other (Please specify) _____ ☐ Member #: _____
City, State/Province, Postal Code, Country:	Resolution of Unpaid Monthly Service Fees: Balance carry-over ☐ Monthly Invoice ☐
Telephone:	Fax:
Primary Contact: Name _____ Work _____ Mobile _____ Email _____	Secondary Contact: Name _____ Work _____ Mobile _____ Email _____

1. This addendum ("Addendum") is attached to and made part of the Asset Disposition Services Agreement dated _____ ("Agreement") between Contractor and Owner. In the event of a conflict between the provisions of the Agreement, this Addendum and any prior agreement or Agreement addendum, this Addendum will govern.
2. **Definitions.**
 - a. **Winning Bid.** "Winning Bid" means the highest amount committed and paid by a Buyer of a sold Asset. Winning Bid does not include shipping & handling, buyer premiums, or other fees, if any, nor does Winning Bid include an amount a Buyer commits but fails to pay.
 - b. **Sales Price.** "Sales Price" equals the Winning Bid plus shipping & handling, shipping insurance and sales tax paid by a Buyer.
 - c. **Payment Processing Costs.** Payment processing costs equal 3% of Sales Price ("PP Costs").
 - d. **Success Fee.** For sold Assets, Owner will pay Contractor a Services fee equal to a percent of profits or Winning Bids as specified below ("Success Fee").
 - e. **Buyer Premiums.** Notwithstanding anything to the contrary herein, Contractor may collect a Winning Bid percent fee from a Buyer, typically referred to as a "Buyer's Premium".
3. **Services Offered.** Contractor provides a suite of Services referenced herein. Upon mutual agreement of Owner and Contractor, Contractor may provide all or any combination of Services. Contractor will use commercially reasonable efforts to deliver Services.
 - a. **Portables Auction Service ("Portables").** Applying to Assets small enough for pick-up by Contractor via box truck or common carrier shipment, excluding firearms, Contractor will transport, test and/or authenticate (if applicable and practicable), erase or destroy memory media (in the case of electronics), image, store, list and sell Assets via public internet auction on one or more Contractor selected websites. Owner will pay Contractor a Success Fee as described below.
 - (1) **Asset Success Fee.** For Portable Assets, Success Fee equals 50% for the first \$1,000 of a Winning Bid amount and 25% of Winning Bid amount, if any, over \$1,000.
 - (2) **Net Proceeds.** For each Portables Asset, Owner Net Proceeds equals Winning Bid less Success Fee less PP Costs.
 - (3) **Fuel Surcharge.** If quarterly retail diesel prices, as published by the U.S. Energy Information Administration, rise above the level shown in the table below, a fuel surcharge ("Fuel Surcharge") will be deducted from Owner Net Proceeds for each Portable Manifest picked up at Owner's location.

Retail Diesel (per gal)	Fuel Surcharge
< \$ 2.50	\$ 0.00
\$ 2.50 to \$ 2.99	\$ 12.40
\$ 3.00 to \$ 3.49	\$ 24.80
\$ 3.50 to \$ 3.99	\$ 37.20*
 - (4) **Shipping Fee.** If assets are transported via common carrier and not picked up by Contractor, the shipping fee will be deducted from Owner Net Proceeds.

* Table continues at same rate of \$12.40 increments per \$0.50 per gal change in Retail Diesel.

- b. **Firearms Auction Service.** This service is restricted to Owner firearm assets ("Firearm Assets") legally available for public sale in the United States. Contractor is compliant with ATF, Title 18, U.S. Code Ch. 44 and NFA (26 U.S.C., Ch. 53), as well as applicable state and local laws. Contractor may work with one or more subcontractors ("Subcontractor") for storage and processing of Firearm Assets.

Contractor will deliver Firearm Assets disposition services beginning with the collection and transport of Firearm Assets to a Federal Firearms Licensee ("FFL") holder ("Recipient FFL" or "Partner FFL"). Subsequently, Contractor and Recipient FFL will store, catalog, image, list for public internet auction, process purchaser payment and ship Firearms Assets to another FFL holder ("Transferee FFL") that will administer final physical transfer to purchaser ("Buyer") in compliance with applicable federal, state, and local laws. Owner will pay Contractor a Success Fee as described below.

- (1) **Success Fee.** For Firearm Assets, Success Fee equals 50% for the first \$1,000 of a Winning Bid amount and 25% of Winning Bid amount, if any, over \$1,000.
- (2) **Net Proceeds.** For each Firearm Asset, Owner Net Proceeds equals Winning Bid less Success Fee less PP Costs.

- c. **In Place Auction Service ("In Place").** Applying to Assets that Owner and Contractor mutually agree to auction in place, Contractor will sell In Place Assets via public internet auction on one or more Contractor selected websites using descriptions and digital images supplied by Owner. Owner will maintain physical control of In Place Assets and transfer possession to Buyers after sale. Owner will pay Contractor a Success Fee as described below.
- (1) **Success Fee.** For each In Place Asset, Success Fee equals 2.5% of Winning Bid.
 - (2) **Net Proceeds.** For each In Place Asset sold at auction, Winning Bid less Success Fee less PP Costs equals Owner Net Proceeds.
- d. **Haul Away Auction Service ("Haul Away").** Applying to fleet vehicles and equipment, Contractor will tow Assets to, or take delivery at, Yards. Contractor will store, image, describe, list and sell Haul Away Assets via public internet auction on one or more Contractor selected websites. Contractor may work with one or more subcontractors ("Subcontractor") for storage and processing of Assets at Yards. Owner will pay Contractor a Success Fee as well as other fees as specified below.
- (1) **Success Fee.** For each Haul Away Asset, Success Fee equals 12.5% of Winning Bid.
 - (2) **Tow & Miscellaneous Fees.** Tow and Miscellaneous Service Fees are indicated in fee schedule below that specifies tow processes and related fees for Owner-specific needs ("Tow & Miscellaneous Fee Schedule"). The Tow & Miscellaneous Fee Schedule will distinguish between Assets that can be hauled away on a standard vehicle transporter (such as automobiles and light trucks) from over-sized Assets (e.g., cranes, buses, backhoes).

Haul Away Auction Service – Tow and Miscellaneous Fee Schedule			
Fee Type	Fee Description	Rate Description	Rate Per Asset
<i>Light Tow</i>	Light duty vehicles up to 11,000 GVWR	Per vehicle towed	First 30 miles free. \$10 for every 10 miles over the 1st 30 free miles
<i>Medium Tow</i>	Medium duty vehicles 11,001 - 33,000 GVWR and oversized vehicles such as an F-350 w/ dual wheels, etc.)	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Heavy Tow</i>	Heavy duty vehicles 33,001+ GVWR	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Re-list / Re-run</i>	Fee for re-listing asset more than three (3) times due to any type of owner imposed bidding restriction	Per re-list of asset on 4 th or subsequent attempt	\$35 / re-list
<i>Storage - light & medium duty</i>	Storage for assets stored for any reason other than awaiting auction	Per day over 30 days after pickup date	\$3 / day
<i>Storage - heavy duty</i>	Storage for assets stored for any reason other than awaiting auction	Per day over 30 days after pickup date	\$5 / day
<i>De-identification</i>	De-identifying assets	Charged in 15 minute increments for the labor to de-identify	\$20 / quarter hour
<i>Decal Removal</i>	Removal of a decal	Charged in 15 minute increments for the labor to perform decal removal	\$20 / quarter hour; \$45 minimum charge per vehicle (\$45 maximum charge per vehicle for Light Duty Vehicles)

- (3) **Net Proceeds.** For each Haul Away Asset, Winning Bid less the sum of Success Fee, Tow & Miscellaneous Fees, and PP Costs equals Owner Net Proceeds.
- e. **Impound Storage & Auction Service ("Impound").** Applying to citizen vehicles seized and or impounded by Owner, Contractor will receive tows of Impound Assets at tow yard facilities ("Yards"), storing Assets while Owner decides whether to release to a citizen or auction. For release-to-citizen vehicles ("Released Vehicles"), Contractor will process and collect fees from citizens. For auctioned vehicles, Contractor will store, image, describe and sell Impound Assets via public internet auction on one or more Contractor selected websites. Contractor may work with one or more sub-contractors ("Subcontractor") for storage and processing of Assets at Yards. Owner will pay Contractor a Success Fee as well as other fees as specified below.

- (1) **Success Fee.** For each Impound Asset sold at auction, Success Fee equals 12.5% of the Winning Bid.
- (2) **Tow & Miscellaneous Fees.** Tow and Miscellaneous Service Fees are indicated in fee schedule below that specifies tow processes and related fees for Owner-specific needs ("Tow & Miscellaneous Fee Schedule"). The Tow & Miscellaneous Fee Schedule will distinguish between Assets that can be hauled-away on a standard vehicle transporter (such as automobiles and light trucks) from over-sized Assets (e.g., cranes, buses, backhoes).
- (3) **Storage Fees.** Impound storage fees are indicated in the fee schedule below. Owner retains rights to charge citizens higher storage fees for Released Vehicles and Contractor will collect those storage fees along with other citizen fees set by Owner, such as tow charges, administrative charges, court processing fees, etc. ("Citizen Payments"). In the event that Assets are stored for an extended period of time without being released by Owner for auction, Owner agrees to reimburse Contractor for such storage fees in a manner to be mutually agreed upon.

Impound Storage & Auction Service – Tow and Miscellaneous Fee Schedule			
Fee Type	Fee Description	Rate Description	Rate Per Asset
<i>Light Tow</i>	Light duty vehicles up to 11,000 GVWR	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Medium Tow</i>	Medium duty vehicles 11,001 - 33,000 GVWR and oversized vehicles such as an F-350 w/ dual wheels, etc.)	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Heavy Tow</i>	Heavy duty vehicles 33,001+ GVWR	Per vehicle towed	Billed at cost by subcontractor - see standard schedule
<i>Re-list / Re-run</i>	Fee for re-listing asset more than three (3) times due to any type of owner imposed bidding restriction	Per re-list of asset on 4 th or subsequent attempt	\$35 / re-list
<i>Owner Storage Fees</i>	Daily storage for assets stored and awaiting auction	Per day	\$8 / day
<i>Citizen Storage Fees</i>	Daily storage for release vehicles	Per day	\$15 / day
<i>De-identification</i>	De-identifying assets	Charged in 15 minute increments for the labor to de-identify	\$20 / quarter hour
<i>Decal Removal</i>	Removal of a decal	Charged in 15 minute increments for the labor to perform decal removal	\$20 / quarter hour; \$45 minimum charge per vehicle (\$45 maximum charge per vehicle for Light Duty Vehicles)

- (4) **Net Proceeds.** For each Impound Asset, the sum of Winning Bid and Citizen Payments less the sum of Success Fee, Tow & Miscellaneous Fees, Owner/Citizen Storage Fees and PP Costs equals Owner Net Proceeds.
4. **Modifications.** Contractor may, from time to time, modify Standard Fees & Services. To effect a fee change, Contractor will provide Owner advance written notice which will include an update to this Addendum.

<u>OWNER</u>	
Signature	_____
Name	_____
Title	_____
Date	_____

<u>CONTRACTOR</u>	
Signature	_____
Name	_____
Title	_____
Date	_____

PROPERTYROOM.COM NEW ACCOUNT SET-UP



After receiving the signed agreement, we will provide you with a user name and password for access to our Agency Web online reporting system. This will allow you to track status of all assets you give to us to sell from the time of listing to the sale and collection of the funds and remittance of the funds to your account (and will allow you historical data 24/7/365.). Please answer the following questions so that we can get your new account established in our system.

1. *Check payable to* information and the address where checks are to be mailed.

2. Main pick-up location for assets. (If more than one location, please specify)

3. Main contact's name, title, phone number, fax number, and email address. The main contact will (a) receive a Welcome Call from our Client Services Department; (b) receive mailed bar codes; (c) be contacted every thirty (30) days for scheduling pickups; and (d) have primary access to the Agency Web system for tracking and auditing.

PROPERTYROOM.COM NEW ACCOUNT SET-UP



4. Name, title, phone number, and email address of any additional department personnel requiring access to our Agency Web reporting system.

5. Name, email address, and phone number of the person responsible for the department's website so our IT team can coordinate with adding a notice to the public link on your website.

6. Two possible dates and times for you and/or your main contact(s) to receive a Welcome Call from our Client Services Manager. We will then confirm the date and time as soon as we get internal confirmation from our Client Services Manager. Upon call meeting time, we will send you a free dial-in conference call phone number and access code.

7. Name, telephone, and email address of the person responsible for media relations in your department to work with our Marketing Department regarding any media inquiries.



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4661)

Meeting: 01/13/25 06:00 PM
Department: Finance
Category: Bid Award
Prepared By: Filiz Morrow
Initiator: Filiz Morrow
Sponsors:
DOC ID: 4661

10.11

Bid Award: Meadows Subdivision Culvert Replacement

Successful bidder will furnish all material, equipment, and labor for the removal and replacement of 14 culvert pipes impacting 3 paved residential streets as outlined in the RFP specifications. **Staff recommends Curb and Gutter Professionals, Inc, for \$154,520.**

Bid Tabulation
 Meadows Subdivision Culvert Replacement
 RFP #COK 25-003
 Tuesday, January 7, 2025 @ 10:00 AM

Vendor	Total Project Cost	Estimated Time of Completion
Curb and Gutter Professionals, Inc	\$154,520.00	90 Days

*RFP was advertised on the City of Kingsland, GMA and GA Procurement Registry Websites.



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4657)

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Resolution
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:
DOC ID: 4657

10.12

Approval of: Resolution 2025-01 - Abandonment of an Unopened Section of South Island Street

The City of Kingsland is seeking to abandon an unopened section of South Island Street. This section has never been opened for public use and there is no benefit of ever opening this section.
Staff recommends approval.

**CITY OF KINGSLAND, GEORGIA
RESOLUTION #2025-01**

**RESOLUTION TO AUTHORIZE THE ABANDONMENT OF AN UNOPENED
SECTION OF SOUTH ISLAND STREET**

WHEREAS, South Island Street was originally platted as a fifty-foot-wide public street within the City of Kingsland, Georgia, as part of the W. H. King Estate Subdivision in 1935; and

WHEREAS, the section of South Island Street adjacent to the parcels identified as Tax Map Numbers K22 04 004 and K22 03 010 has remained unopened and unused for public purposes since its original platting; and

WHEREAS, the City of Kingsland has reviewed the historical and practical need for this portion of South Island Street and has determined that there is no foreseeable public benefit in opening or maintaining this section as a public street; and

WHEREAS, the City has fulfilled all legal requirements for the abandonment of public streets, including providing written notification via U.S. mail to the adjacent property owners of record and allowing them the opportunity to express objections, if any; and

WHEREAS, the City has received no objections from the adjacent property owners or other stakeholders, and the abandonment of this unopened section is in the best interest of the public and the efficient administration of municipal resources; and

WHEREAS, the abandonment of this unopened section of South Island Street will not impair access to any private properties or adversely impact public safety or infrastructure;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KINGSLAND, GEORGIA, as follows:

1. The unopened section of South Island Street adjacent to parcels identified as Tax Map Numbers K22 04 004 and K22 03 010 is hereby deemed unnecessary for public use and is formally abandoned.
2. The City of Kingsland waives any claims or rights to this section of South Island Street, and the abandonment shall be effective immediately upon adoption of this Resolution.
3. The City Clerk is hereby directed to record this Resolution in the official minutes of the City Council and to ensure that any required notifications or filings are made to reflect the abandonment in public records.

ADOPTED by the Mayor and Council of the City of Kingsland, Georgia, this ____ day of _____, 2025.

CITY OF KINGSLAND, GEORGIA

By: _____
Dr. C. Grayson Day, Jr., Mayor

Attest: _____
Jean O. Horne, City Clerk



Camden County, GA



Overview



Legend

- Parcels
- Roads
- USA Major Highways**
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
- City Labels**

Parcel ID	K22 03 010	Owner	PARO EDWARD & DONNA	Last 2 Sales			
Class Code	Residential		14 NORTH MARVINE AVENUE	Date	Net Price	Reason	Qual
Taxing District	KINGSLAND		AUBURN, NY 13021	4/2/2024	\$32000	NQ	U
	KINGSLAND	Physical Address	n/a	9/5/2023	0	NM	U
Acres	4.69	Assessed Value	Value \$29016				

(Note: Not to be used on legal documents)

THE PARCEL LINES SHOWN ON THIS SITE ARE NOT LEGAL BOUNDRIES AND MUST NOT BE USED FOR LEGAL DOCUMENTS. THE PARCEL LINEWORK ARE FOR LOCATING PARCELS FOR TAX PURPOSES ONLY. THEY ARE NOT SURVEYS DUE TO THE NATURE OF HOW THE ARE PRODUCED. LEGAL BOUNDRIES SHOULD BE TAKEN FROM LEGALLY DOCUMENTED PLATS AND DEEDS.

Date created: 10/23/2024

Last Data Uploaded: 10/22/2024 7:47:31 PM

Developed by  **SCHNEIDER**
GEOSPATIAL

Attachment: S Island Map (4657 : Approval of: Resolution 2025-01 - Abandonment of an Unopened Section of South Island Street)



City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4655)

Meeting: 01/13/25 06:00 PM
Department: City Clerk
Category: Ordinance
Prepared By: Jean Seigler
Initiator: Jean Seigler
Sponsors:
DOC ID: 4655

10.13

Approval of: Ordinance 2025-01 - To Amend Chapter 8 - Community Risk Reduction

An amendment to Kingsland Code of Ordinances Chapter 8-Community Risk Reduction, to provide for prohibited acts, enforcement, and penalties for violation of Article III related to the Control and Containment of Hazardous Materials.

Staff recommends approval.

ORDINANCE 2025-1**CITY OF KINGSLAND, GEORGIA****TO AMEND CHAPTER 8 – COMMUNITY RISK REDUCTION****Chapter 8 COMMUNITY RISK REDUCTION¹****ARTICLE I. IN GENERAL****Sec. 8-1. Adoption of fire safety law.**

It is hereby adopted by the City of Kingsland for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, smoke or related emergencies, those certain codes and standards adopted and amended by the Rules and Regulations of the Safety Fire Commissioner, Rules and Regulations for the State Minimum Fire Safety Standards of the State of Georgia 120-3-3, under authority of O.C.G.A. §§ 25-2-4, 25-2-12, and 50-13-21. There shall be not less than one copy of such codes and standards filed in the office of the fire marshal, and those codes and standards are hereby adopted and incorporated as fully as if set out completely in this article.

(Ord. No. 2016-03, 5-9-2016)

ARTICLE II. FIRE CODE**Sec. 8-2. Construction codes.**

All codes, ordinances, standards, and pamphlets adopted in this article and by the Rules and Regulations of the Fire Safety Commissioner, Rules and Regulations for the State Minimum Fire Safety Standards, shall be construed as the standard for fire code compliance among buildings within the city and shall prevail in matters of life safety over all other local codes, ordinances, or standards which apply to the same building components or systems covered by this article, and shall be known as the fire code. Final approving authority for fire code compliance covered in this section shall be the community risk reduction division of Kingsland Fire Rescue, also known as the fire prevention section and the city fire marshal's office.

(Ord. No. 2016-03, 5-9-2016)

¹Editor's note(s)—Ord. No. 2016-03, adopted May, 9, 2016 repealed Ch. 8, §§ 8-1, 8-50—8-54 and enacted a new Ch. 8, §§ 8-1—8-42 as set out herein. Former Ch. 8 pertained to fire prevention and protection and derived from Ord. No. 1994-8, adopted August 8, 1994; Ord No. 2003-25, adopted November 24, 2003; and Ord. No. 2000-03, adopted March 27, 2000.

Sec. 8-3. Enforcement of article.

The provisions of this article shall be enforced by the chief of the department, fire marshal or designee of Kingsland Fire Rescue.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-4. Penalties for violation of the article.

Any person who shall violate any of the provisions of this article or the codes or standards adopted by reference in this article or fail to comply therewith or who shall violate or fail to comply with any order made pursuant to this article, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council within the time set forth in this article, shall constitute a violation of a city ordinance. Any person violating this article or any of the codes, standards, and/or laws incorporated in this article shall be deemed guilty of violating a city ordinance and shall be fined according to the following schedule:

80 to 100 percent completion, annual and first follow-up: No fine

Second follow-up, the fine shall be: \$100.00

Third follow-up and each subsequent follow-up, the fine shall be: \$150.00

- (1) The application of the penalty in subsection (1) of this section shall not be held to prevent the enforced removal of the prohibited conditions.
- (2) Upon written notice from the fire marshal or his designee, work on any project that is being performed contrary to the provisions of this article and the codes or standards adopted in this article, or otherwise being done in a dangerous or unsafe manner, shall cease immediately. Such notice shall be given to the owner of the property, his agent, or the person doing the work and shall state the conditions under which the work may be resumed.
- (3) Permits or approvals may be revoked by fire plan review, or by the fire marshal, or his designee, when there has been any false statement or misrepresentation as to any materials or facts contained in plans or other information on which the permit or approval has been based.
- (4) Whenever any of the officers or inspectors of the fire department find conditions which are unsafe and/or in violation of the provisions or intent of the codes, standards, or ordinances enforced by the fire marshal's office, written notice may be given to the owner, the owner's agent or the occupant or occupant's representative requiring that any activities impacted by the conditions shall cease until the condition is corrected.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-5. Establishment and duties of the community risk reduction division.

- (a) The fire code shall be enforced through the fire protection and risk reduction division, by the chief of the department or his designee, and fire marshal.
- (b) The fire marshal in charge of the fire protection and risk reduction division shall be appointed by the chief of the department.

(Supp. No. 50)

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- (c) The chief of the department may detail such members of the fire services as inspectors and investigators as shall from time to time be necessary. The chief of the department may appoint technical inspectors, who may be selected in accordance with their certifications and experience.
- (d) The chief of the department may detail such member of the fire services as deputy fire marshal. The deputy fire marshal works under the fire marshal and coordinates all the fire prevention and public educational programs.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-6. Limits on storage of explosives and blasting agents.

Locations for the storage of explosives and blasting agents shall comply with the rules promulgated by the fire safety commissioner of the state, as they may be amended, entitled Rules and Regulations of the Safety Fire Commissioner, chapter 120-3-10, "Rules and Regulations for Explosives and Blasting Agents."

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-7. Limits on storage of flammable liquids in outside aboveground tanks.

Permanent installations for the storage of flammable liquids in aboveground tanks shall comply with the city zoning ordinance, as amended, as well as rules promulgated by the safety fire commissioner of the state, as they may be amended, entitled Rules of the Safety Fire Commissioner, chapter 120-3-11, "Rules and Regulations for Flammable and Combustible Liquids."

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-8. Limits on bulk storage of liquefied petroleum gases.

Bulk storage of liquefied petroleum gas shall comply with the city zoning ordinance, as amended, as well as rules promulgated by the safety fire commissioner of the state, as they may be amended, entitled Rules of the Safety Fire Commissioner, chapter 120-3-16, "Rules and Regulations for Liquefied Petroleum Gasses."

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-9. Reserved.

Sec. 8-10. Administrative variances.

A committee comprised of the fire marshal, deputy fire marshal, building officials and public works director shall have the power to implement systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety as alternatives to those prescribed by the codes, provided technical documentation is submitted to the committee to demonstrate equivalency, and the system, method, or device is approved for the intended purpose. Variances granted shall be as nearly equivalent as practical to the codes and standards required in this chapter. The decision of the committee may be appealed to the fire chief, city manager and planning director jointly. Appealed decision reversal must be unanimous.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-11. Reserved.

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(Supp. No. 50)

Sec. 8-12. Appeals.

Any appeal or request for a variance from the provisions of the codes set out in this article shall be submitted in writing to the fire marshal's office with the explanation and reason why the variance should be granted. In response thereto, the fire marshal's office shall furnish a statement as to the purpose of the requirement along with a response which approves or denies the request. Should the affected party wish to appeal the decision of the fire marshal, said appeal shall be submitted in writing on forms provided by planning and zoning or the fire department and shall be accompanied by a fee as established by this article, and fee schedule as may be amended, to be submitted to the chief of the fire department.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-13. Standards for minimum size water mains and spacing of fire hydrants for new construction, additions, and renovations on private property.

Reference city municipal policies and specifications manual established by Ordinance 2008-23 as may be subsequently amended.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-14. Location of hydrants and hydrant specifications.

Reference city municipal policies and specifications manual established by Ordinance 2008-23 as may be subsequently amended.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-15. Obstruction of approach or visibility of fire hydrants and connections.

It shall be unlawful for any person, vegetation, or object, to obstruct the approach or visibility of any fire hydrant or fire department connection closer than five feet in any direction, parallel with street access. A minimum three-foot clear space shall be maintained around the circumference of fire hydrants and fire department connections.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-16. Requirements pertaining to fire protection systems.

- (a) Buildings shall be equipped with an approved standpipe system when required by the building or fire code. Required standpipes shall be installed in accordance with the building code, fire code, and NFPA 14, installation of standpipe and hose systems.
- (b) Hotels, motels, dormitories, lodging or rooming houses, residential board and care facilities with four or more residents, multi-family residential occupancies, and health care facilities of combustible construction (Types III, IV, or V according to the International Building Code) shall have complete automatic fire sprinkler systems installed in accordance with appropriate NFPA standards.

Exception: Hotels, motels, dormitories, lodging or rooming houses, residential board and care facilities, multi-family residential occupancies, and health care facilities of combustible construction with plans submitted prior to

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(Supp. No. 50)

adoption of this section, must meet the sprinkler requirements adopted at the time plans were submitted. This exception does not apply when the structure is subsequently modified more than 50 percent.

- (c) Hotels, motels, dormitories, lodging or rooming houses, residential board and care facilities with four or more residents, multi-family residential dwellings, educational occupancies, day-care occupancies, and health care facilities with three or more floor levels, regardless of type of construction shall have complete, automatic fire sprinkler systems installed in accordance with appropriate NFPA standards.

Exception: Hotels, motels, dormitories, lodging or rooming houses, residential board and care facilities, multi-family residential dwellings, educational occupancies, day-care occupancies, and health care facilities with three or more floor levels, with plans submitted prior to adoption of this section, must meet the sprinkler requirements adopted at the time plans were submitted. This exception does not apply when the structure is subsequently modified more than 50 percent.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-17. Requirements for tenant separations and attic separation within multi-tenanted commercial, industrial, and non-residential buildings.

Tenant separations shall have a minimum fire resistance rating of one hour. Fire barriers shall be continuous from outside wall to outside wall and from one fire barrier to another or a combination thereof, including continuity through all concealed spaces. Rated assemblies shall extend from the floor of the lowest level to the underside of a fire resistance rated floor/ceiling or roof assembly. All rated assemblies shall have been tested and listed by an approved, accredited testing laboratory or meet the requirements for prescriptive or calculated fire resistance rated assemblies in accordance with the International Building Code. All openings and/or penetrations within rated assemblies shall be tightly sealed using an approved, listed, detail or method complying with ASTM-E814 or UL 1479.

Exception: Executive suites, flea markets, and similar sublets or subleases, complying with the requirements for non-separated use according to the International Building Code and meeting all of the following requirements:

- (1) All tenants must be of the same general occupancy classification or meet the fire and building code requirements for the most restrictive and stringent occupancy classification represented.
- (2) All tenants share amenities such as rest rooms, means of egress, break rooms, conference/class rooms, and office support.
- (3) Buildings with tenant areas separated so as to allow the possibility of leasing to separate tenants with separate restrooms and means of egress shall not be granted the executive suite or sublet exception.
- (4) Each tenant occupying spaces qualifying for the tenant separation exception may be required to have an individual certificate of occupancy at the discretion of the authority having jurisdiction.
- (5) Attic draft-stopping shall be constructed of wood or metal studs with one layer of fire rated gypsum board on each side to divide combustible attic spaces into areas of 3,000 square feet or less. Access panels, 24 inches by 36 inches in size, shall be located leading into each area from the floor level immediately below the compartmentalized area.

(Ord. No. 2016-03, 5-9-2016)

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(Supp. No. 50)

Sec. 8-18. Requirements for tenant separations and attic separation within multi-family residential buildings.

All tenant separations shall have a minimum fire resistance rating of one hour. All tenant separation walls shall extend from the floor of the lowest level to the underside of the roof deck, unless the top floor/ceiling assembly has a one-hour fire resistance rating in which event attic draft-stops shall be installed at 3,000 square foot intervals or at every other tenant line, whichever is less. Attic draft-stopping shall run with the roof trusses and be placed to create compartments covering no more than two units.

All rated assemblies, both walls and floor/ceiling assemblies, shall have been tested and listed by an approved, accredited testing laboratory or meet the requirements for prescriptive or calculated fire resistance rated assemblies in accordance with the International Building Code. All openings and/or penetrations within rated assemblies shall be tightly sealed using an approved, listed, detail or method complying with ASTM-E814 or UL 1479.

Attic areas shall be draft stopped at 3,000 square foot intervals or every other tenant line, whichever results in a smaller area.

Access panels, 24 inches by 36 inches in size, shall be located leading into each area from the floor level immediately below the compartmentalized area.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-19. Accessibility for firefighting equipment and personnel.

- (a) When access to or within a structure or project is unduly difficult because of secured openings, the owner and/or tenant shall be responsible for ensuring quick access into the area for fire services use.
- (b) An all-weather fire apparatus access road, designed and maintained to support the imposed loads of fire apparatus, shall be provided to or around all buildings, to extend within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building.

Exception: The fire code official is authorized to increase the dimension of 150 feet where:

- (1) The building is equipped throughout with an approved automatic sprinkler system installed in accordance with the appropriate NFPA standards.
- (2) A fire apparatus access road cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or similar conditions, and an approved, alternative means of fire protection is provided.
- (3) Fire department access shall be maintained throughout all stages of construction.
- (4) Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet six inches.
- (5) Dead-end roadways more than 150 feet in length shall be provided at the closed end with a cul-de-sac having a 50-foot radius at the outside curb line, or other approved means for turning around.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-20. Submission of plans and specifications required.

- (a) Owners, their agents, or designees of all buildings, tenant spaces, and commercial sites, covered by this article, are required to submit plans and specifications of the project to fire plan review, prior to obtaining the required fire permits.
- (b) Permits must be obtained prior to construction, demolition, change of use or occupancy classification, tenant name change, or ownership change, in buildings, tenant spaces, or commercial sites and prior to addition, removal or changes of any fire protection system(s) therein.
- (c) A final inspection and certificate of occupancy, for each business establishment, must be obtained from the fire marshal's office prior to occupying any building covered by this article or conducting business.
- (d) Plans, specifications, and other required information must be submitted to fire plan review prior to obtaining the required temporary use permits for activities including, but not limited to, bon fires, commercial burning for land clearing, use of certain tents and canopies, and certain fireworks and pyrotechnic displays. A final inspection must be passed and permits activated prior to conducting permissible activities.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-21. Required plans and drawings.

Construction documents shall be submitted in one or more sets with each permit application. Plans submitted shall be in accordance with state law, rules, and regulations. Construction documents shall be dimensioned, and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the fire official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that the work conforms to the provisions of the fire code, and relevant laws, ordinances, rules and regulations, as determined by the fire official.

The seal of an appropriate registered design professional, architect, or engineer, in accordance with state laws, rules and regulations, with original signature currently licensed by the State of Georgia shall be affixed to the plans of the following projects:

- (1) All places of assembly with a calculated occupant load of 100 or more persons using occupant load calculations as set forth in the NFPA Life Safety Code.
- (2) All healthcare facilities as defined by NFPA 101, Life Safety Code.
- (3) All penal and correctional institutions.
- (4) All day-care centers with 12 or more clients.
- (5) All educational facilities.
- (6) All residential board and care facilities with an occupant load of seven or more persons and considered a "large facility" as set forth in the fire code.
- (7) Any structure or tenant space with a "cumulative construction" area of 5,000 square feet or more or \$100,000.00 in cost or three stories in height.
- (8) Where required by state law.

Exception: Unless required by state law, the fire official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional, if it is found that the nature of the work applied for is such that a review of construction documents is not necessary to obtain compliance with the fire code.

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(Supp. No. 50)

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-22. Revision of plans.

- (a) All drawings, specifications and/or pertinent documents, required to bear the stamp, seal, and signature of a registered designer shall be revised by the designer of record and bear his/her stamp or seal and signature on all revisions and details. Required revisions to stamped plans are subject to the designer of record's approval, which shall be in the form of "hard-line" drawings. Fax transmittals, electronic submittals, or written correspondence may be deemed acceptable alternatives subject to the approval of the fire plan review supervisor, fire marshal, or deputy fire marshal, and/or building official.
- (b) Certain minor corrections to plans, such as relocation of exit signs, sprinkler heads, smoke detectors or change of door swings, may be "redlined" as determined by each department. Redlined corrections shall be shown on all required sets of plans and/or specifications and shall bear the name and signature of the individual submitting the project for code compliance review.
- (c) Examples of items not allowed to be "redlined" are as follows:
 - (1) Changes to the means of egress such as direction of travel, number of means of egress, egress widths, travel distance, and other egress components.
 - (2) Changes to the number of exits.
 - (3) Changes to features necessary for accessibility for the disabled.
 - (4) Changes to fire alarm systems except as stated in the above subsection.
 - (5) Changes to sprinkler systems to include site plans except as stated in the above subsection.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-23. Inspections required.

- (a) The fire marshal, deputy fire marshal or his designee shall inspect or cause to be inspected, at various intervals all construction work pertaining to fire codes and a final inspection shall be made of every building, structure, site or facility prior to occupancy.
- (b) Owners, or their agents or designees, of all buildings, tenant spaces, and/or commercial sites covered by this article are required to submit plans and specifications of the project to fire plan review prior to obtaining the necessary fire permits.
- (c) An 80 percent completion inspection, a 100 percent final inspection, and a certificate of occupancy shall be obtained from the fire marshal's office prior to the occupancy of the facility. Fifty percent inspections may be required to inspect methods of sealing penetrations, fire department access, and other provisions affiliated with larger projects.
- (d) Upon a satisfactory final inspection of buildings, the necessary certificate of occupancy or certificate of completion shall be issued. Certificates of occupancy shall be displayed prominently in a public or common area of the building.
- (e) Plans, specifications, and other required information must be submitted to fire plan review prior to obtaining the required temporary use permits for activities including, but not limited to, bon fires, commercial burning for land clearing, use of certain tents and canopies, and certain fireworks and pyrotechnic displays. A final inspection must be passed and permits activated prior to conducting permitted activities.

(Ord. No. 2016-03, 5-9-2016)

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(Supp. No. 50)

Sec. 8-24. Collection of fees and issuance of permits and approvals.

All fees are payable to the City of Kingsland and collected at the city payment centers. All fees shall be collected for construction permits, certificates of occupancy, and other fire related permits, plan reviews, revisions, variances, certificates, and re-inspections.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-25. Governmental organization facilities exemptions.

Fees in section 8-24 may be waived for projects that serve a governmental purpose in accordance with the city's permit fee waiver policy.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-26. Temporary occupancy.

- (a) A temporary certificate of occupancy may be issued for a portion or portions of a facility. The fire marshal's office shall forward comments in writing to the building official of the City of Kingsland allowing or disallowing occupancy of a partially completed facility.
- (b) All facilities described in this section shall be equipped with the following minimum features in order for a temporary certificate of occupancy to be issued:
 - (1) All required portions of the means of egress shall be complete. (Does not include floor or wall-covering).
 - (2) All exit signage shall be in place and in proper working order.
 - (3) All illumination of means of egress and emergency lighting fixtures shall be in place and in proper working order.
 - (4) All required exit components shall be installed and equipped with approved hardware.
 - (5) All automatic sprinkler systems (if so equipped) shall be installed, tested, and properly tagged by a certified licensed contractor of the State of Georgia.
 - (6) All fire barriers shall be installed and properly sealed.
 - (7) All required fire alarm and detection systems shall be installed, tested and properly tagged by a certified licensed contractor of the State of Georgia.
- (c) Any facility where a temporary certificate of occupancy has been issued shall be in compliance with the above features. If necessary, certain portions of a facility may be issued a temporary certificate of occupancy as long as all the above criteria have been met. The fire marshal or his deputy and the building official conducting the inspection shall agree upon, and document, the terms of the temporary certificate of occupancy and the document shall bear the names and signatures of both parties granting the approval.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-27. Persons allowed in the vicinity of a fire.

No persons except firefighters, police officers, members of the governing body of the city, the owners of the subject property or their agents, and the agents of insuring companies shall be allowed within the immediate

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(Supp. No. 50)

vicinity of any fire without their presence being requested by the fire chief or the officer in charge at the time. Any person refusing to obey the orders and directions of the officer in charge of a fire, medical, or related emergency, may be charged with violation of this section and, upon conviction thereof, be punished for said violation of O.C.G.A § 16-10-24.1.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-28. Following fire apparatus prohibited.

The driver of any vehicle other than those on official emergency business related to the call shall not follow closer than 500 feet any fire apparatus traveling in response to a fire, medical call, alarm or any other emergency, or drive into or park such vehicle within the block where fire apparatus has stopped in response to an emergency or alarm. Any person refusing to obey the orders and directions of the officer in charge of a fire may be charged with a violation of this section and upon conviction thereof may be punished for violating the O.C.G.A § 40-6-49.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-29. Grossing fire hose prohibited.

No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street, roadway, or private driveway without the consent of the fire department official in command. Any person refusing to obey the orders and directions of the officer in charge of a fire may be arrested for a violation of this section and upon conviction thereof, be punished for the violation of County Ordinance 40-6-248.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-30. Rules and regulations for outdoor and open burning.

- (a) In this section, *open burning* means the disposal of combustible wastes by burning outside the confines of a building, incinerator, or container designed, equipped and functioning so as to reduce the production and dissemination of smoke or fumes to a level below that which would impair the health or comfort of the inhabitants of the city, and so as to prevent the emission of sparks.
 - (1) Combustible wastes shall include the combustible components of otherwise noncombustible items, such as automobile and truck bodies and shall include any ordinarily noncombustible material which is rendered combustible by the combining with it of highly combustible fuels.
 - (2) Open burning, without a permit, is prohibited and no person shall kindle or maintain any fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization except as follows:

Note: All required permits shall be obtained from the City of Kingsland.

- (b) *Recreation/cooking fire*: No permit or fee required for recreational purposes such as cooking food for immediate human consumption, e.g., camp fires, barbecues, grills etc.
- (c) *Firefighter training fires*: No permit or no fee required. Fires set for the purposes of training firefighting personnel should comply with the following:
 - (1) Any asbestos containing materials should be removed in accordance with the environmental protection division's regulations governing asbestos. Call (404) 363- 7032 for further information.
 - (2) Structures should be emptied of any materials in storage that may contain heavy oils, natural or synthetic rubber, furniture, appliances or solid waste.

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- (3) Weather conditions should be such that smoke and ashes will not linger in the area or the same do not blow into residential, shopping, educational or hospital areas.
 - (4) Residuals from the suppression and containment efforts are not allowed to run off into bodies of water, i.e., streams, ponds, swimming pools, etc.
 - (5) Training should be conducted no earlier than 9:00 a.m. and concluded by 4:00 p.m. (fall and winter), or 6:00 p.m. (spring and summer).
 - (6) The person in charge of any such firefighting training exercise should make a thorough investigation of the proposed evolution and the prevailing circumstances before commencing any such burning and continuously evaluate the evolution as needed. The person in charge of such firefighting training should obtain a release and consent to conduct such training from owner(s) of the property.
- (d) *Open flame-making equipment:* For the operation of devices using open flames such as asphalt kettles, blow torches, welding torches, portable heaters and other flame-making equipment, no permit or no fee required.
- (e) *Bonfires:* Permit required, no fee required. No person shall kindle or maintain any bonfire or authorize any such fire to be kindled or maintained on any private or public land unless the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading within 50 feet of any structure, or the fire is contained in an approved waste burner located not less than 15 feet from any structure. Bonfires shall be constantly attended by a competent person until such fire is extinguished. Such person shall have a garden hose connected to a water supply or other approved fire extinguishing equipment.
- Note: No flammable or combustible liquids shall be used to start this type of fire. Only paper, cardboard or kindling shall be used to start bonfires.
- (f) *Land clearing:* Permit required, no fee required. The applicant shall complete the burning permit application issued by the city fire department. The applicant shall submit a plat or site plan showing the proposed location of the pit and information relating to the proximity of any occupied or unoccupied structure. Such permit shall be valid for the duration of the open burning but in any event shall not be valid beyond two months from the date of issue.
- (1) *Air curtain destructor:* Pit fires are the only type of fires permitted for the purposes of land clearing. No aboveground fires are allowed in the city. All pit fires shall be operated in strict accordance with the "Air Curtain Destructor Operating Guide and Procedures" as published by the North Georgia Region Environmental Protection Division. Pit fires shall comply with the following requirements:
- a. The pit shall be at least 300 feet from any occupied or habitable structure or public road. Air curtain destructors used solely for utility line clearing or road clearing may be located at a lesser distance upon approval of the fire inspector.
 - b. Only wood wastes consisting of trees, logs, brush and stumps may be burned. Sawdust, other densely packed wood wastes, paper (any type), chemically treated, coated or impregnated wood, or non-wood construction materials cannot be burned.
 - c. No more than one "air curtain destructor" can be operated within a ten-acre area at one time, or there must be at least 1,000 feet between any two air curtain destructors. The air curtain destructor must be under the control of a trained operator at all times during operation.
 - d. Air curtain destructors must be able to pass an even, non-turbulent flow of air across the top of the pit. Air curtain destructors with an air duct or manifold that has been altered by bends, dents, holes, etc., and are incapable of providing an even and non-turbulent flow of air across the top of the pit shall not be approved for use.

- e. The air curtain destructor shall be operated in a manner to prevent air, land or water pollution, safety/health hazards or nuisances.
- f. Tires or other rubber products, plastics, heavy oils or asphaltic-based or impregnated materials shall not be used to start or maintain the operation of the air curtain destructor.
- g. No smoke emissions exceeding 40 percent opacity may be produced during operation except for a reasonable period during ignition and charging of the pit.
- h. When the pit is cleaned of ash, airborne particulate is to be minimized by wetting or mixing the ashes with dirt.
- i. Diesel fuel or kerosene may be used to start pit fires.
- j. The city has established the following operating procedures for air curtain destructors, in addition to those stated herein, and upon issuance of a permit for operation of an air curtain destructor, a copy of such procedures will be provided to the permit holder. A copy of such procedures is attached to Ordinance No. 1994-8 as Exhibit "A."

Note: The amount of dirt on or in the material being burned in such pit shall be minimized.

(g) *Burning restrictions:*

- (1) The city may prohibit any and all outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.
- (2) Burning shall be permitted on any given day of the year provided a permit has been issued by the City of Kingsland and/or the Georgia Forestry Commission.
- (3) No burning is permitted when prevailing winds are in the direction of populated areas.
- (4) No burning is permitted when there is fog, rain, or cloud bases that are diffused or ill-defined or for at least one day following the passage of a cold front.
- (5) No burning is permitted during an air pollution episode, such as an air pollution alert/warning/emergency declared by proper authorities.

Note: An air pollution episode occurs when the air contaminant concentration in an area is great enough to cause danger to public health.

- (h) *Enforcement:* The duly appointed fire inspectors of the city fire department are authorized to have all powers necessary to enforce this section, which includes the authority to issue or deny permits for open burning.
- (i) *Penalties:* Any person who shall violate any of the provisions of this section or fail to comply therewith shall for each and every such violation and noncompliance respectively, be guilty of a misdemeanor as defined by the state. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.
 - (1) First offense, written warning with: No fine
 - (2) Second offense, the fine shall be: \$100.00
 - (3) Third time and each reoccurring offense, the fine shall be: \$150.00
- (j) *Extinguishing of open burning:* The fire inspector and the personnel assigned to the city fire department shall have the authority to summarily extinguish any open burning which is in violation of any of the provisions of this section, and/or which constitutes an immediate threat to life and property.
- (k) *Appeals:* Any person aggrieved by an order, determination or permit revocation by the fire inspector may in writing appeal such order, determination or permit revocation within three business days to the City of

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Kingsland at P.O. Box 250, Kingsland, Georgia, 31548. In no event however, shall a pit fire or other open burning continue after the fire inspector has revoked such permit.

- (l) *Validity:* The mayor and city council hereby declares that should any section, subsection, sentence, clause or phrase of this section be for any reason held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this section.
- (m) *Liability:* Any officer charged with the enforcement of this section, acting for the applicable governing authority in the discharge of his or her duties, shall not hereby render themselves liable for any damages that may occur to persons or property as a result of any act required or permitted in the discharge of his or her duties pursuant to this section.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-31. Reserved.

Sec. 8-32. Burning of certain prohibited materials.

No material or substance which emits noxious or poisonous gases such as, but not limited to, nitrogen dioxide, hydrogen cyanide or chlorine or other poisonous gases that will not readily dissipate in the atmosphere may be burned within the city limits.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-33. Obstructing a fire station.

It shall be unlawful for any person to block any access route or put any obstruction of any nature in front of any fire station or location where fire service equipment is located that would or may impede the movement or response of said fire service equipment. This is a violation and upon conviction punishable under O.C.G.A § 40-6-203.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-34. False alarms.

No person shall intentionally make, turn in, or report a false alarm of fire or false report for police or ambulance assistance, or aid or abet in the commission of such an act.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-35. Response to malfunctioning alarms.

When emergency responses to a malfunctioning fire, medical, or similar alarm system, exceed two in a 12-month period, a fee shall be assessed for each additional incident. A fee of \$50.00 will be assessed for the third incident in a 12-month period; and a fee of \$100.00 will be assessed for each of the fourth through the sixth false alarms within that period.

Fees shall be payable to City of Kingsland. Failure to pay false alarm fees shall constitute a violation of a city ordinance and be subject to penalties as set forth in this article.

When emergency responses to a malfunctioning fire, medical, or similar alarm system, exceed six in a 12-month period, a citation will be issued and a minimum fine of \$100.00, but not exceeding \$1,000.00, shall be assessed per response.

Exception: The provisions of this section will not apply to newly installed residential fire or medical alarms for a period of 90 days following installation.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-36. Fire extinguishing equipment installation in restaurants or other facilities having cooking equipment.

- (a) Approved ventilation hoods and hood fire suppression equipment shall be installed in restaurants or other occupancies with food preparation facilities having cooking appliances capable of producing grease laden vapors, such as ranges, deep fat fryers, grills, broilers, or other similar appliances.
- (b) The standards for approval of such facilities shall be based on the fire code including NFPA 96 ventilation control and fire suppression of commercial cooking operations or an equivalent measure deemed acceptable to the fire marshal or assistant fire marshal.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-37. Family day-care homes.

Family day-care homes as defined by subsection (1) of this section shall meet all codes and standards applicable to day-care homes.

- (1) Family day-care homes, for purposes of the fire code, shall be defined as a day-care home in which more than three, but fewer than seven, clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day, generally within a dwelling unit.
- (2) Owners, their agents, or designees of all family day-care homes are required to submit plans and specifications and obtain the required fire permits prior to construction or renovation and, fire inspections, and a certificate of occupancy, prior to conducting business in accordance with this article.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-38. Designated fire lanes.

- (a) Streets or drives adjacent to the following locations shall have designated fire lanes.
 - (1) Any building of 22,500 square feet or more with storage facilities, except for storage warehouse occupancies which are equal to or greater than 80 percent of the total building area and which comply with subsection (b) of this section.
 - (2) Place of assembly with occupant load of 300 or more.
 - (3) The area five feet on each side of fire hydrants, fire department connections, and associated appliances used for fire protection.
 - (4) All points of exit from nursing homes, hospitals, multi-storied office buildings and places of assembly.

- (b) Buildings not required to have fire lanes, shall maintain fire service access according to applicable laws, ordinances, codes, and standards.
- (c) Where designated fire lanes are required, they shall meet the following criteria:
 - (1) The curbing shall be painted traffic yellow. Where curbing is not present, there shall be designated a 20-foot-wide, cross hatched, traffic yellow way of access kept free of obstructions.
 - (2) Signs meeting the specifications described in this article shall be spaced no less than 30 feet apart and legible from both directions of travel.
 - (3) Specifications for fire lane signs shall be as indicated on the official "specifications for fire lane signs" document maintained at fire plan review and in the office of the fire marshal. No parking—fire lane signs must meet the specifications of and be installed according to the manual of uniform traffic and control devices (MUTCD).
- (d) Building driveways shall be kept clear of any obstruction which would hinder access by fire services equipment

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-39. Unlawful ignition of combustible materials.

Any persons smoking or attempting to light or smoke a cigarette, cigar, pipe or tobacco in any form for which lighters, matches, flammable liquids or chemicals are used, and who sets fire to any bedding, furniture, curtains, drapes, house or household furnishings, in any hotel, rooming house or multi-family house, as a result of such smoking or attempting to smoke, shall be in violation of this article.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-40. Reporting of fires.

Any damage by fire having a total dollar value of \$200.00 or more shall be reported to the fire department within 24 hours.

(Ord. No. 2016-03, 5-9-2016)

Sec. 8-41. Fire watch.

- (a) The fire marshal, or his designee, shall have the authority to require standby fire personnel or an approved fire watch when potentially hazardous conditions or a reduction in a life safety feature exist due to the type of performance, display, exhibit, occupancy, contest or activity, an impairment to a fire protection feature, or the number of persons present.
- (b) The owner, agent, or lessee shall employ one or more qualified persons, as required and approved, to be on duty.
- (c) The cost of standby fire personnel shall be at no cost to the fire department.
- (d) Such standby fire personnel or fire watch personnel shall be subject to the orders of the fire marshal, or his designee, at all times and shall be identifiable and remain on duty during the times such places are open to the public, when such activity is being conducted, or while such impairment or condition remains, as required by the office of the fire marshal.

(Ord. No. 2016-03, 5-9-2016)

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Sec. 8-42. Crowd managers.

- (a) *Crowd managers:* Assembly occupancies having occupant loads of 100 or more shall be provided with a minimum of one trained crowd manager or crowd manager supervisor. Where the occupant load exceeds 250, additional trained crowd managers or crowd manager supervisors shall be provided at a ratio of 1:250, crowd manager/supervisor to occupants, respectively, unless otherwise permitted by the following:
- (1) This requirement shall not apply to assembly occupancies used exclusively for religious worship with an occupant load not exceeding 2,000.
 - (2) With the exception of assembly occupancies noted above where alcoholic beverages are consumed, the ratio of trained crowd managers to occupants shall be permitted to be reduced where, in the opinion of the authority having jurisdiction, the existence of an approved, supervised sprinkler system and the nature of the event warrant.
- (b) *Training.* The crowd manager shall receive training approved by the fire code official in crowd management techniques.

(Ord. No. 2016-03, 5-9-2016)

~~Secs. 8-43—8-70. Reserved.~~**Sec. 8-43. Penalties.**

Any person who shall violate any of the provisions of this article or fail to comply herewith, or who shall violate or fail to comply with any order made hereunder shall be subject to the penalties set forth in section(s) 8- 44 through section 8-47.

Sec. 8-44. Penalty for violation of chapter.

- ▲ a) Any person who shall violate any of the provisions of this chapter or fail to comply herewith, or who shall violate or fail to comply with any order made hereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved under this article, or any certificate or permit issued under this chapter, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City of Kingsland Mayor and Councilmembers or by a court of competent jurisdiction, within the time fixed therein, shall severally for each such violation and noncompliance, respectively, be guilty of a misdemeanor punishable by a fine not exceeding \$1,000.00, imprisonment in the county jail for a term not exceeding 60 days, or both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.
- b) The application of the penalty set out in this section shall not be held to prevent the enforced removal of prohibited conditions.

Sec. 8-45. Enforcement and penalties.

- ▲ a) Whenever the fire marshal shall have reason to believe that any individual is or has been violating any provisions of this article, he/she or his/her deputy or assistant may issue and deliver to the individual an

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order to cease and desist such violation. Any person who is guilty of such violation and who fails to comply with any order under this section may be punished by fine not exceeding \$1,000.00 and by imprisonment for not more than 60 days or any combination thereof. Violation of any provision of this article or failure to comply with a cease and desist order is cause for revocation of the businesses business license and certificate of operation until all such violations are cured.

Sec. 8-46. Prohibited acts.

- a) With the exception of premises covered by a fire alarm action plan, when 911 has been called requesting fire department response, it shall be unlawful for any person to silence and/or reset an activated fire alarm prior to the arrival of the fire department. No fire alarm shall be silenced or reset unless an approved fire alarm action plan is present at the panel.
- b) With the exception of an alarm which can reasonably be proven to have been caused or activated by unusually violent conditions of nature or by extraordinary circumstances not reasonably subject to control by the alarm user, it shall be unlawful for any person to cause or allow a false alarm.
- c) Except where dictated otherwise in writing by the fire marshal's office, it shall be unlawful to perform work on a fire alarm system without written approval from the fire marshal's office.
- d) When a building or space is occupied, no fire alarm system or portion of a fire alarm system shall be placed in a by-pass mode without an approved fire watch or standby fire personnel in accordance with section 8-41.

Sec. 8-47. Enforcement.

- a) Applicable to this section are the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to O.C.G.A. tit. 25, ch. 2 (O.C.G.A. § 25-2-1 et seq.), including all subsequent revisions thereof, hereby adopted by reference. The state minimum fire safety standards apply to all structures in the City of Kingsland except for one-family and two-family dwellings.
- b) Fees for silencing or resetting an alarm without prior approval.
 - 1. For the first violation of section 8-46(a) at any premises in a consecutive 12-month period, there shall be a minimum fee of \$150.00 assessed against the business and/or property owner;
 - 2. For the second violation of section 8-46(a) at any premises in a consecutive 12-month period, there shall be a minimum fee of \$250.00 assessed against the business and/or property owner;
 - 3. For the third violation of section 8-46(a) at any premises in a consecutive 12-month period, there shall be a minimum fee of \$500.00 assessed against the business and/or property owner; and
 - 4. For the fourth violation of section 8-46(a) at any premises in a consecutive 12-month period, there shall be a fee of not more than \$1,000.00 assessed against the business and/or property owner.
- c) Fees for false alarms.
 - 1. For the first two violations of section 8-46(b) at any premises in a consecutive 12-month period, there shall be no fee;

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2. For the third violation of section 8-46(b) at any premises in a consecutive 12-month period, there shall be a minimum fee of \$150.00 assessed against the business and/or property owner;
3. For the fourth violation of section 8-46(b) at any premises in a calendar year consecutive 12-month period, there shall be a minimum fee of \$250.00 assessed against the business and/or property owner; and
4. For the fifth and any subsequent violation of section 8-46(b) at any premises in a consecutive 12-month period, there shall be a fee of not less than \$500.00 nor more than \$1,000.00 assessed against the business and/or property owner.
- d) Collection of fees.
1. The assessment of such fees shall be made by the fire marshal against the business and/or property owner within three months from the date of the silenced, reset or false alarm. Notice of the fee assessment shall be in writing and delivered to the business and/or property owner. All fees are payable to the City of Kingsland and collected at the city payment center, 105 W. Williams Ave, or Kingsland Municipal Court, 531 N Lee St.
2. Payment of costs. Costs assessed pursuant to this article, including reasonable attorney fees, court costs and administrative costs shall be payable by the business and/or property owner. These costs shall be paid within 30 days of from the date of the notice of fees and shall bear interest at 1.5 percent per month from the date due and payable. All fees shall be collected for construction permits, certificates of occupancy, and other fire related permits, plan reviews, revisions, variances, certificates, re-inspections, and violations of adopted fire and life safety codes.
3. Liens and enforcement. In addition to any civil remedy allowed by law, the assessment of fee(s) under this article shall constitute a lien in favor of the city on any property, real or personal, owned by the person, firm, corporation, partnership or organization requesting or responsible for the special fire service, whether or not such lien is recorded in the land records, which lien shall be enforceable pursuant to O.C.G.A. § 48-4-78 for delinquent ad valorem taxes, and which lien may include all amounts due under this article. The city may proceed in a court of valid jurisdiction to collect any fees or monies remaining unpaid from a responsible party and shall have any and all other remedies provided by and subject to law for the collection of said charges. Redemption of the property from the lien may be made in accordance with the provisions of O.C.G.A. §§ 48-4-80 and 48-4-81.
4. Additional penalties. Any person who shall violate any of the provisions of this chapter or fail to comply herewith, or who shall violate or fail to comply with any order made hereunder may be subject to the penalties set forth in Code section 8-44.

Sec. 8-48. Powers and duties of fire marshal, delegation of authority.

- a) The fire marshal is charged with the duty and responsibility for enforcement of this article.
- b) Any authority, power or duty vested in the fire marshal by any provision of this article may be exercised, discharged or performed by any deputy, assistant or other designated individual acting in the fire marshal's name and by his delegated authority.

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c) The fire marshal may promulgate procedures to enforce the fire alarm regulations contained in NFPA 72 and section 8-1 of this article.

d) The fire marshal may prescribe any forms required for the administration of this article.

e) In the event of any conflict between this Code and the state minimum fire safety standards as adopted by the state, the more stringent code shall apply.

Sec. 8-49 – 8-70 Reserved.

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ARTICLE III. HAZARDOUS MATERIALS²

Sec. 8-71. Purpose.

The purpose of this article is to provide for the control and containment of hazardous materials after accident or discharge. The purpose of this article is not to impose upon the city, or any of its officers and agents, any obligation to secure or remove any hazardous materials from the city. Further, nothing in this article is intended to relieve any owner or person in possession of hazardous material of any obligation imposed by state or federal law. Specifically, nothing in this article shall be deemed to permit the possession, storage, or use of hazardous material, except in conformance with all state, federal, or local laws.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-72. Application.

This article shall apply to all incidents involving hazardous waste or hazardous materials within the boundaries of the city, and to all persons who may possess such materials found within the city. However, notwithstanding anything to the contrary stated herein, these ordinances shall not apply to the extent that they are pre-empted by federal or state legislation or regulations.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-73. Definitions.

For the purpose of this article, the following definitions apply:

Cleanup shall mean the management, control, containment, recovery, removal, or neutralization of any released hazardous material for the purpose of promoting or protecting public health or safety.

Hazardous materials shall mean those substances or materials in such quantity and form which may pose an unreasonable risk to health and safety or property. "Hazardous materials" may include, but are not limited to, explosives, radioactive materials, etiologic agents, flammable liquids and solids, combustible liquids or solids,

²Editor's note(s)—Ord. No. 2020-05, adopted June 8, 2020, amended the Code by adding provisions numbered as 8-43—8-43-11. In order to conform to the format used in this Code the editor has renumbered these provisions as herein set out.

poisons, oxidizing or corrosive materials, and compressed gases which are listed by the Materials Transportation Bureau of the United States Department of Transportation in Title 49 of the Code of Federal Regulations, and any amendment thereto.

Person shall mean any individual, corporation, partnership, trust, or other legal entity.

Responsible party shall mean any individual, partnership, corporation, association, trust, or other person who is wholly or partially responsible for the release of any hazardous material within the city.

User shall mean any person who manufactures, transports, owns, uses, handles, stores, or has the legal authority to control hazardous materials. The term "user" shall also mean and encompass any officers, directors, employees, or other agents of any person who manufactures, transports, owns, uses, handles, stores, or has the legal authority to control hazardous materials.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-74. Duty to report.

Any person who causes or has knowledge of any discharge or release (intentional or otherwise) of hazardous materials, in any manner which poses an actual or potential threat to people, animals, wildlife, vegetation, property, or the environment, shall immediately report the incident to the city fire department.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-75. Cleanup.

The user or transporter of a hazardous material which is intentionally or accidentally discharged or released within the city shall, in addition to reporting the accident as required by section 8-74, take immediate action to cause the discharge or release to be cleaned up in an environmentally safe and scientifically sound manner, and to restore the site and the surrounding environment.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-76. Intentional discharge or release.

The intentional discharge or release of a hazardous material within the city is strictly prohibited.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-77. Cost recovery.

- (a) Upon the completion of any cleanup or mitigation of hazardous materials (regardless of whether the discharge of such materials is intentional or accidental) in which city employees participated, all costs of the cleanup shall be itemized by each city department involved, including the fire department. Such costs shall include, but are not limited to:
- (1) Charges for each responding vehicle, including but not limited to vehicles utilized by the fire department, police department, code enforcement employees, and public works department.
 - (2) Replacement costs for equipment that is contaminated or otherwise damaged beyond reuse or repair.
 - (3) All personnel-related expenses incurred by the city, including but not limited to wages, salaries, fringe benefits, and insurance for full-time, part-time, and volunteer employees. These personnel-related

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expenses shall be calculated for the period beginning when the affected departments begin responding to the incident and shall continue until all city personnel have concluded all activities related to the hazardous materials.

- (4) Expenses of decontaminating and cleaning equipment.
 - (5) Technical consulting services specifically required as a result of the incident, including but not limited to technical experts or specialists not otherwise available to the city.
 - (6) Laboratory costs of analyzing samples taken during the incident.
 - (7) Costs of cleanup, storage, or disposal of the hazardous materials.
 - (8) Medical and hospital expenses incurred as a result of the incident.
 - (9) Legal, engineering, accounting billing, collection, and other administrative expenses incurred as a result of the incident, including but not limited to the costs of any actions to recover expenses pursuant to this article.
- (b) As soon as practicable, the city shall send to the responsible party or parties an assessment in the form of an invoice containing an itemized list of all expenses related to the cleanup or mitigation of the release. The assessment shall include a description of all incurred costs. The city shall make reasonable efforts to send assessments within 30 days of the date of discharge or release. If the city is unable to provide a complete assessment within that timeframe, then the city shall advise the responsible party or parties of the reason for the delay and the approximate date by which it can expect to receive a complete assessment and invoice.
 - (c) Each responsible party shall be jointly and severally liable to the city for the costs of the cleanup for which they are responsible. Such costs may be collected by any lawful means including, but not limited to, appropriate court proceedings. All funds received from responsible parties shall be forwarded to the finance officer for deposit in the city treasury.
 - (d) Any amounts remaining unpaid 30 days after issuance of an assessment shall bear interest at the highest rate permitted by law. Further, if the city or any other governmental agency that investigates a discharge determines that the owner of the real property upon which the abatement of the emergency took place was responsible for the discharge of hazardous materials thereon, then any charges not paid within 30 days of the issuance of the assessment shall be a lien upon the land or premises where the abatement took place.
 - (e) If a responsible party contests an assessment, he/she shall have ten days from receipt of same to serve a written notice of appeal on the city manager. A hearing shall be held and a written decision made by the city manager within 15 days thereafter. If the party is not satisfied with the decision of the city manager, the matter shall be placed on the agenda for the next regular meeting of the city council for further consideration. A final decision shall be made within 15 days thereafter.
 - (f) Any and all costs recovered from a responsible party shall be separate from and in addition to any penalty that may be assessed for any violation of any provision of this article. Any and all costs recovered pursuant to this article from a responsible party shall likewise be separate from and in addition to any penalties, fines, or other charges imposed under state or federal law.
 - (g) The minimum charges for hazardous-materials emergency responses on behalf of the city shall be based upon the following schedule:
 - (1) Emergency response vehicles:
 - a. Ladder truck, per hour \$300.00
 - b. Engine, per hour \$250.00
 - c. Command type vehicle, per hour \$100.00

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- d. Service vehicle, per hour\$150.00
- e. Police response vehicle, per hour\$75.00
- (2) For activities requiring specialized equipment and/or specialized personal safety protection, charges shall be calculated with reference to EPA/OSHA protection levels based on EPA protective ensembles, as follows:
 - a. Level A, per man hour\$200.00
 - b. Level B, per man hour\$150.00
 - c. Level C, per man hour\$100.00
 - d. Level D, per man hour\$50.00
- (3) Emergency clean-up containment response:
 - a. Manpower: Same as above.
 - b. Absorbents: Normal resupply fee.
- (4) Contaminated equipment. A responsible party shall be financially responsible for replacement of any routine or specialized equipment that becomes contaminated during response, containment, abatement, and recovery efforts.
- (5) Personnel. Reimbursement for personnel utilized during any response, containment, abatement, and recovery efforts shall be at VA times their hourly pay rate(s) except as annotated below:
 - a. Department head, per hour: \$ 50.00
- (6) Other types of vehicles:
 - a. Track hoe, per hour\$250.00
 - b. Back hoe, per hour\$200.00
 - c. Dump truck, per hour\$100.00
 - d. Hauler, per hour\$150.00
 - e. Vac-Con, per hour\$250.00
 - f. Crew trucks, per hour\$50.00

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-78. Penalties.

- (a) Any person who fails to report a discharge or release as required by section 8-74 shall be assessed a penalty not to exceed \$1,000.00. Each 24-hour period during which the incident is not reported shall constitute a separate violation.
- (b) Any person who intentionally discharges or releases, or causes another to discharge or release, any hazardous materials from their safe container in any manner which poses an actual or potential threat to people, animals, wildlife, vegetation, property, or the environment, shall be assessed a penalty not to exceed \$1,000.00.
- (c) Any person who fails to take any action required by this article shall be assessed a penalty not to exceed \$1,000.00. Each 24-hour period during which a person fails to take an action required by section 8-75 shall constitute a separate violation.

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(Ord. No. 2020-05, 6-8-2020)

Sec. 8-79. Use of costs and penalty collected.

- (a) The city shall establish a special account for the purpose of depositing and holding any costs or penalties collected under this article. This account shall be utilized to provide additional training, equipment, and materials to aid in the mitigation of further incidents and releases. This account will be known as the hazardous materials mitigation fund, and will be administered in coordination with the finance department.
- (b) All costs and penalties collected under this article shall be placed in the hazardous materials mitigation fund.
- (c) Unless the proceeds of such funds are utilized for citywide training to enhance the hazardous material emergencies capabilities of the city, all city departments responding to the incident will be eligible for funding from this account, based upon amount of invoiced charges.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-80. Emergency operations.

The fire chief of the city or his designated representative shall take, and be in control of, any actions necessary to mitigate a hazardous materials incident within the city, except where state or federal agencies have jurisdiction by law.

(Ord. No. 2020-05, 6-8-2020)

Sec. 8-81. Enforcement.

The fire chief of the city or his designated representative(s) shall be responsible for enforcing this article.

(Ord. No. 2020-05, 6-8-2020)

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City Council
107 South Lee Street
Kingsland, GA 31548

SCHEDULED

AGENDA ITEM (ID # 4654)

Meeting: 01/13/25 06:00 PM

Department: City Clerk

Category: Miscellaneous

Prepared By: Jean Seigler

Initiator: Jean Seigler

Sponsors: Mayor Pro Tem Alex Blount

DOC ID: 4654

Discussion - Georgia House Bill 581 - The Local Opt -Out Floating Homestead Exemption & Floating Local Option Sales Tax (FLOST)

Discussion regarding Georgia House Bill 581, its implications for local governance, and potential impacts on city operations.