

**CITY OF PINE LAKE, GEORGIA
REGULAR MEETING AGENDA
MAY 27, 2025 @ 6:00PM
COURTHOUSE & COUNCIL CHAMBERS
459 PINE DRIVE, PINE LAKE, GA 30072**

NOTE: All attendees are reminded to silence cellular phones and other devices that may cause interruption of the session proceedings.

CALL TO ORDER – REGULAR MEETING

ANNOUNCEMENTS/COMMUNICATIONS

ADOPTION OF THE AGENDA OF THE DAY

ADOPTION OF THE MINUTES

- **April 29, 2025 – Regular Meeting**
- **May 13, 2025 – Work Session**
- **May 21, 2025 – Town Hall Meeting**

PUBLIC COMMENTS – 3 minutes each please

PROCLAMATIONS

1. Georgia Municipal Court Clerk Week
2. National Public Works Week
3. Purple Heart City

CONSENT AGENDA

1. Resolution R-2025-30, Street Sweeping Program
2. Resolution R-2025-31, Local Road Assistance (LRA) Funding
3. Resolution R-2025-32, LakeFest Memorandum of Understanding (MOU)
4. Resolution R-2025-33, Pride Lake Memorandum of Understanding (MOU)
5. Resolution R-2025-34, Task Order 001 Proposal: Clean Water Act (CWA) Section 404 Permit and Buffer Variance Application
6. Resolution R-2025-37, Agreement for DJ/Music Entertainment Services -- Juneteenth Celebration

NEW BUSINESS

1. Resolution R-2025-35, Acceptance of Bid for Auditing Services, Auditor Request for Proposal (RFP) Award
2. Resolution R-2025-36, 2025 Property Tax Millage Rate Process
3. Ordinance to Amend Chapter 16, Public Nuisances

PUBLIC COMMENTS – 3 minutes each please

REPORTS AND OTHER BUSINESS

- **Mayor**
- **City Council**

Information for the Pine Lake News "e-blast"

EXECUTIVE SESSION

ADJOURNMENT

MAYOR

Brandy Hall

COUNCIL MEMBERS

Jean Bordeaux, Mayor pro tem
Jeff Goldberg
Tom Ramsey
Thomas Torrent
Augusta Woods

CITY OF PINE LAKE

425 ALLGOOD ROAD
P.O. BOX 1325
PINE LAKE, GA 30072

404-999-4901

www.pinelakega.net

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
April 29, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

Call to Order: Mayor pro tem Bordeaux called the Regular Meeting to order at 6:00PM.

Present:, Mayor pro tem Bordeaux, Council Members Jeff Goldberg, Tom Ramsey, Thomas Torrent, and Augusta Woods. Also present were City Manager Stanley Hawthorne, Chief of Police Sarai Y'hudah-Green, City Attorney Chris Balch, Public Works Director Bernard Kendrick, Finance Director Danny Lamonte, and Assistant City Clerk Ned Dagenhard. Mayor Brandy Hall was not in attendance.

Announcements and Communications

Mayor pro tem Bordeaux informed the public that, on behalf of Mayor Hall, she had attended the April 10th Mayor's Retreat hosted by DeKalb County CEO Lorraine Cochran-Johnson. The Retreat focused on issues related to water and sewer repairs, tech infrastructure, public safety, and the increasing un-homed population. Additionally, the DeKalb Planning Commission, Ms. Bordeaux continued, would be holding a meeting on May 6th to discuss a Land Use Permit Application by Murphy's Oil for construction of a fuel station, which the Council and other parties have alleged would further contribute to pollution events related to Snapfinger Creek.

The Mayor pro tem added that the Pine Lake Juneteenth Celebration would be taking place on June 21st from 10:00AM-2:00PM at the Beach House and Lake Recreation Area.

Adoption of the Agenda of the Day

Council Member Woods moved to adopt the Agenda of the Day; Council Member Torrent seconded.

No discussion took place.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
April 29, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

Consent Agenda

- 1. Adoption of the Minutes**
 - **March 25, 2025 – Regular Meeting**
 - **March 28, 2025 – City Council Spring Planning Retreat**
 - **April 9, 2025 – Work Session**
- 2. Resolution R-2025-15, Appointment of Acting City Clerk**
- 3. Resolution R-2025-16, Establishment of Sperate Bank Account for DeKalb Intergovernmental Agreement, Additional \$2,000,000 SPLOST Funds**
- 4. Resolution R-2025-17, Georgia Interlocal Risk Management Agency (GIRMA) Insurance Renewal**

Council Member Ramsey motioned to approve the Consent Agenda; Council Member Woods seconded.

No discussion took place.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
April 29, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

New Business

1. Resolution R-2025-18, HB 581 / HB 92 Estimated Roll Back Tax Rate

Council Member Ramsey motioned to approve Resolution R-2025-18; Council Member Torrent seconded.

City Manager Hawthorne summarized action taken within the Georgia General Assembly, which resulted in the legislation HB 92. Mr. Hawthorne stated that while much of the purpose and direction offered from this legislation remains unclear, the Georgia Municipal Association has recommended that local governments adopt their current millage rate of 19.400 mills as their “estimated rollback rate,” since the bill does stipulate that the established rollback rate cannot be greater than the estimated rollback rate.

Council Member Torrent inquired whether executing a resolution setting an estimated rollback rate for the City was required at the present meeting. City Attorney Balch responded that unless City Council could schedule a Special Call meeting prior to the May 12th deadline to submit a signed-resolution to the DeKalb County Tax Commissioner’s Office, action would indeed be required at the present meeting. Mr. Balch added that staff was recommending immediate action, since it was unlikely any further deliberation would reveal additional information.

Mayor pro tem Bordeaux asked if—under the assumption that values have increased in the past year—it could be expected that the actual rollback rate is less than 19.400 mills. City Manager Hawthorne replied in the affirmative. The Mayor pro tem then asked whether that rollback rate would be calculated using the same metrics as previous years. City Attorney Balch responded that the answer remains unknown, citing various interpretations of Georgia tax law.

Council Member Ramsey inquired—recalling comments made during the GMA *Zoom* meeting also attended by Council Member Goldberg—as to whether inaction was an option. City Manager Hawthorne responded in the affirmative, but cautioned that the current millage rate would be used anyway, and further added that the calculation would likely present confusion to the individual tax bill recipients. The City Manager continued that he did not anticipate recommending a millage increase this year.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
April 29, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

2. Resolution R-2025-19, Fiscal Year (FY) 2025 Budget “Modifications” Amendment

Council Member Torrent motioned to approve Resolution R-2025-19; Council Member Goldberg seconded.

City Manager Hawthorne reminded City Council that the modifications amendment had been in process since adoption of the Fiscal Year (FY) 2025 Budget in December of 2024, adding that recommendations had been included in the April 2025 Strategic Performance Report (SPR). The City Manager concluded by summarizing each fund account.

Finance Director Danny Lamonte and City Manager Hawthorne proceeded in engaging in highly technical explanation of the City’s finances, fielding questions from City Council.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

3. Resolution R-2025-20, Community Service Agreement

Council Member Torrent motioned to approve Resolution R-2025-20; Council Member Ramsey seconded.

Chief Green detailed for City Council a program through the Georgia Department of Community Affairs (DCA), which would allow individuals with court-mandated Community Service to fulfill their hours-requirement by assisting the Pine Lake Public Works Department (*Note: this program would not operate through or alongside Pine Lake Municipal Court*). Chief Green stated that the program participants would be selected by the DCA program lead based on criteria relayed by the City.

Council Members inquired about a cost-benefit analysis related to time expensed overseeing program participants. Chief Green stated that the program would begin with a 30-day trial period, following which Pine Lake Police Department and Public Works would provide City Council with an update.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
April 29, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

4. Resolution R-2025-28, Engineer Contractual Agreement

Council Member Goldberg motioned to approve Resolution R-2025-28; Council Member Torrent seconded.

Public Works Director Kendrick informed City Council that, following a request-for-proposal (RFP) for Engineering Services, three (3) firms provided complete proposals. A panel consisting of Mr. Kendrick, the City Manager, and the Acting City Clerk held interviews with each of the firms. At the conclusion of these interviews, the panel unanimously recommended AECOM.

Mr. Kendrick fielded questions from City Council regarding project timelines and availability of AECOM staff.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

5. Resolution R-2025-21, Tennis Court Rehabilitation Project Award

Council member Torrent motioned to approve Resolution R-2025-21; Council Member Ramsey seconded.

Public Works Director Kendrick presented a quote for resurfacing and rehabilitating the Pine Lake Tennis Court area. Mr. Kendrick recommended a hybrid court which would offer movable tennis and pickleball nets.

A discussion took place regarding ADA compliance, as well as whether pickleball would present a noise nuisance, which Mayor pro tem Bordeaux suggested in reference to issues within neighboring cities.

Further discussion took place regarding providing bathroom facilities on site at the tennis court complex. City Attorney Balch suggested revisiting this issue on the front end, citing a movement and trend toward onsite bathroom facility provision, but not a directive.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
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6. Resolution R-2025-22, Holiday Lighting

Council Member Ramsey motioned to approve Resolution R-2025-22; Council Member Goldberg seconded.

Public Works Director Kendrick presented a quote for holiday lighting, which included a custom Pine Lake logo, electrical work along the inner berm, and rehabilitation of the pole light receptacle and photocells.

Council Member Torrent questioned the fiduciary responsibility of approving the quote(s). This led to deliberation within City Council, with rebuttals including citing electrical infrastructure work and corrective actions.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

7. Resolution R-2025-23, The *Americans with Disabilities Act* (ADA) Remediation Project

Council Member Ramsey motioned to approve Resolution R-2025-23; Council Member Torrent seconded.

Public Works Director Kendrick outlined a proposal for remediating city-maintained areas to be compliant with the Americans with Disabilities Act (ADA). Mr. Kendrick added that DeKalb County would be performing sidewalk improvement work at Aberdeen Drive and Rockbridge Road, presenting an opportunity to “piggy-back,” a method which involves creating addendums to contracts approved by a neighboring government to accomplish local projects at a lower cost.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
April 29, 2025 at 6:00 PM
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8. Resolution R-2025-24, Facility Roof Replacements Project

Council Member Torrent motioned to approve Resolution R-2025-24; Council Member Goldberg seconded.

Public Works Director Kendrick strongly recommended approval of the proposal to replace roofs at all City-owned facilities, save for the Beach House. Mr. Kendrick continued by cautioning to City Council that the City's facilities are categorized as "demolition by neglect," adding that immediate action was required as an investment recapture.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

9. Resolution R-2025-25, Snapfinger Creek Tree Removal

Council Member Goldberg motioned to approve Resolution R-2025-25; Council Member Torrent seconded.

Public Works Director Kendrick recapitulated previous conversations regarding ownership of the stretch of Snapfinger Creek along Park Drive, which had previously been considered under the purview of DeKalb County. Mr. Kendrick explained that following the 2011 lake dredging project, the City effectively assumed responsibility for that portion of Snapfinger Creek, and thus was responsible for removal of the portion of a fallen tree that fell within the creek parameters. Mr. Kendrick recommended approval of the cost proposal.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
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**10. Resolution R-2025-26, Rehabilitation/Remediation of 462 Clubhouse, AKA
“Old City Hall”**

Council Member Torrent motioned to approve Resolution R-2025-26; Council Member Woods seconded.

Public Works Director Kendrick described various issues within the facility located at 462 Clubhouse Drive, as well as utility of the building going forward. Mr. Kendrick recommended approval of the cost proposal that would effectively rehabilitate the facility. Additionally, Mr. Kendrick informed City Council that they may expect a future proposal to include construction of an auxiliary storage area attached to the building, for shared use by City departments and the Pine Lake Association for Involved Neighbors (P.L.A.I.N.), who have previously used the facility to store items for their “little food pantry” initiative.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

11. Resolution R-2025-27, Equipment Purchases, Public Works Department

Council Member Woods motioned to approve Resolution R-2025-27; Council Member Ramsey seconded.

Public Works Director Kendrick recommended approval of (2) quotes, which would allow for procurement of a Ford Maverick and Special Car Company “caryy-all” vehicle. Mr. Kendrick presented the utility of these vehicles, with the former being a more appropriate alternative to the current Public Works 2016 Ford F-250, which demands frequent service. The carry-all vehicle, Mr. Kendrick stated, would serve the function of traversing the wetlands areas, as well as providing support during City events.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
REGULAR MEETING MINUTES
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12. Resolution R-2025-29, Position Classification and Pay Plan

Council Member Torrent motioned to approve Resolution R-2025-29; Council Member Goldberg seconded.

City Manager Hawthorne introduced the item by reflecting on multiple conversations held during City Council meetings since January wherein the Position Classification and Pay Plan merits were discussed. Mr. Hawthorne reiterated its importance, citing the Charter requirements as well as “doing right by” employees and stakeholders.

Council Member Ramsey expressed strong support, applauding the Carl Vinson Institute, the recommended party to administer the study.

Mayor pro tem Bordeaux called for a vote.

All members voted in favor, and the motion carried.

Reports and Other Business

Council Member Ramsey offered congratulations to the newly-appointed Acting City Clerk Ned Dagenhard.

Council Member Goldberg informed City Council that a planning meeting had taken place with staff regarding an upcoming Town Hall. Following discussion, a consensus was observed for the Town Hall to take place May 21st from 6:30-8:00PM at the Pine Lake Courthouse.

Council Member Torrent informed City Council that he would be attending the GMA Small Cities Conference in Tifton, receiving a attendance fee grant for the second year in a row.

Adjournment

A motion for adjournment was made at 9:03PM.

Ned Dagenhard
City Clerk or Delegate

**CITY OF PINE LAKE
WORK SESSION MINUTES
May 13, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

Call to Order: Mayor Hall called the Work Session to order at 6:00PM.

Present:, Mayor Brandy Hall, Mayor pro tem Bordeaux, Council Members Jeff Goldberg, Tom Ramsey, Thomas Torrent, and Augusta Woods. Also present were City Manager Stanley Hawthorne, Chief of Police Sarai Y’hudah-Green, City Attorney Chris Balch, Public Works Director Bernard Kendrick, and Administrative Coordinator Missye Varner. Finance Director Danny Lamonte and Acting City Clerk Ned Dagenhard were not in attendance.

Announcements and Communications

Mayor Hall congratulated Public Works Director Kendrick on his one-year “workiversary,” adding that the City is in better hands than when he started.

The Mayor continued that the Pollination Celebration event had been successful, thanking Administrative Coordinator Missye Varner and other members of the ad hoc planning committee.

Adoption of the Agenda of the Day

Council Member Woods moved to adopt the Agenda of the Day; Council Member Torrent seconded.

No discussion took place.

Mayor Hall called for a vote.

All members voted in favor, and the motion carried.

**CITY OF PINE LAKE
WORK SESSION MINUTES
May 13, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

New Business

1. Code Enforcement Chapter Rewrite Draft

City Attorney Balch explained the timeline for potential adoption of a Code Enforcement Chapter rewrite. Mr. Balch stated that the draft before City Council offered a broader alternative to the current Code, expanding enforceability.

The City Attorney proceeded to summarize proposed changes within the draft, largely based around property maintenance. Other aspects of the conversation included fishing, abandoned vehicles, and absentee ownership of buildings. Adjudication and fine schedules, and the role of the municipal court judge, was also discussed.

No action was taken by City Council.

2. Property Tax Calculator: Understanding Property Taxes

City Manager Hawthorne presented a plethora of information related to property tax calculations, including comparisons with other states as it relates to assessed value calculation.

No action was taken by City Council.

3. A Proposed Resolution to Establish a Tiered Property Tax Relief Program for Senior Citizens Based on Income Levels by Council Member Ramsey

Council Member Ramsey proposed a resolution draft, which would permit the City staff to perform an impact study related to potential tiered property tax relief for senior citizens. Upon citing vagueness related to certain figures such as median home value, a consensus was not observed to move forward. Citing this, Council Member Ramsey requested discontinuing discussion. However, Mr. Ramsey, the Mayor, and members of Council expressed a desire to revisit the issue in a future meeting.

No action was taken by City Council.

**CITY OF PINE LAKE
WORK SESSION MINUTES
May 13, 2025 at 6:00 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

4. First Task Order Recommendations: AECOM, City's Engineering Consultant

Public Works Director Kendrick proposed the first task order for AECOM, which would allow AECOM and the City to pursue modification of the Army Corps of Engineers Nationwide 3 Permit ahead of reparative designs for the Eastern Wetland system.

A discussion took place related to the cost proposal, project timeline, as well as what actions may take place following response from the Army Corps of Engineers.

No action was taken by City Council.

Adjournment

Council Member Ramsey motioned for adjournment was made at 8:57PM.

Ned Dagenhard
City Clerk or Delegate

**CITY OF PINE LAKE
TOWN HALL MEETING MINUTES
May 21, 2025 at 6:30 PM
Courthouse & Council Chambers
459 Pine Drive, Pine Lake, GA**

Call to Order: Mayor Hall called the Town Hall Meeting to order at 6:30PM.

Present:, Mayor Brandy Hall, Mayor pro tem Bordeaux, Council Members Jeff Goldberg, Tom Ramsey, Thomas Torrent, and Augusta Woods. Also present were City Manager Stanley Hawthorne, Public Works Director Bernard Kendrick, and AECOM Project Manager Shahid Jamil, and Acting City Clerk Ned Dagenhard.

Town Hall

A Town Hall was held for the purpose of both informing the public on the status of lake and wetland maintenance, as it relates to the need to modify the City's Army Corps of Engineers Nationwide 3 Permit prior to the City's Engineering contracted partner, AECOM, designing reparative measures, beginning with the Eastern Wetlands.

Additionally, the Town Hall offered an opportunity for the Public Works Director Bernard Kendrick and AECOM Project Manager Shahid Jamil to hear directly from residents regarding their concerns and priorities.

No action was taken by City Council.

Adjournment

The Town Hall adjourned at 8:31PM.

Ned Dagenhard
City Clerk or Delegate

CITY OF PINE LAKE

A PROCLAMATION

MUNICIPAL COURT CLERKS WEEK JUNE 9-13, 2025

WHEREAS: Municipal Court Clerks play a significant role in ensuring that municipal courts preserve public safety and promote quality of life in the City of Pine Lake and local municipalities across the state; and

WHEREAS: The procedures for the Pine Lake Municipal Court operations are set forth by the Uniform Rules of Municipal Court and other laws of the State of Georgia; and

WHEREAS: More people encounter Municipal Court Clerks than all other city services, and public impression of the Pine Lake judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS: Municipal Court Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS: The Pine Lake Municipal Court is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us; Municipal Court Clerks act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS: It is most appropriate that we recognize the accomplishments and significant role the Municipal Court Clerks play in preserving the public confidence, integrity and impartiality of the judiciary; now

THEREFORE, I Brandy Hall, Mayor of the City of Pine Lake, do recognize the week of June 9-13, 2025, as Municipal Court Clerks Week and further extend appreciation to our Municipal Court Clerk, and all Municipal Court Clerks and Court Administrators for the vital services they perform and their exemplary dedication to the communities they represent and serve.

SO PROCLAIMED this ____ day of _____ 2025.

Mayor

Attest:

Acting City Clerk

Proclamation

CELEBRATING NATIONAL PUBLIC WORKS WEEK

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of Pine Lake, Georgia; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Pine Lake, Georgia to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association,

BE IT NOW RESOLVED,

I, Mayor Brandy Hall, with the concurrence and agreement of the City Council for the City of Pine Lake, do hereby recognize the week of May 18–24, 2025, as National Public Works Week. We urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed.

DONE at the City of Pine Lake, Georgia this 27th day of May 2025.

Brandy Hall
Mayor

City Seal

Proclamation

WHEREAS, the City Pine Lake, Georgia has a great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the United States Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces has been vital in maintaining the freedoms and way of life enjoyed by all our citizens; and

WHEREAS, the Purple Heart is the oldest military decoration in present use and was initially created as the badge of Military Merit by George Washington in 1782; and

WHEREAS, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United States Armed Forces who were wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly make sure we never forget their historic deeds; and

WHEREAS, the City of Pine Lake, Georgia appreciates the sacrifices our Purple Heart recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support they have earned.

NOW, THEREFORE, the Mayor and City Council of the City of Pine Lake, Georgia do hereby proclaim **Pine Lake, Georgia**, as

A PURPLE HEART CITY

by honoring the service and sacrifice of our nation's men and women in uniform wounded or killed while serving to protect the freedoms enjoyed by all Americans.

SO PROCLAIMED, whereof, I have here unto set my hand to and
Caused the Seal of the City of Pine Lake, Georgia to be
Affixed, this 27th day of May 2025.

CITY SEAL

Brandy Hall, Mayor

COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager

DATE: May 27, 2025

TITLE: Street Sweeping Program

RECOMMENDATION

Approve resolution accepting cost estimate of \$7065 from Pateco Services for street sweeping services of 23 municipal streets and curb bumping to remove accumulated sediments once per month.

BACKGROUND

The Public Works Department proposes a comprehensive Street Sweeping Program that includes the following key elements to ensure effective planning, operation, and maintenance:



Core Elements of a Street Sweeping Program

1. Objectives and Goals

- Reduce pollutants and debris in stormwater runoff
- Improve road safety and aesthetics
- Comply with environmental regulations [for example, municipal separate storm sewer systems (MS4) permits]
- Extend pavement life (occur prior to paving operations in July)

2. Route Planning and Scheduling

- Mapping of all streets to be swept
- Frequency (seasonal)
- Prioritization (All 23 streets)

3. Public Communication

- Notification systems (signage, websites, texting alerts)
- Parking enforcement coordination
- Public education on program purpose

4. Debris Disposal and Waste Tracking

- Collection, transport, and proper disposal of debris
- Recording types and volumes of collected material

5. Monitoring and Reporting

- Performance metrics (for example, miles swept, debris collected)
- Compliance with regulatory agencies

6. Environmental Compliance

- Stormwater management integration
- Documentation for permit compliance [for example, national pollutant discharge elimination system (NPDES)]

RESOURCE IMPACT

The not to exceed first year cost of the program is \$7,065.

ATTACHMENTS

Resolution

Cost Estimate and Streets Exhibit

A RESOLUTION AUTHORIZING AND APPROVING A CONTRACT WITH PATECO SERVICES FOR ANNUAL STREET SWEEPING OF ALL STREETS IN THE CITY OF PINE LAKE

WHEREAS, The Governing Authority approved the Capital Improvement Plan; and

WHEREAS, That plan includes an annual program of sweeping the streets and curbs of all roads within Pine Lake; and

WHEREAS, The City solicited bids and estimates from at least 3 vendors, but only one responded, rendering this service a sole source provider; and

WHEREAS, PATECO Services provided a detailed bid and estimate for the sweeping of all streets in the City as well as “curb bumping,”;

NOW THEREFORE, BE IT RESOLVED by the Governing Authority of the City of Pine Lake, Georgia, that the Estimate provided by PATECO Services is approved and expressly authorized and PATECO Services is requested to begin work as soon as final contract documents are signed by the City, in a total amount not to exceed \$7,065.00.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute any necessary documents or agreements to give effect to this Resolution.

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May, 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

Estimate

for
Pine Lake
470 Clubhouse Drive
Pine Lake, GA 30072



PATECO SERVICES

The Most Trusted Name In Commercial Services

P.O. Box 4027
Suwanee, GA 30024
770-545-8735

Patecoservices.com

Estimate No. 22164 Issued on Fri Aug 16, 2024

Qty	Name	Description	Rate	Amount	Tax
1	Sweeping	sweeping services 1 x per month Beaver Road 290 ft Ridge Drive 1820 ft Orchid Drive 1691 ft Dahlia Drive 1546 ft Park Drive 1258 ft Ivy Road 730 ft Olive Road 696 ft Laurel Road 722 ft Grove Road 312 ft Iris Road 865 ft King Drive 317 ft Spruce Drive 3229 ft LakeShore Drive 1841 ft Oak Drive 224 ft Dogwood Road 1150 ft Forest Road 1186 ft Poplar Road 1251 ft Hemlock Drive 1499 ft Magnolia Drive 1488 ft ClubHouse Drive 1895 ft Pine Drive 1455 ft Spring Drive 1517 ft Oak Road 1103 ft	\$1,700.00	\$1,700.00	NON
1	Curb bumping	@ \$500 a mile	\$5,365.00	\$5,365.00	NON

tax	\$0.00
estimated total	\$7,065.00


Signature:
Signature Date:

THANK YOU for considering Pateco Services, LLC



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager 

DATE: May 27, 2025 Work Session

TITLE: Local Road Assistance Administration Funds (LRA) Application

RECOMMENDATION

Approve resolution to apply for the 2025 Local Road Assistance Administration (LRA) funds.

BACKGROUND

The Georgia Department of Transportation (GDOT) announced that the Governor and the Legislature included Local Road Assistance Administration (LRA) funds in the amended State Fiscal Year 2025 Budget. The LRA funds will be administered and distributed using the Local maintenance and improvement Grants (LMIG) Application System. Eligible activities/projects for LRA funds will be the same as the LMIG program. LRA funds require no local match.

The annual LMIG allocation is based on the total centerline road miles for each local road system and the total population of each county or city as compared with the total statewide centerline road miles and total statewide population.

For an application to be processed, the following requirements must be met:

- A local government must be in audit compliance with the Department of Audits and Accounts (DOAA). A local government must also be in compliance with the Department of Community Affairs (DCA) minimum standards under the Georgia Planning Act, related to immigration and the Service Delivery Strategy law. (A non-compliant local government may start a draft application and then submit it once the local government is compliant.)
- A signed cover letter must be attached that includes the completion status of the last three fiscal years' LMIG Grants.
- A signature page must include both the local government seal and the notary seal.

RESOURCE IMPACT

The City of Pine Lake's formula amount is \$15,026.95.

ATTACHMENTS

Resolution:

**A RESOLUTION AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO
APPLY FOR FUNDS FOR ROADWAY IMPROVEMENTS FROM THE GEORGIA
DEPARTMENT OF TRANSPORTATION LOCAL ROAD ASSISTANCE GRANT
PROGRAM**

WHEREAS, The State of Georgia through the Department of Transportation (“GDOT”) administers the Local Road Assistance Administration (“LRA”) to provide funds to cities and counties for the purpose of improving and maintaining local streets and rights of way; and

WHEREAS, GDOT has released funds to be applied to the program and is accepting applications for those funds; and

WHEREAS, The City Council finds and concludes that seeking and utilizing grant funds from the State for paving and roadway repair saves local tax dollars for other City priorities; and

WHEREAS, The City Council wishes to express its support for the application for these funds and commit to accepting them once released by the State;

NOW THEREFORE, BE IT RESOLVED by the Governing Authority of the City of Pine Lake, Georgia, the City Manager, or his designee, is authorized to apply for the GDOT LRA program funds on behalf of the City of Pine Lake.

BE IT FURTHER RESOLVED that the Governing Authority of the City of Pine Lake commits and agrees to accept the funds available pursuant to the LRA Grant Program, and commits to the acceptance of any and all conditions imposed on the use of those funds by GDOT.

BE IT FURTHER RESOLVED that any and all resolutions or any part thereof in conflict with this resolution are hereby repealed this Resolution shall be effective immediately upon its adoption.

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:


NED DAGENHARD
Assistant City Clerk

CHRISTOPHER D. BALCH
City Attorney



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager 

DATE: May 27, 2025

TITLE: LakeFest 2025 Memorandum of Understanding (MOU)

RECOMMENDATION

Staff recommends that City Council adopt Resolution R-2025-32, approving the MOU between the City of Pine Lake and Pine LakeFest, Inc. , for the purpose of facilitating LakeFest 2025 (hereon referred to as *LakeFest*).

BACKGROUND

Each year, the City of Pine Lake partners with Pine LakeFest, Inc. to permit the Fall festival known as "LakeFest." Through an agreement between both parties known as a Memorandum of Understanding, the City provides sponsorship for the event, as well as waiver of the facility rental fee (Beach House). Additionally, the City agrees to provide certain services related to Public Works and Public Safety.

RESOURCE IMPACT

As part of the City's FY2025 Budget Adoption in December of 2024, a line item specifying sponsorship for LakeFest was renewed in the amount of \$500. Human capital is also to be expensed in preparation of the event, and during the two-day event itself.

ATTACHMENTS

Resolution R-2025-32
LakeFest MOU

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PINE LAKE AND
PINE LAKE FEST, INC., FOR THE PERFORMANCE OF SERVICES, AND AUTHORITY TO
UTILIZE CITY PROPERTY AND INFRASTRUCTURE AT NO CHARGE FOR THE
PRODUCTION OF PINE LAKE FEST

WHEREAS, the City of Pine Lake (“Pine Lake”) is a Georgia Municipal Corporation, authorized and existing under the laws of the State of Georgia, and

WHEREAS, Pine Lake Fest, Inc., (“PLF”) is a non-profit corporation organized and existing under the laws of the State of Georgia and exempt from taxes pursuant to Section 501(c)(3) of the Internal Revenue Code of the United States, and

WHEREAS, Pine Lake and PLF (collectively “the Parties”) have negotiated a memorandum of understanding by which PLF provides certain services and Pine Lake makes various properties and infrastructure available at no charge for the production of Lake Fest, and

WHEREAS, the Governing Authority expressly finds and recognizes that Lake Fest provides an important community service for the Citizens and Residents of the City and further that the work and benefits of PLF supply important services and performance to Pine Lake which cannot be translated into dollar benefits.

WHEREAS,

NOW THEREFORE, the Governing Authority of the City of Pine Lake, in an open and public meeting, approves the Memorandum of Understanding (“MOU”) with PLF and authorize the Mayor to sign the MOU with Pine Lake Fest, attached to this Resolution as Exhibit A, and to execute and sign any other document which is necessary to give effect to this Resolution,

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May, 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

Memorandum of Understanding (MOU)

This constitutes a Memorandum of Understanding (MOU) between the City of Pine Lake (City) and Pine LakeFest Inc, (LakeFest) to be held October 11 and 12, 2025 in the City of Pine Lake. LakeFest is a Georgia nonprofit corporation exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

Each of the parties agrees to the following terms and conditions:

Pine Lakefest Inc. will:

- PLAN, ORGANIZE and EXECUTE an arts festival along Lakeshore Drive, Pine Lake, including soliciting sponsorships, scheduling musical performances and appropriate community events, and arranging for vendors providing art and crafted goods. Lakefest will also arrange for licensed and insured food and beverage vendors to sell products at the arts event at their own risk.
- PROVIDE sufficient appropriate volunteers to safely operate the arts event and ensure that all city property and facilities are left in clean and undamaged condition.
- ARRANGE parking and transportation to limit parking along City streets by attendees of LakeFest.
- APPLY for all required permits and FULLY COMPLY with all terms and conditions of City's Property/Business Owner's Rental Agreement for the Beach House and the City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings, understanding that this MOU is an addendum to both such Agreement and Permit.
- FILE for a temporary liquor license, acquire a state permit, provide the City with a list of volunteer bartenders, accompanied by a certificate of training and proof of age (already on file).
- FULLY COMPLY with all ordinances and rules of the City of Pine Lake, including but not limited to the City's sign ordinance, and all applicable state laws.

- PUBLICIZE the City as a sponsor of LakeFest on all promotional materials and printed matter.
- COLLECT and BAG all trash on a periodic basis and deposit into wheeled trash containers provided by the City. Containers will be wheeled to the curb by 9pm, Sunday, October 12, 2025.
- SUPPLEMENT pay for off-duty officers and reserve officers at a rate of \$45/hour minus the rate of hourly wage regularly paid to each officer by the City of Pine Lake.
- SUPPLEMENT shall be applicable to all off-duty or reserve police officers to provide services for the event on October 10 & 11, 2025, working in two (2) five-hour shifts each day (10am - 3pm and 3pm - 8 pm). PAYMENT shall be made to the City by October 1, 2025. The attached chart (Exhibit A) is provided as a guide to these projected costs, but is not binding, with a provision that the City must communicate changes greater than 10% before September 1, 2025.
- PROVIDE through a private security contractor at least one (1) security officer working a ten-hour shift on Friday night, October 10, 2025, from 9pm until Saturday Oct 11 at 7am, and a ten-hour shift on Saturday night, October 11, 2025, from 7pm until Sunday Oct 12 at 9am. Lakefest shall be liable for any injuries, claims, actions or damages by or to such security contractor or officer.
- NOTIFY in writing all residences along Lakeshore Drive of upcoming Lakefest and road closures no later than October 1, 2025. Lakefest will also collaborate with the City to include this information in the Pine Lake News BLast, or other regular communications to the residents.
- MAINTAIN insurance sufficient, and list the City as an additional insured, to cover any claims or liabilities arising from any aspect of LakeFest including, but not limited to, the indemnity and hold harmless provision above, the sale of food and alcoholic beverages, and the use of volunteers.

The City of Pine Lake will:

- MAKE the Beach House, located at 4580 Lakeshore Drive available to LakeFest from 6pm Thursday, October 9, 2025, until Tuesday, October 14, 2025, at noon in accordance with the terms and conditions of the Beach House and the City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings. Because the City is a sponsor of LakeFest, LakeFest will not be charged for use of Beach House during the period stated above.
- MAKE the Beach House, located at 4580 Lakeshore Drive available for LakeFest volunteer and planning meetings, subject to availability, for up to fourteen (14) meetings, one monthly plus 2 special called, in accordance with the terms and conditions of City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings. Because the City is a sponsor of LakeFest,

LakeFest will not be charged for use of Beach House during the event, as approved.

- NOT USE any chairs or tables stored at the Club House.
- DIRECT City Public Works employees to remove from storage and make available to LakeFest all traffic control equipment (barriers and cones) and install an accessibility ramp at Clubhouse and Lakeshore as directed by LakeFest. Public Works also agrees to the following schedule:

By 10/7/25: Electrical Check

By 10/8/25: Leave extra garbage bags in Beach House, and place barricades

By 10/9/25: Install Handicap Ramp by Club House Drive, add old picnic tables to east end of park, stage garbage cans on the eastern end, attend to Lakeshore curbs, and blow Lakeshore Drive by noon

By 10/10/25: Rake Beach

- CLOSE Lakeshore Drive between Hemlock and Spring Streets, from Friday October 10, 2025, at 6pm until Sunday, October 12, 2025, at 9pm.

- PROVIDE a one-time financial contribution in the amount of \$500 to LakeFest by September 1, 2025 to support its charitable activities and service to the city, subject to applicable laws and budgetary approval.

Effective this ____ day of _____, 2025.

Brandy Hall, Mayor
City of Pine Lake

Kathie DeNobriga, President
Pine LakeFest, Inc.

Attest: _____

Ned Dagenhard, Acting City Clerk
City of Pine Lake

Approved as to Form: _____


Chris Balch, City Attorney
City of Pine Lake

Stanley Hawthorne, City Manager
City of Pine Lake



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager 

DATE: May 27, 2025

TITLE: Addendum to Pine Lake Association for Involved Neighbors (P.L.A.I.N.) Memorandum of Understanding (MOU), Regarding *Pride Lake 2025*

RECOMMENDATION

Staff recommends that City Council adopt Resolution R-2025-33, approving an addendum to the existing MOU between the City of Pine Lake and P.L.A.I.N., for the purpose of facilitating *Pride Lake 2025*.

BACKGROUND

Each year, the City of Pine Lake partners with P.L.A.I.N. and the organization known as *Pride Lake*, to present a festival celebrating the LGBTQ+ community. The festival is a one-day affair consisting of a vendor walk and parade. The addendum to the MOU with P.L.A.I.N. establishes an agreement between P.L.A.I.N. and the City, wherein the City assists in scheduling presence of off-duty officers (paid-for by P.L.A.I.N.), and traffic-control measures, specifically during a parade “around the berm.”

RESOURCE IMPACT

Human capital is to be expensed in preparation of and during the one-day event, involving Public Works and Public Safety. The City does not incur any direct cost associated with facilitation of *Pride Lake 2025*.

ATTACHMENTS

Resolution R-2025-32
Addendum to MOU with P.L.A.I.N.

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PINE LAKE AND
PINE LAKE ASSOCIATION OF INVOLVED NEIGHBORS (“PLAIN”), FOR THE
PERFORMANCE OF SERVICES, AND AUTHORITY TO UTILIZE CITY PROPERTY AND
INFRASTRUCTURE AT NO CHARGE FOR THE PRODUCTION OF PINE LAKE LGBTQ+
PRIDE FESTIVAL

WHEREAS, the City of Pine Lake (“Pine Lake”) is a Georgia Municipal Corporation, authorized and existing under the laws of the State of Georgia, and

WHEREAS, Pine Lake Association of Involved Neighbors (“PLAIN”) is a non-profit corporation organized and existing under the laws of the State of Georgia and exempt from taxes pursuant to Section 501(c)(3) of the Internal Revenue Code of the United States, and

WHEREAS, Pine Lake and PLF (collectively “the Parties”) have negotiated a memorandum of understanding by which PLAIN provides certain services and Pine Lake makes various properties and infrastructure available at no charge for the production of Lake Fest, and

WHEREAS, the Governing Authority expressly finds and recognizes that Lake Fest provides an important community service for the Citizens and Residents of the City and further that the work and benefits of PLAIN supply important services and performance to Pine Lake which cannot be translated into dollar benefits.

WHEREAS,

NOW THEREFORE, the Governing Authority of the City of Pine Lake, in an open and public meeting, approves the Memorandum of Understanding (“MOU”) with PLAIN and authorize the Mayor to sign the MOU with Pine Lake Fest, attached to this Resolution as Exhibit A, and to execute and sign any other document which is necessary to give effect to this Resolution,

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May, 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

Addendum to Memorandum of Understanding (MOU)

This constitutes an Addendum to the Memorandum of Understanding (MOU) between the City of Pine Lake (City) and the Pine Lake Association of Involved Neighbors (PLAIN) regarding the PrideLake festival to be held September 13th, 2025 in the City of Pine Lake. PLAIN is a Georgia nonprofit corporation exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

Each of the parties agrees to the following terms and conditions:

PLAIN will:

- PLAN, ORGANIZE and EXECUTE an LGBTQ+ Pride festival along Lakeshore Drive, Pine Lake, including soliciting sponsorships, scheduling musical performances and appropriate community events, and arranging for vendors providing art and a variety of goods. PLAIN will also arrange for licensed and insured food and beverage vendors to sell products at the Pride event at their own risk.
- PROVIDE sufficient appropriate volunteers to safely operate the Pride event and ensure that all city property and facilities are left in clean and undamaged condition.
- ARRANGE parking and transportation to limit parking along City streets by attendees of PrideLake.
- APPLY for all required permits and FULLY COMPLY with all terms and conditions of

City's Property/Business Owner's Rental Agreement for the Beach House and the City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings, understanding that this MOU is an addendum to both such Agreement and Permit.

- FILE for a temporary liquor license, acquire a state permit, provide the City with a list of volunteer bartenders, accompanied by a certificate of training and proof of age (already on file).

- FULLY COMPLY with all ordinances and rules of the City of Pine Lake, including but not limited to the City's sign ordinance, and all applicable state laws.

- PUBLICIZE the City as a sponsor of PrideLake on all promotional materials and printed matter.

- COLLECT and BAG all trash on a periodic basis and deposit into wheeled trash containers provided by the City. Containers will be wheeled to the curb by 10pm, Saturday, September 13, 2025.

- ARRANGE with the City for two off-duty police officers or reserve duty officer to work one six-hour shift (2:00 p.m.-8:00 p.m.) on September 13, 2025 at an off-duty rate of \$45/hour. PAYMENT shall be made no later than September 13, 2025.

- NOTIFY in writing all residences along Lakeshore Drive of upcoming PrideLake and road closures no later than September 6, 2025. PLAIN will also collaborate with the City to include this information in the Pine Lake News Blast, or other regular communications to the

residents.

- MAINTAIN insurance sufficient, and list the City as an additional insured, to cover any claims or liabilities arising from any aspect of PrideLake including, but not limited to, the indemnity and hold harmless provision above, the sale of food and alcoholic beverages by third-party vendors, and the use of volunteers.

The City of Pine Lake will:

- MAKE the Beach House, located at 4580 Lakeshore Drive available to PLAIN from 6pm Friday, September 12, 2025, until Sunday, September 14, 2025, at noon in accordance with the terms and conditions of the Beach House and the City's Permit for Outdoor Festivals and/or Use of Public Lands and Buildings. Because the City is a sponsor of PrideLake, PLAIN will not be charged for use of Beach House during the period stated above.

- NOT USE any chairs or tables stored at the Beach House.

- CLOSE Lakeshore Drive between Magnolia and Pine Drive, except for residents of Lakeshore Drive, from 7:00 a.m. until 9:00 p.m. September 13, 2025.

- CLOSE Lakeshore, Park Drive, and Spruce Drive intermittently, for parade beginning at 4pm and ending at 4:30pm.

Effective this ____ day of _____, 2025.

Brandy Hall, Mayor
City of Pine Lake

Calvin Burgamy, President
Pine Lake Association of Involved
Neighbors

Attest: _____
Ned Dagenhard, Acting City Clerk
City of Pine Lake

Thomas Torrent, HBIC
PrideLake, Inc


Approved as to Form: _____
Chris Balch, City Attorney
City of Pine Lake

Stanley Hawthorne, City Manager
City of Pine Lake



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager 

DATE: May 27, 2025

TITLE: Task Order 001 Proposal: Clean Water Act (CWA) Section 404 Permit and Buffer Variance Application

RECOMMENDATION

Approve resolution authorizing AECOM to complete Task Order 001 Proposal - 404 Nationwide Permit and Buffer Variance Application.

BACKGROUND

Section 404 of the Clean Water Act (CWA) regulates the discharge of [dredged or fill material](#) into [waters of the United States](#), including wetlands. It requires a permit from the [U.S. Army Corps of Engineers](#) (or a state with an approved program) for such discharges, unless an exemption applies. This includes activities that bring navigable waters into a use they were not previously subject to, potentially impacting flow or circulation.

The Pine Lake City Council approved AECOM as on call engineering consultant at its April 29, 2025 meeting. AECOM will review the current Nationwide 3 permit to develop options for the proposal of work for the construction of improvements to the wetlands system as it impacts the lake. AECOM will also participate in a town hall meeting to discuss the methodology involved in securing Army Corps of Engineers permit modification and design approvals.

RESOURCE IMPACT

The upset cost limit for Task Order 001 Proposal is not to exceed \$64,976.

ATTACHMENTS

Resolution
AECOM Task Order 001 Proposal

**A RESOLUTION AUTHORIZING AND APPROVING TASK ORDER #1 WITH AECOM
FOR ENGINEERING SERVICES RELATED TO THE EXTENSION AND
MODIFICATION OF THE PERMIT FROM THE UNITED STATES ARMY CORPS OF
ENGINEERS TO AUTHORIZE WORK AND MAINTENANCE OF THE WETLANDS
AND WATERWAYS ASSOCIATED WITH PINE LAKE**

WHEREAS, On April 29, 2025, the Governing Authority of the City of Pine Lake approved and authorized a Master Services Agreement with national engineering firm AECOM, Inc.; and

WHEREAS, The Master Services Agreement anticipates the execution of Task Orders to authorize specific work to be performed by AECOM pursuant to the rates and schedule contained in the Master Agreement; and

WHEREAS, The City's Nationwide Permit 3 from the U.S. Army Corps of Engineers is due to expire in the next 12 months; and

WHEREAS, The Task Order provides authority for AECOM to review the existing permit, examine the issues to be addressed in and around the Lake, and to offer options, methods, and solutions for working with the Corps of Engineers to modify the existing permit to allow necessary maintenance and other work in and around the lake to be performed;

NOW THEREFORE, BE IT RESOLVED by the Governing Authority of the City of Pine Lake, Georgia, that Task Order # 1 is approved and expressly authorized and AECOM is requested to begin work on the Task Order, in a total amount not to exceed \$64,976.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute any necessary documents or agreements to give effect to this Resolution.

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of April, 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

April 29, 2025
transmitted via email

Bernard Kendrick
Public Works Director
City of Pine Lake
425 Allgood Road
Pine Lake, GA 30072
bernardkendrick@pinelakega.net

**Task Order 001 Proposal - 404 Nationwide Permit and Buffer Variance Application
On-Call Engineering Services for City of Pine Lake**

Dear Bernard:

AECOM Technical Services, Inc. (AECOM), appreciates the opportunity to submit our draft proposal for Task Order 001 – 404 Nationwide Permit and Buffer Variance Application.

Proposed Scope of Services

Based on our discussions the following scope of work has been considered for Task Order 001. It is to be noted that once we review the available documentation / the authorization the City has already obtained we will be to discuss the required scope in detail with yourselves. The scope includes the following:

1. AECOM anticipates the project will be authorized by the United States Department of the Army, Corp of Engineers (USACE) to perform work under a Clean Water Act Section 404, Nationwide Permit (NWP) 3 for Maintenance Activities. AECOM also anticipates the project will require a buffer variance from the EPD.
2. AECOM will review the current NWP 3 authorization obtained by the City of Pine Lake to determine if the proposed work will be allowed under that authorization. If the proposed work is not authorized under the existing NWP 3 authorization, AECOM will prepare and submit the Pre-construction Notification to the USACE for authorization for the proposed work under NWP 3.
3. AECOM will review the current buffer variance obtained by the City of Pine Lake to determine if the proposed work will be allowed under that authorization. If the proposed work is not authorized by the previously obtained buffer variance, AECOM will prepare and submit the buffer variance application to the GAEPD for approval to perform the proposed work.
4. AECOM will conduct background research of relevant published and online information sources to field surveys to identify potential ecological resources within the study area. These findings will be included in an Ecology Memo. Sources may include United States Department of the Interior, United States Geologic Survey (USGS) topographic maps, National Wetland Inventory (NWI) maps, and United States Department of Agriculture, Natural Resources Conservation Service (NRCS) soil survey maps of DeKalb County. Prior to visiting the proposed project site, ecologists will review the United States Department of the Interior, Fish and Wildlife Service (FWS) Information for Planning and Consultation (IPaC) website, FWS Georgia Ecological Services Field Office – Southeast Region Hydrologic Unit Code Level 10 (HUC 10) Watershed Reports, and the Georgia Natural Archaeological Historical Resources Geographic Information System (GNAHRGIS) Ecology Review and Surveys Module to identify protected species that could potentially occur within the immediate watershed and area.

5. AECOM will complete field surveys to assess and document the presence of ecological resources such as habitat/land use within the project boundaries, and presence and location of jurisdictional and state waters, protected species habitat, and other ecological resources. Jurisdictional wetland determinations will be performed using the three-parameter approach (hydrophytic vegetation, hydric soils, and hydrology) as described in the 1987 USACE Wetland Delineation Manual and utilize the 2014 Eastern Mountains and Piedmont Regional Supplement as guidance. Stream classifications will be performed using the North Carolina Division of Water Quality (NC DWQ) Methodology for Identification of Intermittent and Perennial Streams and Their Origins, Version 4.11.
6. State waters will be delineated using the EPD 2017 Field Guide for Determining the Presence of State Waters that Require a Buffer. Wetland and stream boundaries will be field located with connectively numbered flags and the location of each wetland flag will be captured using sub-meter Global Positioning System (GPS) data collectors. Suitable protected species habitat will also be located using sub-meter GPS data collectors. Photo documentation and narrative descriptions of each wetland and the overall habitat will be captured in the field.
7. Surveys for protected species habitat will be conducted using approved survey methodologies and/or appropriate resource agency recommendations to assess habitat suitability. This scope does not include surveys for presence/absence of protected species. If such surveys are required, those surveys would be performed under an additional scope with a change order proposal.
8. AECOM will perform a desktop survey for potential cultural (historic and/or archaeological) resources. The results of the desktop survey will be documented in a memo to support the Preconstruction Notification (PCN) for the NWP 3.
9. If necessary, AECOM will also attend up to two site visits (one with the USACE and one with the EPD) with up to two AECOM staff attending each visit. AECOM will prepare meeting minutes for these site visits. AECOM will respond to up to two rounds of requests for additional information (RAI) from both the USACE and the EPD.
10. If necessary, AECOM will also attend up to three virtual meetings. These meetings may be conducted with the USACE, the EPD, local municipality personnel, etc. regarding permit aspects of the project; it is assumed that up to two AECOM staff will attend this meeting. AECOM will prepare meeting minutes for these meetings.

Proposed Fee

AECOM effort for this TASK Order 001 for proposed scope of services is:

Task	Description	Hours	Fee
1	404 Nationwide Permit and Buffer Variance Application	433	\$64,976
Total		433	\$64,976

Breakdown of hours and associated fees are included here in Appendix A. This work will be performed on a time and materials basis in accordance with the terms and conditions of AECOM's consulting services agreement. AECOM will not exceed the estimated total fee without prior authorization from the City.

Schedule

Project schedule details will be provided after reviewing the authorization the City has already obtained and tasks required to submit application.



If you should have any questions during your review of this proposal, or if you desire additional information, please contact me at 404.295.6087 (tina.houston@aecom.com) or Shahid Jamil at 404.330.7068 (shahid.jamil@aecom.com).

Sincerely,

A handwritten signature in blue ink that reads "Tina S. Houston".

Tina S. Houston
Vice President, Water CI, GA/AL/TN
AECOM Technical Services, Inc.

A handwritten signature in blue ink that reads "Shahid Jamil".

Shahid Jamil
Project Manager

Attachment A
Task Order Budget

TASK ORDER - 001
Pine Lake Nationwide Permit
Task Order Budget

Task	Project Manager	Permitting Lead	Permit Coordinator	ENG III	ENG II	Total
	\$226	\$229	\$191	\$189	\$125	
Project Management	34					34
Information Review and Cultural Resource Memo		1		18	54	73
Environmental Field Work and Ecology Memo		1	22		80	103
USACE NWP 3 Pre-Construction Notice			18		60	78
EPD Buffer Variance Application		1	24		72	97
Meetings with USACE & EPD (3 virtual, 2 site walks)	3		12		26	41
Progress meetings with the City (3 virtual)	3	1	3			7
Subtotal Hours	40	4	79	18	292	433
Subtotal Cost	\$9,040	\$916	\$15,089	\$3,402	\$36,529	\$64,976

A RESOLUTION APPROVING THE CONTRACT AND AUTHORIZING THE MAYOR TO
EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE PROVISION OF DJ
SERVICES FOR THE PINE LAKE JUNETEENTH FESTIVAL, AND FOR OTHER
PURPOSES

WHEREAS, the City of Pine Lake ("Pine Lake) is a Georgia Municipal Corporation, authorized and existing under the laws of the State of Georgia, and

WHEREAS, the Governing Authority of the City of Pine Lake has previously authorized the creation and funding of a celebration of the Juneteenth Liberation Day, and

WHEREAS, the City desires in the performance of this public event to provide entertainment and musical accompaniment for the Celebration, and

WHEREAS, the Governing Authority expressly finds and recognizes that that .

NOW THEREFORE, the Governing Authority of the City of Pine Lake, in an open and public meeting, approves the contract with ENTERTAINMENT TO REMEMBER DJ SERVICES, LLC, in the amount of \$200 for the purpose of providing music and entertainment at the Pine Lake Juneteenth Celebration, that the Mayor is authorized to sign any and all documents necessary to give effect to this resolution, and the Acting City Clerk is authorized, in conjunction with the City Attorney, to correct any scrivener's errors in this Resolution.

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

DJ Services Agreement

- 1. THE PARTIES.** This agreement ("Agreement") is entered into as of May 25th, by and between:

DJ: Entertainment To Remember DJ Services, LLC
with the e-mail address of Entertainment.To.Remember@gmail.com
and:

Client: City of Pine Lake, Georgia, Attention: Stanley Hawthorne, City Manager

The DJ and Client shall be referred to as the "Parties" and agree as follows:

2. EVENT DETAILS.

Name of Event: City of Pine Lake Juneteenth Celebration
Date of Event: June 21st 2025
Location of Event: Pine Lake Beach House, 4580 Lakeshore Drive,
Pine Lake, GA 30072
Event Start Time: 10:00 AM
Set up: Any time after 9:00 AM
End Time: 2:00 PM
Type of Event: Outdoor Festival

3. SERVICES.

The DJ agrees to:

- Provide music for client's event during hours outlined above. DJ will choose music within the following parameters:
 - Family Friendly
 - Classics from various genres Soul, R&B. some hip Hop
 - Our audience will tend to be over 40, so heavy on "vintage" artists such as Aretha Franklin, Marvin Gaye, Stevie Wonder, James Brown, Whitney Houston, Chaka Khan
- Be prepared to play specific music to be provided by Line Dance Instructor, Alexis Jones, who will be given your contact information.
- Make announcements and act as a general emcee.
- Verbally encourage excitement and participation in the crowd.
- Provide audio equipment required, including a microphone for other participants who may need to speak.

4. PAYMENT.

- Client will pay DJ the sum of \$200.
- Payment will be made using an official city check or other satisfactory payment device on the day of the event.
- If the event is cancelled for weather or any other reason, DJ will be paid \$100.

5. EQUIPMENT.

Provide audio equipment required, including a microphone for other participants who may need to speak. The Client will provide an adequate power supply and covered area to setup.

6. FORCE MAJEURE. Neither party shall be held liable for any delay or failure to perform due to causes beyond their reasonable control, including but not limited to acts of God, war, strikes, or natural disasters.

7. MISCELLANEOUS.

a.) Photo/Video Consent. The DJ may take photographs or videos of the event for promotional purposes unless the Client requests otherwise in writing.

b.) Requests. The DJ will make reasonable efforts to play music requests but makes no guarantees to have specific songs available.

8. GOVERNING LAW. This Agreement shall be governed by and construed under the laws of the State where the venue is located.

9. ADDITIONAL TERMS. None

10. AMENDMENTS. This Agreement may only be amended in writing and signed by both Parties.

11. ENTIRE AGREEMENT. This Agreement contains the entire agreement of the Parties and supersedes all prior negotiations, understandings, and agreements between the Parties.

DJ Signature:

Manson Miller "DJ Masen"

per email agreement dated _____

Client Signature: Brandy Miller, Mayor

per email agreement dated _____



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager

DATE: May 27, 2025

TITLE: Auditor Request for Proposal (RFP) Award

RECOMMENDATION

Approve resolution awarding a contract for professional audit services to McNair McLemore Middlebrooks & Co as the sole response received to the City of Pine Lake's Request for Proposals Number 25-100 contingent upon the successful completion of favorable reference checks by the City's Purchasing Agent and Finance Director.

BACKGROUND

The City of Pine Lake received one responsive proposal to its Request for Proposals Number 25-100 for Professional Audit Services. The proposal came from McNair, McLemore, Middlebrooks & Co., LLC out of Macon, Georgia.

The company cites their correct understanding that the City sought proposals from qualified, independent certified public accounting firms for financial and compliance audits for the fiscal years ending December 31, 2024 through December 31, 2026. The audits are to be conducted in accordance with auditing standards generally accepted in the United States of America, promulgated by the American Institute of Certified Public Accountants (AICPA) and in accordance with the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States of America.

McNair, McLemore, Middlebrooks & Co., LLC is a local accounting firm with offices in Macon and Perry, Georgia with an origin dating back to 1940. The firm has 22 partners and approximately 125 employees. The firm has a government audit department that only focuses on providing services to cities, counties, regional commissions, and other governmental authorities. The firm currently services over 75 governmental audit clients.

RESOURCE IMPACT

The proposal received is for an annual amount of \$27,500; however, the current budgeted amount for audit services is \$17,000.

ATTACHMENTS

Resolution
Response to Request for Proposals NO. 25-100
Cost response to Proposal

Stanley D Hawthorne
City Manager
stanleyhawthorne@pinelakega.net
425 Allgood Road Stone Mountain GA 30083
PO Box 1325 • Pine Lake, GA 30072 • 404-999-4932
www.pinelakega.net

**A RESOLUTION CONFIRMING THE RECOMMENDATION OF THE APPOINTMENT
OF A CITY AUDITOR, TO AUTHORIZE THE CORRECTION OF SCRIVENER'S
ERRORS, AND FOR OTHER PURPOSES**

WHEREAS, The City of Pine Lake is a duly incorporated municipal corporation under the laws of the State of Georgia; and

WHEREAS, The City of Pine Lake is subject to the controls and regulations of the Georgia Department of Community Affairs related to the means and manner of control of funds taken into its treasury and the expenditure of those funds on public purposes; and

WHEREAS, The Charter requires the City Manager to recommend the hiring of a City Auditor to the Mayor and for the City Council to confirm that recommendation, Charter at ¶ 3.14(a); and

WHEREAS, The City Manager has recommended David McCoy of the firm, McNair, McLemore, Middlebrooks & Co., to the Mayor to be retained as the Auditor for the City; and

NOW THEREFORE, BE IT RESOLVED by the governing authority of the City of Pine Lake, Georgia, in an open and public meeting that the City Manager's recommendation of David McCoy as City Auditor for Pine Lake is accepted and confirmed, and

BE IT FURTHER RESOLVED, that the compensation for Mr. McCoy's work as City Auditor shall be \$27,500 per year for the Fiscal Years ending December 31, 2024, ; December 31, 2025, and December 31, 2026, for a total contract cost of \$82,500 over the three year term of this Agreement, and

BE IT FURTHER RESOLVED that the City Clerk, in consultation with the City Attorney, shall be empowered to make such changes as may be necessary to this Resolution to give full effect to the intent of the Council in its passage.

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May, 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Assistant City Clerk

CHRISTOPHER D. BALCH
City Attorney



MCNAIR MCLEMORE MIDDLEBROOKS & CO

CERTIFIED PUBLIC ACCOUNTANTS



Response to Request for Proposals NO. 25-100 Professional Audit Services

May 16, 2025

Contact Persons:

David C. McCoy, Partner

Kurt Hardison, Supervisor

Marqukia S. Gayle, Supervisor

McNair, McLemore, Middlebrooks & Co., LLC

P.O. Box 1

Macon, GA 31202-0001

(478) 746-6277

Email: dmccoy@mmmcpa.com



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Attachments

- A. Peer Review Report
- B. Additional Data
- C. Mandatory Pre-Qualification Form



MCNAIR MCLEMORE MIDDLEBROOKS & CO

CERTIFIED PUBLIC ACCOUNTANTS

389 Mulberry Street | Macon, Georgia 31201
Post Office Box One | Macon, Georgia 31202
478-746-6277 | mmmcpa.com

May 16, 2025

To the Honorable Mayor and Council of the City of Pine Lake, Georgia.

We are pleased to submit the following proposal for annual financial audit services for the **City of Pine Lake, Georgia**. We believe our proposal will convey our philosophy that client service and satisfaction matter most. Our objective is to provide quality and timely services that exceed your expectations.

We understand that the City of Pine Lake, Georgia is requesting proposals from qualified, independent certified public accounting firms for financial and compliance audits for the fiscal years ending December 31, 2024, through December 31, 2026. The audits are to be conducted in accordance with auditing standards generally accepted in the United States of America, promulgated by the American Institute of Certified Public Accountants (AICPA) and in accordance with the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States.

If a Single Audit is required as part of the annual audit, the audit shall be performed in accordance with American Institute of Certified Public Accountants (AICPA) Standards, Government Auditing Standards, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 (Uniform Grant Guidance (UGG)) Subpart F.

We will meet or exceed all timing requirements and all terms and conditions, as outlined in the Request for Proposal.

David C. McCoy is a partner with McNair, McLemore, Middlebrooks & Co., LLC and is authorized to make representations and authorizations on behalf of the firm. David is also assigned responsibility for the quality of the report and working papers. David's email is dmccoy@mmmcpa.com. The firm's address is P.O. Box One, Macon, Georgia 31202 and our telephone number is (478) 746-6277.

The remainder of this proposal sets forth more details about our firm and the specific services we will provide. Please contact us if you have further questions about this proposal.

Please contact us if you have further questions.

Respectfully,

McNair, McLemore, Middlebrooks & Co., LLC
McNAIR, MCLEMORE, MIDDLEBROOKS & CO., LLC.



INDEPENDENCE

In accordance with our professional standards and ethics and requirements of *Government Auditing Standards*, McNair, McLemore, Middlebrooks & Co., LLC affirms independence of the City of Pine Lake, Georgia. We will maintain an independence of mental attitude in all matters related to this engagement and, further, in accordance with professional ethics established by the American Institute of Certified Public Accountants, McNair, McLemore, Middlebrooks & Co., LLC affirms that no member of the Firm has any direct or indirect business or investment relationship with the City of Pine Lake, Georgia and that no member of the Firm has any family relationships with council, management or staff members of the City.

LICENSE TO PRACTICE IN GEORGIA

McNair, McLemore, Middlebrooks & Co., LLC and all partners and key professionals are licensed to practice in the state of Georgia.

FIRM QUALIFICATIONS AND EXPERIENCE

McNair, McLemore, Middlebrooks & Co., LLC is a local accounting firm with offices in Macon and Perry, Georgia with an origin dating back to 1940. The firm has 22 partners and approximately 125 employees. **The firm has a governmental audit department that only focuses on providing services to Cities, Counties, Regional Commissions, and other governmental authorities. The firm currently services over 75 governmental audit clients.** All partners, supervisors and staff assigned to the audits will be from our Macon office.

The clients of McNair, McLemore, Middlebrooks & Co., LLC represent nearly all facets of the economic spectrum, located throughout the Southeast. Our current clientele includes multiple sectors, including:

- Commercial businesses
- Financial institutions
- Governmental units
- Hospitals
- Insurance companies
- Law firms
- Non-profit organizations
- Numerous individuals
- Nursing homes
- Universities
- Utility industry

McNair, McLemore, Middlebrooks & Co., LLC has a strong commitment to our profession as evidenced by the fact we have been a part of the Macon business community for 80 years. We are involved in various community and civic organizations and activities and are dedicated to the continued success of our clients and the future of our community.

We are a member of the Government Audit Quality Center (GAQC) of the American Institute of CPAs. The GAQC promotes the importance of quality governmental audits and the value of such audits to purchasers of governmental audit services. GAQC is a voluntary membership center for CPA firms and state audit organizations that perform governmental audits. In addition to our membership in the GAQC, we are also a member of the AICPA Center for Audit Quality (CAQ).



EXTERNAL QUALITY CONTROL REVIEW

Our most recent peer review was conducted during 2022 and is included as Attachment A. This review included specific governmental engagements performed by our firm.

RESULTS OF FEDERAL OR STATE REVIEWS

Field or desk reviews have been performed by the state on financial statements audited by our firm. The results of these reviews have not resulted in material findings. If any of our audits are judged to be unacceptable to the State, the cognizant agency, or other governmental agency, we will do whatever is necessary to satisfy the agency which requested the change at no extra cost to the City.

There have been no disciplinary actions taken or currently pending against the firm during the last three years by regulatory bodies or professional organizations.

LIABILITY COVERAGE ARRANGEMENTS

McNair, McLemore, Middlebrooks & Co., LLC maintains policies of general and professional liability insurance coverage.

FIRM PHILOSOPHY

Our firm philosophy is to provide our clients with the best personalized service possible. This means our clients receive professional services under the close personal supervision of the partner and staff assigned to the engagement. The engagement team always devotes the time and attention necessary to ensure that the highest level of service is provided to our clients.

In pursuing our philosophy of personalized service to clients, we place emphasis on staying abreast of accounting and auditing changes. In this regard, we utilize the educational courses sponsored by various professional organizations. Technical training in the industries of our practice is also provided by in-house training programs, through industry associations, and by specialists and prominent guest speakers.



GOVERNMENTAL & NON-PROFIT

For more than 80 years, McNair, McLemore, Middlebrooks & Co., LLC has worked with governmental and non-profit clients. Financial and performance accountability are priorities in an environment with ever-changing requirements. These organizations are under constant public scrutiny and must present financial statements in a way that demonstrates the efficiency of their organizations.

Our Advantage

We understand the problems encountered with operations, compliance, and objectives. Success depends on funding, financial/legal compliance, and relationships with federal and state agencies. We have experience with federal and state agencies, grants, and the attendant requirements.

Our firm devotes time in training and research to reach extensive specialization in these areas:

- Municipalities and counties
- Regional Commissions
- Special purpose governments
- Government proprietary funds
- Development authorities
- Foundations
- Churches and other religious organizations
- Chambers of Commerce
- Healthcare organizations
- Independent schools
- Multifamily housing projects (HUD)
- School districts



REFERENCES

NAME	ENGAGEMENT PARTNER	TOTAL HOURS	PRIMARY SERVICES PROVIDED	YEAR-END	CONTACT PERSON
CITY OF LOGANVILLE, GEORGIA	David C. McCoy	300	-Financial Audit -Single Audit	June 30	Natalie Warnack Finance Director nawarnack@loganville-ga.gov (770) 466-1165
CITY OF EATONTON, GEORGIA	David C. McCoy	300	-Financial Audit	August 31	Maria Jimenez City Clerk msjimenez@eatontonga.us (706) 485-3311
CITY OF GRAY, GEORGIA	David C. McCoy	225	-Financial Audit -Single Audit	December 31	Cindy Yancey City Clerk cindy@grayga.us (478) 986-5433
CITY OF WALNUT GROVE, GEORGIA	David C. McCoy	175	-Financial Audit	June 30	Stephanie Moncrief Mayor Mayor@cityofwalnutgrove.com (706) 787-0046



ENGAGEMENT TEAM

A major factor and a critical element in the successful completion of an engagement are the people assigned to the engagement. Our clients, unlike those of many other public accounting firms, receive an unusually high amount of partner/supervisor attention and involvement. This is by design. We believe this policy ensures you will receive high quality professional service on a timely basis. A partner and/or supervisor will be onsite at almost all times to assist the engagement team and to maintain an open line of communication with the City's staff.

If we are selected, the following team of professionals, with a mix of talents aimed at your needs, will be assigned to carry out these responsibilities.

Engagement Partner

- David C. McCoy – 25 years Public Accounting with an emphasis in governmental accounting

Biographical Sketches of Engagement Team

David C. McCoy, Partner

Professional Designation(s): CPA

David is a graduate of Georgia College & State University with a Bachelor of Business Administration degree in accounting and a master's degree in accounting. Prior to joining the firm in 2022, he spent twenty-two years in public accounting with another regional firm. David has an extensive background in providing audit and accounting services to local governments. **David is currently the auditor for (8) County Governments, (11) City/Town Governments, (3) Regional Commissions, and various other local government / non-profit organizations.**

Professional Affiliations

- American Institute of Certified Public Accountants
- Georgia Society of Certified Public Accountants
- Georgia Government Finance Officers Association

Kurt Hardison, Supervisor

Professional Designation(s): CPA

Kurt is a graduate of Georgia College & State University with a Bachelor of Business Administration degree in accounting. Prior to joining the firm in 2023, he spent eleven years in public accounting with another regional firm. Kurt has an extensive background in providing audit and accounting services to local governments. Kurt spends **100 percent** of his time working with governments.

Professional Affiliations

- American Institute of Certified Public Accountants
- Georgia Society of Certified Public Accountants



Marqukia S. Gayle, Supervisor
Professional Designation(s): CPA

Marqukia Gayle is a graduate of Georgia Southern University with a Bachelor of Business Administration degree in accounting and a master's degree in accounting. Prior to joining the firm in 2022, she spent fifteen years in public accounting with another regional firm. Marqukia has an extensive background in providing audit and accounting services to local governments and non-profit organizations, including Jasper County, Oglethorpe County, Greene County, and Madison County, and multiple other cities and counties, and other local government / non-profit organizations. Marqukia is a member of the AICPA and the Georgia Society of CPAs.

Personnel Assigned to the Audit

People with the proper level of training and experience are the key to the successful completion of the audit. All personnel assigned to the audit will be employees of the Firm and will have training and experience commensurate to the task assigned. In addition, the personnel to be assigned to the City's engagement have spent at least 70 percent of their time working in governmental audits.

We believe it is important for the members of the engagement team to have extensive experience in auditing and accounting for an engagement with the City. We believe this ensures a quality job and reduces the risk of audit failure. **All partners, supervisors, and other professional staff to be assigned to the audit of the City of Pine Lake, Georgia have met the continuing professional education (CPE) requirements to work on audits under *Government Auditing Standards* for the past three (3) years.**

Engagement Team Continuity

As stated previously, our Firm philosophy is to provide our clients with the best personalized service possible. In order to accomplish our philosophy, we place high emphasis on maintaining continuity of the engagement team. In addition to enabling us to provide better personal service to our clients through familiarity, we find that continuity also enables us to perform the audit engagement more efficiently. However, this does not mean the same audit team will work on the engagement year after year, simply because normal turnover and advancement at our Firm results in new faces on the engagement, but never all new people from one year to the next. We believe the onsite involvement of our engagement partners/supervisors assists in mitigating disruption to the client due to normal staff turnover or advancement within the Firm.

Identification of Anticipated Potential Audit Problems

Our Firm has not identified any anticipated audit problems with the City of Pine Lake, Georgia. In the event a potential audit problem does arise, we will notify the City of Pine Lake, Georgia's management or council, depending on the severity, in a timely fashion and determine the proper steps needed to mitigate the issue the best way possible.



AUDIT APPROACH

Timeline for Providing Services

Our desired plan would be to perform planning and fieldwork in November and December each year. In addition, we will work with you to obtain as many records as possible prior to arriving onsite to reduce time requirements during preliminary and final on-site audit visits. Based on the timing of the initial engagement, these dates may need to be altered or postponed. A tentative schedule for completing the audit is located on page 15 of this proposal.

We will be available to attend a meeting of the City Council upon completion of the audit to review the financial statements and audit results as desired.

Planning

In order to maintain optimum efficiency, our audits are well planned and organized in a logical manner. Planning begins by reviewing interim financial data and discussing the current year operations with accounting and finance personnel prior to the start of fieldwork. The information obtained in this process is used as a basis for planning the engagement. Our approach to the audit will be reviewed with you in order to keep you abreast of the audit process and to avoid any potential misunderstandings. All information will be reviewed with you prior to the preparation of any reports, and drafts of reports will be provided to you for comments. We believe this process is the best way to ensure the successful completion of an audit.

First-time-through costs, estimated at 40 to 60 hours, are necessary to familiarize us with your operations, controls, and opening balances can be disruptive and time-consuming for your staff. We will plan this process with your staff to keep your time requirements to a minimum. We also recognize these are normal costs in the establishment of a business relationship and, accordingly, will be absorbed by our Firm.

Statistics show that audit failures occur much more frequently when a firm is in its first two years as auditors. We believe this is due to a lack of understanding of the business risk associated with a new entity. We believe our current understanding of and experience with the type of entities to be audited and our approach to the engagements will mitigate this issue.



Planning (Continued)

During the planning phase, we will perform the following activities:

- Review the regulatory and statutory compliance requirements within which the City operates. This will include a review of applicable federal laws, state statutes, ordinances, resolutions, debt instruments, contracts, other agreements, and minutes of meetings of the City.
- Review major sources of information such as the City's budgets, organization charts, procedures manuals, financial systems and management information systems.
- Determine the procedures necessary with regard to opening balances and obtain reasonable assurance concerning the consistency of application of accounting principles between the year being examined and the preceding year.
- Obtain and document an understanding of the City's internal control processes.
- Obtain and document an understanding of the accounting and information systems.
- Consider the methods that the City uses to process accounting information which influence the design of the internal control. This understanding includes knowledge about the design of relevant policies, procedures, and records, and whether they have been placed in operation by the City.
- Identify and resolve accounting, auditing, and reporting matters noted during planning.

Risk Assessment

The development of our audit plan is dependent on our understanding of your operations and our assessment of current risk factors. This approach requires the careful exercise of professional judgment developed through extensive experience with audits and is based on our assessment of risk of error in the financial statement line items and for the City. As a result, we will focus our audit effort in the important, high-risk areas and minimize our time in the low-risk areas ensuring you of a cost effective and efficient audit.



Approach to Gain an Understanding of the City of Pine Lake's Internal Control Structure

The audit approach followed by our Firm would be a business-risk approach. This audit approach is focused on:

- developing an understanding of the government, its environment, and related business risk.
- determining the impact the risk may have on the financial statements.
- understanding and validating the controls in place to reduce business risk.
- tailoring our audit procedures to focus on areas of significant risk.

This approach allows us to concentrate on areas with the greatest risk of financial misstatement while limiting or eliminating work in areas with low risk levels. We believe this approach to the audit process will keep audit fees at the lowest level possible and provide a high-quality audit.

We will gain a detailed understanding of the City's internal control structures by making inquiries of personnel and performing transactional walkthroughs. A strong system of internal control, including an adequate segregation of duties, is crucial to maintaining reliable financial reporting. Any areas of the internal control system where we note the potential for improvement will be discussed with management.

Sampling Techniques and Data Extraction Software

Our sampling and data extraction processes directly relate to the information obtained in understanding your business, its environment, and related risks. Accordingly, details in this area would be determined as a part of our audit plan after developing an understanding of your organization. Our firm uses statistical sampling in selecting items for testing by compliance and/or substantive tests where it is determined to be cost beneficial to sample the population. To assist in the selection and evaluation of the samples, TeamMate Analytics, a software package, will be employed to ensure the most efficient sampling techniques are used. Our Firm has an audit methodology manual which contains procedures for the control and evaluation of sampling risk, selection of samples and evaluation of sample results.

Audit sampling will normally be used in audits of governmental units to perform four kinds of tests:

- Compliance tests of internal accounting control procedures that we plan to rely on to reduce the scope of planned substantive tests.
- Substantive tests as part of the audit of the governmental unit's basic financial statements.
- Compliance tests to provide reasonable assurance that internal control (accounting and administrative) procedures used in administering federal and state financial assistance programs, if any, are being applied as prescribed.
- Substantive tests of compliance with laws and regulations as part of the audit of the basic financial statements and for the purpose of reporting on compliance with laws and regulations as they relate to the schedule of federal and state financial assistance, if applicable.

We do not anticipate using statistical sampling in the audit of the City's financial statements.



EDP Software Assistance

We utilize paperless audit software in the conduct of all audit engagements. Our firm uses TeamMate Analytics, a software package which reads and sorts electronic data. This software assists us in footing files, testing for incomplete data, and sorting data in any order for certain analytical procedures. We also use TeamMate Analytics in performing fraud-related detection procedures.

The City will be provided with a secure internet portal to exchange and store electronic data used in the audit.

Analytical Procedures

We will utilize analytical procedures in the audit planning stage as substantive tests and in the review stage of the audit.

In the planning stage, we will apply analytical procedures to assist us in understanding the organization and its environment and to identify areas that may represent specific risks relevant to the audit. These procedures are helpful in identifying transactions, amounts, ratios, and trends that might indicate matters that have financial statement and audit implications.

During the substantive stage, analytical procedures will be performed to obtain assurance that material misstatements are not likely to exist in financial statement account balances. The substantive stage analytical procedures will be designed to address specific risks identified during the planning stage.

In utilizing analytical procedures in the overall review stage of the audits, we will design analytical procedures to assist us in assessing whether all significant fluctuations and other unusual items have been adequately explained and the overall financial statement presentation makes sense based on the audit results and our knowledge of the business.

Internal and external information and communications should be available to the appropriate decision makers at the right time to engage in the evaluation of business and reporting objectives.

Sampling, testing, and analytical assessments directly relate to the information obtained in understanding of your business, its environment and risk assessment. In response, details in this area would be determined as a part of the audit plan after developing an understanding of your entity.



Approach to Determine Laws and Regulations to be Tested

A governmental accounting system must make it possible to determine and demonstrate compliance with finance related legal and contractual provisions. Governmental financial operations, like other aspects of their operations and even their very existence, evolve from and are regulated by various legal provisions. Our approach to determining the laws and regulations to be tested as part of the compliance audit includes the following procedures:

- Review past compliance findings.
- Obtain any federal or state agency monitoring reports received by the City during the year and the City's evaluation of pending reports.
- Communication with the cognizant agency.
- Review state laws relative to financial, accounting and purchasing matters.
- Review the financial and personnel policies of the City.
- Determine the major federal and state programs of the City.
- Review accounting and administrative control systems, including general and specific requirements, and design tests of these controls.
- For each major program, as defined by the Single Audit Act, complete our audit program and the Compliance Supplement, issued by the Office of Management and Budget.
- For nonmajor federal and state transactions examined in the course of the audit, review each transaction against a list of specific compliance requirements required of all federal and state financial assistance programs.

Effect of Preliminary Analytical Procedures on the Selection and Execution of Audit Strategies

Comparison of balances, ratios or relationships that result in significant unexplained variances from our preliminary expectations must be considered in selecting appropriate audit strategies for the account balances and/or classes of major transactions involved. Unexplained variances may also cause us to apply planned procedures closer to the balance sheet date. For example, holding other considerations equal, unexplained variances may cause the auditor to:

- Use an audit strategy which involves testing the details of the account balance or class of major transactions with respect to the audit assertions affected by the unexplained variances.
- Reduce the scope used for selecting items for testing.
- Increase the extent of sampling.

We will be satisfied that all such variances have been adequately investigated and evaluated at the conclusion of the audit.



Substantive Audit Procedures

Based upon the preceding work, we will perform substantive audit procedures tailored to your specific accounts to the extent determined by the results of our evaluation and testing of internal accounting controls.

The objectives of the substantive audit procedures and the specific procedures to achieve those objectives, by significant audit area, are as follows:

Cash and Cash Equivalents

The audit objectives for these items are to form an opinion that: (1) the cash balances as stated in the balance sheet properly represent cash and cash items on hand, in transit or in banks and overnight investments; (2) cash items will clear in the normal course of business and are collectible; (3) cash is properly classified in the financial statements; (4) adequate disclosure is made of restricted, pledged or committed funds and of cash not subject to immediate withdrawal; and (5) cash balances reflect a proper cutoff of cash receipts and disbursements. This is accomplished primarily by confirmation of balances, testing of reconciling items and review of controls and procedures.

Accounts Receivable

The audit objectives for accounts receivable are to determine that: (1) recorded receivables are authentic obligations owed to the City, contain no significant amounts that should be written off and that the allowance for losses is adequate; (2) proper disclosure is made of pledged receivables, if any; and (3) the presentation and disclosure of receivables is in conformity with accounting principles generally accepted in the United States of America and are consistently applied.

This is accomplished primarily by confirmation of receivable balances, review of past due accounts, subsequent receipts and review of controls and procedures.

Capital Assets

The objectives for these items are to determine that: (1) capital assets exist and are owned by the City; (2) additions to capital assets are authentic, recorded at cost and properly distinguished from maintenance and repairs expense; (3) retirement of capital assets, together with the proceeds from salvage and the related costs to remove, are properly recognized; (4) a proper amount of depreciation expense is allocated to the period based on the asset cost, estimated life and salvage, and use of acceptable methods of depreciation which are consistently applied and adequately presented in the financial statements; (5) the net carrying value, as presented in the financial statements, is expected to be recoverable in the ordinary course of business; (6) any encumbrances and liens are identified and adequately disclosed in the financial statements; (7) significant amounts of idle capital assets are properly stated, classified and described; and (8) capital leases, if any, have been properly recorded, accounted for and disclosed in the financial statements.

This is accomplished primarily by tests of transactions and review of controls and procedures.



Substantive Audit Procedures (Continued)

Accrued Expenses and Other Liabilities

The objectives for these items are to determine that: (1) expense accounts include costs and expenses applicable to the period; (2) all contingencies and estimated future expenditures that should be accrued in the period have been accrued, classified, and disclosed in accordance with accounting principles generally accepted in the United States of America.

This is accomplished primarily by tests of transactions, analytical review and review of controls and procedures.

Intergovernmental Receivable/Revenues

We will confirm all significant intergovernmental receivables and revenues.

Notes Payable/ Leases Payable/Other Long-Term Liabilities

The objectives in this area are to determine that: (1) all debt and other obligations are authorized in accordance with all applicable state statutes and regulations and issuer ordinances and/or other requirements; (2) all existing liabilities are recorded at the balance sheet date, at the correct amounts; and (3) related interest is accounted for in conformity with accounting principles generally accepted in the United States of America.

We will confirm all debt service and year end balances.

Fund Balance/Net Position

The objectives for equity accounts are to determine that: (1) all transactions are properly authorized and classified; (2) all transactions and commitments are recorded at correct amounts in the proper period; and (3) all transactions and balances are presented in the financial statements in conformity with accounting principles generally accepted in the United States of America and accompanied by adequate disclosures.

This is accomplished primarily by tests of transactions, review of minutes of City Council meetings and review of controls and procedures.



Tentative Schedule for Completing the Audit

We will meet or exceed all timing requirements and all terms and conditions, as outlined in the Request for Proposal. The following charts depict our proposed audit timeline **(except for the fiscal year 2024 audit)** based on the Request for Proposal which may be modified based on discussions with City staff during our pre-audit meeting:

	March	April	May
Pre-Audit Meeting			
Planning			
Issue and Discuss Audit Plan			
Final Audit Activities			
Final Adjustments and Corrections to Final Statements			
Draft Management Letter			
Issue Auditors' Report			
Issue Management Letter			
Exit Conference			
Presentation of Audit Reports and Management Letter to the Mayor and City Council			

Note: The schedule above is for audits after fiscal year 2024. Our proposed timeline for the 2024 audit would begin as soon as possible.

We are committed to accelerating the completion of the audit as your schedule and resources permit.

Impact of Recently Issued Accounting Standards Pronouncements

The impact of recent GASB pronouncements varies from government to government. We understand the importance of staying abreast on each new standard issued by GASB and to ensure that our clients are aware and understand how they may affect them. The City is responsible for determining whether each new standard is applicable to the City's financial statements and disclosures. Our responsibility is to determine whether the City has properly implemented each applicable new standard.

For Fiscal Year 2024, the following new GASB pronouncement is effective for the City:

- **GASB Statement No. 100** – Accounting Changes and Error Corrections – an amendment to GASB Statement No. 62
 - The primary objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability.

We do not anticipate additional fees for implementation of this new standard for fiscal year 2024.



ATTACHMENTS



ATTACHMENT A – PEER REVIEW REPORT



Report on the Firm's System of Quality Control

To the Members of
McNair, McLemore, Middlebrooks & Co., LLC
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of McNair, McLemore, Middlebrooks, & Co., LLC (the "firm") applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended September 30, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a system review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported on in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act; audits of employee benefit plans, and an audit performed under FDICIA.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Your Success is Our Focus

3906 Electric Road • Roanoke, Virginia 24018 • 540-345-0936 • Fax: 540-342-6181 • www.BECpas.com



Opinion

In our opinion, the system of quality control for the accounting and auditing practice of McNair, McLemore, Middlebrooks, & Co., LLC, applicable to engagements not subject to PCAOB permanent inspection in effect for the year ended September 30, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. McNair, McLemore, Middlebrooks, & Co., LLC has received a peer review rating of *pass*.

Brown, Edwards & Company, L.L.P.
CERTIFIED PUBLIC ACCOUNTANTS

Roanoke, Virginia
January 31, 2023



ATTACHMENT B - ADDITIONAL DATA

Engagement Reviews

Our approach to the audit would include, at a minimum, the following reviews of the financial statements, audit reports and workpaper files:

Review	Nature of Review
Engagement Performance and Administration Review, Performed by Partner / Supervisor	Work of all assistants in detail, including workpapers, financial statements, audit report, compliance reports and management letter
Partner Review, Performed by Engagement Partner	Financial statements, audit report, compliance reports, management letter, workpaper files for significant and critical areas, concurrence with conclusions of engagement team
Report Review, Performed Quality Control Department	Financial statements, audit report, compliance reports, management letter and portions of the workpaper files

Firm Professional Memberships

- AICPA # 2003865
- AICPA Center for Audit Quality (CAQ)
- Georgia Society of CPAs # ACF005927
- Governmental Audit Quality Center (GAQC)



ATTACHMENT C

MANDATORY PRE-QUALIFICATION FORM

ATTACHMENT B: MANDATORY PRE-QUALIFICATION FORM

To be answered by Contractor

Section A - General Information

1. Firm Name: McNair, McLemore, Middlebrooks & Co., LLC
 Contact Person: David C. McCoy Telephone Number: 478-746-6277

2.Email address: dmccoy@mmmcpa.com

3.Address: 389 Mulberry Street, Macon, Georgia 31201

4.Firm FEI Number: 58-1094351

5.Firm's Georgia CPA State License Registration Number: ACF005927

6.Type of Accounting Practice (place an "X" next to the appropriate response)

- a. Individual
b. X Partnership
c. Corporation - Give name of the State where incorporated:

Section B - Contractor Firm's Quality Program For Audits

Please answer each of the following questions by placing an "X" in the proper column at the right.

CHECK ONE

YES NO

- | | | | |
|------------------|--|---|--|
| 1. | Quality Control: Does the Contractor Firm have internal procedures to ensure proper quality control for its governmental audit Assignments? (If yes, ATTACH A DESCRIPTION OF THE PROCESS) | X | |
| 2. | Quality Review: Does Contractor Firm participate in an External Quality review program every 3 years? (If yes, ATTACH A COPY OF LAST PEER REVIEW OR QUALITY REVIEW REPORT <u>AND</u> <u>LETTER OF COMMENT</u> . PLEASE ENTER ENDING DATE OF LAST PERIOD COVERED BY REVIEW <u>9/30/22</u>) | | |
| | If no, explain the reason and your plan to participate. | X | |
| 3. | Professional Membership: Do the partners of the Contractor Firm belong to either the AICPA or the Georgia Society of CPAs? If so, please provide membership number. <i>See Attachment C</i> | X | |
| 4. | Proper License: Is Contractor Firm properly licensed to practice public accounting in Georgia? If so, please provide license number. | X | |
| ACF005927 | | | |

CHECK ONE

YES NO

- | | | | |
|---|---|--------------|---------------|
| 5. | Special Governmental Audit Requirements: Is Contractor Firm familiar with the AICPA's Code of Professional Conduct ET Section 1.400.055 – “Governmental Audits”? (According to this section, <u>if a CPA agrees to follow specified standards, guides, rules and procedures in addition to GAAS, then the CPA is OBLIGATED to follow all such requirements.</u>) | <u> X </u> | <u> </u> |
| 6. | Subcontracts: Does Contractor Firm agree not to subcontract any work required without the prior express written consent of the auditee? | <u> X </u> | <u> </u> |
| Federal Audit Laws and Rules: If federal audit work is required, does | | | |
| 7. | Contractor Firm agree to perform the audit work in accordance with the Single Audit Act Amendments of 1996, UGG Subpart F , and AICPA Audit Guide “ <i>Government Auditing Standards</i> as necessary? | <u> X </u> | <u> </u> |
| 8. | Confidentiality: Does Contractor Firm agree not to publish or distribute any information concerning work done for auditee, except as provided by law or rule? | <u> X </u> | <u> </u> |
| 9. | Access to Records and Workpapers: Does Contractor Firm agree to keep workpapers and reasonable records to support work claims for at least 5 years and make them available for audit or review by any authorized parties? | <u> X </u> | <u> </u> |
| 10. | Other Federal and State Laws and Rules: Does Contractor Firm agree to comply with all other Federal and State laws, rules and regulations which pertain to this engagement? | <u> X </u> | <u> </u> |
| 11. | Independence: Does Contractor Firm meet the independence standards of the current "Government Auditing Standards", issued by the Comptroller General of the United States?
(If "No", attach a brief summary of facts.) | <u> X </u> | <u> </u> |
| 12. | Continuing Education: Does Contractor Firm have sufficient staff who meet continuing professional education requirements for government audits as set forth in "Government Auditing Standards"? | <u> X </u> | <u> </u> |
| 13. | Conflict of Interest: Does Contractor Firm declare that there is no public or private interest which would conflict in any manner with performance of an audit for the auditee or would violate any laws of the State of Georgia? | <u> X </u> | <u> </u> |

CHECK ONE

YES NO

14. No Substandard Work: Do Contractor Firm and all proposed Audit Team Members have a record of an acceptable standard of audit work? (Contractor Firm must answer this question "No" if the Firm or any Audit Team Member has received an enforcement action for substandard audit work during the past three years or has a related investigation pending by a professional or regulatory group. Attach a brief summary of any enforcement actions.)

X _____

15. Ethics: Does Contractor Firm certify that its proposals are made without collusion or fraud and that it has not offered or received any kickbacks or inducements from any other auditor, supplier, manufacturer or subcontractor in connection with their proposals, and that it has not conferred on any government entity employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged; that it is not in violation of the Official Code of Georgia Annotated, Sections 16-10-2 and 16-10-22, for acts of bribery and/or conspiracy in restraint of free and open competition in transactions with state or political subdivisions?

X _____

16. Provisions of RFP: Does Contractor Firm agree to abide by all General Terms and Conditions and Special Terms and Conditions specified in the RFP?

X _____

CONTRACTOR FIRM CERTIFICATION STATEMENT

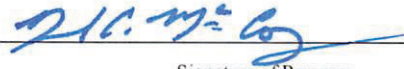
I (we) certify that the information contained herein is true and correct to the best of my (our) knowledge, and that the person submitting the RFP on behalf of the proposer has the authority to submit this RFP and make all representations contained herein. I (we) understand that the inclusion of false information may result in rejection of the proposal submitted in response to this RFP.

McNair, McLemore, Middlebrooks & Co., LLC

Contractor Firm Name

May 16, 2025

Date



Signature of Preparer

CITY OF PINE LAKE, GEORGIA
AUDIT COST PROPOSAL



**MCNAIR MCLEMORE
MIDDLEBROOKS & CO**

CERTIFIED PUBLIC ACCOUNTANTS



**M McNAIR MCLEMORE
MIDDLEBROOKS & CO**

CERTIFIED PUBLIC ACCOUNTANTS

389 Mulberry Street | Macon, Georgia 31201

Post Office Box One | Macon, Georgia 31202

478-746-6277 | mmmcpa.com

**CITY OF PINE LAKE, GEORGIA
SUMMARY OF PROFESSIONAL FEES
FOR THE FISCAL YEARS ENDED
DECEMBER 31, 2024 THROUGH DECEMBER 31, 2026**

YEAR	TOTAL FINANCIAL AUDIT FEES	TOTAL FEES
2024	\$ 27,500	\$ 27,500
2025	27,500	27,500
2026	27,500	27,500
TOTAL TERM OF CONTRACT	\$ 82,500	\$ 82,500

ADDITIONAL SERVICES

The audit fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Additional fees for unusual or unexpected services will be billed on a time-applied basis in accordance with the City's RFP.

The total fees above include the City's discretely presented component unit - Downtown Development Authority.

If Applicable - Uniform Guidance Audits (Single Audits) will be billed as follows:

Single Audit - One Major Program	\$ 7,500
Single Audit - Each Additional Program	\$ 2,500


David C. McCoy, Partner

CITY OF PINE LAKE, GEORGIA
SCHEDULE OF PROFESSIONAL FEES AND EXPENSES
FOR THE AUDIT OF THE 2024 FINANCIAL STATEMENTS

	<u>HOURS</u>	<u>STANDARD HOURLY RATES</u>	<u>TOTAL</u>
PARTNER	20	\$ 270	\$ 5,400
SUPERVISOR	85	185	15,725
STAFF	85	115	9,775
CLERICAL	<u>10</u>	50	<u>500</u>
TOTAL PRICE FY 2024 AUDIT	<u>200</u>		31,400
DISCOUNT			(5,400)
TRAVEL COSTS			<u>1,500</u>
TOTAL ALL INCLUSIVE "NOT TO EXCEED" PRICE FOR 2024 FINANCIAL AUDIT			<u>\$ 27,500</u>
IF APPLICABLE - UNIFORM GUIDANCE AUDITS (SINGLE AUDITS) WILL BE BILLED AS FOLLOWS:			
SINGLE AUDIT - ONE MAJOR PROGRAM			\$ 7,500
SINGLE AUDIT - EACH ADDITIONAL MAJOR PROGRAM			\$ 2,500
AMOUNT OF PROFESSIONAL SERVICES, IN HOURS, ALLOWED FOR FY 2024 YEAR WITHOUT ADDITIONAL COST			<u>8</u>

**CITY OF PINE LAKE, GEORGIA
SCHEDULE OF PROFESSIONAL FEES AND EXPENSES
FOR THE AUDIT OF THE 2025 FINANCIAL STATEMENTS**

	HOURS	STANDARD HOURLY RATES	TOTAL
PARTNER	20	\$ 270	\$ 5,400
SUPERVISOR	85	185	15,725
STAFF	85	115	9,775
CLERICAL	<u>10</u>	50	<u>500</u>
TOTAL PRICE FY 2025 AUDIT	<u><u>200</u></u>		31,400
DISCOUNT			(5,400)
TRAVEL COSTS			<u>1,500</u>
TOTAL ALL INCLUSIVE "NOT TO EXCEED" PRICE FOR 2025 FINANCIAL AUDIT			<u><u>\$ 27,500</u></u>
IF APPLICABLE - UNIFORM GUIDANCE AUDITS (SINGLE AUDITS) WILL BE BILLED AS FOLLOWS:			
SINGLE AUDIT - ONE MAJOR PROGRAM			\$ 7,500
SINGLE AUDIT - EACH ADDITIONAL MAJOR PROGRAM			\$ 2,500
AMOUNT OF PROFESSIONAL SERVICES, IN HOURS, ALLOWED FOR FY 2025 YEAR WITHOUT ADDITIONAL COST			<u><u>8</u></u>


**CITY OF PINE LAKE, GEORGIA
SCHEDULE OF PROFESSIONAL FEES AND EXPENSES
FOR THE AUDIT OF THE 2026 FINANCIAL STATEMENTS**

	<u>HOURS</u>	<u>STANDARD HOURLY RATES</u>	<u>TOTAL</u>
PARTNER	15	\$ 270	\$ 4,050
SUPERVISOR	90	190	17,100
STAFF	85	115	9,775
CLERICAL	<u>10</u>	50	<u>500</u>
TOTAL PRICE FY 2026 AUDIT	<u><u>200</u></u>		31,425
DISCOUNT			(5,425)
TRAVEL COSTS			<u>1,500</u>
TOTAL ALL INCLUSIVE "NOT TO EXCEED" PRICE FOR 2026 FINANCIAL AUDIT			<u><u>\$ 27,500</u></u>
IF APPLICABLE - UNIFORM GUIDANCE AUDITS (SINGLE AUDITS) WILL BE BILLED AS FOLLOWS:			
SINGLE AUDIT - ONE MAJOR PROGRAM			\$ 7,500
SINGLE AUDIT - EACH ADDITIONAL MAJOR PROGRAM			\$ 2,500
AMOUNT OF PROFESSIONAL SERVICES, IN HOURS, ALLOWED FOR FY 2026 YEAR WITHOUT ADDITIONAL COST			<u><u>8</u></u>



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager 

DATE: May 27, 2025

TITLE: 2025 Property Tax Millage Rate Process

RECOMMENDATION

Approve resolution providing direction concerning the 2025 property tax millage rate process

BACKGROUND

On May 17, 2025, the DeKalb County Tax Commissioner's Office released tangible real and personal property value changes for 2025. The report represents a 5.48% increase in real estate valuation and a 10.24% decrease in personal property valuation for Pine Lake. These percentages represent a change in real estate of \$2,473,032 based on growth (\$644,760) and revaluation (\$1,828,272). Overall, Pine Lake's total tax digest valuation for real estate changes from \$45,138,290 (2024) to \$47,611,322 (2025) and personal property changes from \$426,712 (2024) to \$383,038 (2025).

In 2024, the Pine Lake City Council adopted a millage rate of 19.40; this same rate is recommended as the tentative rate for adoption in 2025. The mill rate that will render the same amount of "as billed" revenue in 2025 as billed in 2024, based on the current year's valuation of property is 18.653 mills. This rate is known as the rollback rate.

In the millage rate adoption process, there are several steps that must be taken to include public hearings, newspaper ads, etc. If a taxing authority elects to adopt a millage higher than the rollback rate, a press release must be issued, and three public hearings must be advertised and held before the adoption of the new millage rate. The final adoption of the millage rate deadline is July 1, 2025.

RESOURCE IMPACT

Millage Rate(mills)	Assessed Values	Tax Revenue	Increase over last year
18.653 rollback rate	\$47,473,838	\$885,530	\$0
19.400 tentative rate	\$47,473,838	\$920,992	\$35,463
20.400 what if rate	\$47,473,838	\$968,466	\$82,937

ATTACHMENTS

Resolution
2025 Tax Digest Documents

**A RESOLUTION PROVIDING DIRECTION TO THE CITY MANAGER
CONCERNING THE 2025 MILLAGE RATE DECISION-MAKING PROCESS,
SETTING DATES FOR PUBLIC HEARINGS, AUTHORIZING PUBLICATION OF
NOTICES FOR PUBLIC HEARINGS, AND FOR OTHER MATTERS**

- WHEREAS, The Board of Tax Assessors has released the 2025 Real Estate Valuation Digest for all of DeKalb County; and
- WHEREAS, The Board of Tax Assessors has identified the rollback rate of taxes for Pine Lake to be 18.653 mills, that is the millage rate that, when applied to the 2025 tax value of residences within Pine Lake, would generate the same revenue as received by the City for 2024 tax values; and
- WHEREAS, The City Administration has tentatively recommended a tax millage rate for real property in Pine Lake at 19.4 mills, which is the same rate as adopted for the 2024 tax year; and
- WHEREAS, The City Council desires to preserve its options and hear from the public about spending priorities and taxation policy for Fiscal Year 2025 which will be funded by taxes received by the end of 2025;

NOW THEREFORE, BE IT RESOLVED by the Governing Authority of the City of Pine Lake, Georgia, the City Manager, or his designee, is directed to advertise as required by law Notice of Public Hearings to be held as follows:

<u>Date</u>	<u>Time Hearing to Begin</u>	<u>Location</u>
June 10	Public Hearing to begin at 11:00 AM	City Council Chamber
June 10	Public Hearing to begin at 6:00 PM	City Council Chamber
June 24	Public Hearing to begin at 7:00 PM	City Council Chamber

BE IT FURTHER RESOLVED that the Governing Authority of the City of Pine Lake shall hold Public Hearings at the times and places identified in the Public Notice to be advertised in the City's Legal Organ.

BE IT FURTHER RESOLVED that the Governing Authority of the City of Pine Lake has made no decision about what millage rate may be adopted by the Governing Authority through this Resolution and is only providing notice to the public of its current options being considered, of its intent to preserve the option to preserve and protect the fiscal health of the City, and to advise the citizens and residents of Pine Lake of their opportunity to be heard in response to these options.

BE IT FURTHER RESOLVED that any and all resolutions or any part thereof in conflict with this resolution are hereby repealed this Resolution shall be effective immediately upon its adoption.

ADOPTED by the Mayor and Council of the City of Pine Lake, this 27th day of May 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

DEKALB COUNTY TANGIBLE REAL AND PERSONAL PROPERTY VALUE CHANGES 2025
AS OF 04/28/2025

TAX DISTRICT	ROLL	2024 7/25/2024	2025 4/28/2025	CHANGE IN DIGEST	VARIANCE 4/28/2025	GROWTH 4/28/2025	REVALUATION 4/28/2025
UNINCORPORATED (04)	RE	\$22,455,812,220	\$23,311,830,425	\$856,018,205	3.81%	\$485,353,280	\$370,664,925
	PP	\$621,956,232	\$637,413,559	\$15,457,327	2.49%	\$0	\$0
	MH	\$894,518	\$1,373,846	\$479,328	53.59%	\$0	\$0
ATLANTA (61)	RE	\$3,731,909,128	\$3,962,078,552	\$230,169,424	6.17%	\$122,561,431	\$107,607,993
	PP	\$40,440,992	\$38,432,121	-\$2,008,871	-4.97%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
AVONDALE (14)	RE	\$404,089,810	\$433,141,951	\$29,052,141	7.19%	\$5,204,080	\$23,848,061
	PP	\$2,836,549	\$2,570,340	-\$266,209	-9.38%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
BROOKHAVEN (20)	RE	\$6,397,680,920	\$6,648,821,792	\$251,140,872	3.93%	\$79,530,040	\$171,610,832
	PP	\$122,621,790	\$112,501,761	-\$10,120,029	-8.25%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
CHAMBLEE (24)	RE	\$2,647,930,767	\$2,910,233,185	\$262,302,418	9.91%	\$48,071,880	\$214,230,538
	PP	\$394,310,754	\$424,552,062	\$30,241,308	7.67%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
CLARKSTON (34)	RE	\$377,656,644	\$391,870,312	\$14,213,668	3.76%	\$7,646,080	\$6,567,588
	PP	\$14,205,458	\$14,463,676	\$258,218	1.82%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
DECATUR (92)	RE	\$2,608,977,233	\$2,814,933,714	\$205,956,481	7.89%	\$49,510,915	\$156,445,566
	PP	\$21,399,960	\$19,770,383	-\$1,629,577	-7.61%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
DUNWOODY (50)	RE	\$5,579,024,498	\$5,913,618,734	\$334,594,236	6.00%	\$52,852,720	\$281,741,516
	PP	\$133,811,873	\$129,984,849	-\$3,827,024	-2.86%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
DORAVILLE (44)	RE	\$1,224,524,870	\$1,364,323,660	\$139,798,790	11.42%	\$3,323,720	\$136,475,070
	PP	\$242,344,959	\$238,963,021	-\$3,381,938	-1.40%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
LITHONIA (54)	RE	\$70,227,764	\$74,449,416	\$4,221,652	6.01%	\$980,360	\$3,241,292
	PP	\$1,485,755	\$1,828,564	\$342,809	23.07%	\$0	\$0
	MH	\$241,421	\$316,637	\$75,216	31.16%	\$0	\$0
PINE LAKE (74)	RE	\$45,138,290	\$47,611,322	\$2,473,032	5.48%	\$644,760	\$1,828,272
	PP	\$426,712	\$383,038	-\$43,674	-10.24%	\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
STONE MTN (84)	RE	\$226,087,552	\$232,879,662	\$6,792,110	3.00%	\$4,163,240	\$2,628,870
	PP	\$5,059,506	\$4,959,709	-\$99,797	-1.97%	\$0	\$0
	MH	\$570	\$570	\$0	0.00%	\$0	\$0
TUCKER (90)	RE	\$3,301,330,167	\$3,505,399,466	\$204,069,299	6.18%	\$53,261,360	\$150,807,939
	PP	\$388,985,909	\$381,783,132	-\$7,202,777	-1.85%	\$0	\$0
	MH						\$0
STONECREST (80)	RE	\$3,107,443,611	\$3,165,069,627	\$57,626,016	2%	\$22,480,080	\$35,145,936
	PP	\$260,425,281	\$257,193,275	-\$3,232,006	-1.24%	\$0	\$0
	MH						\$0
DEKALB SCHOOLS	RE	\$45,836,947,113	\$47,999,249,552	\$2,162,302,439	4.72%	\$763,511,600	\$1,398,790,839

(EXCEPT 61 AND 92)	PP	\$2,188,470,778	\$2,206,596,986	\$18,126,208	0.83%	\$0	\$18,126,208
	MH	\$1,136,509	\$1,691,053	\$554,544	48.79%	\$0	\$554,544
LENOX PARK CID (S1)	RE	109,024,840	113,942,840	\$4,918,000	4.51%	\$2,253,320	\$2,000,000
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
PERIMETER CID (S2 & S3)	RE	\$1,583,935,491	\$1,786,367,027	\$202,431,536	12.78%	\$73,307,629	\$80,374,476
(included in 20 & 50 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TUCKER SUMIT CID (S4 & S8)	RE	\$544,667,158	\$617,934,900	\$73,267,742	13.45%	\$23,266,320	\$100,640,798
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TUCKER CID (S5 & S9)	RE	\$279,562,047	\$283,813,006	\$4,250,959	1.52%	\$0	\$19,385,375
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
EAST METRO CID,STCST (S6,15)	RE	\$199,981,539	\$206,353,158	\$6,371,619	3.19%	\$7,002,360	\$32,234,799
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
LITTLE 5 PTS CID (S7)	RE	\$1,247,120	\$1,247,120	\$0	0.00%	\$0	\$536,688
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
AVDL CITY TAD (TAV1)	RE	\$33,716,254	\$39,521,125	\$5,804,871	17.22%	\$3,492,496	\$6,234,925
(included in 14 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
STONE MTN CITY TAD (TSM1)	RE	\$12,954,136	\$18,231,380	\$5,277,244	40.74%	\$311,080	\$4,448,700
(included in 84 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TAD#1 KEN/04 (T104)	RE	\$202,147,814	\$278,423,876	\$76,276,062	37.73%	\$42,242,920	\$74,575,176
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TAD#1 KEN/14 (T114)	RE	\$18,883,480	\$19,806,800	\$923,320	4.89%	\$0	\$923,320
(included in 14 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TAD#2 AVN/04 (T204)	RE	\$46,001,978	\$55,239,993	\$9,238,015	20.08%	\$338,720	\$8,863,819
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TAD#3 BRIAR/04 (T304)	RE	\$122,533,767	\$142,146,463	\$19,612,696	16.01%	\$5,868,896	\$14,615,320
(included in 04 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
TAD#3 BRIAR(T320,320A/320B)	RE	\$226,643,501	\$244,736,408	\$18,092,907	7.98%	\$891,440	\$8,072,827
(included in 20 totals)	PP	\$0	\$0	\$0		\$0	\$0
	MH	\$0	\$0	\$0		\$0	\$0
DEC CITYTAD (TDEC1,TDECA)	RE	\$38,559,499	\$71,860,878	\$33,301,379	86.36%	\$14,436,400	\$10,734,472
(included in 92 totals)	PP	\$0	\$0	\$0		\$0	
	MH	\$0	\$0	\$0		\$0	
DRVL-SPCL2 DIST (44B/44C)	RE	\$8,332,200	\$8,332,200	\$0	0.00%	\$0	\$0
(included in 44 totals)	PP	\$0		\$0			
	MH	\$0		\$0			

DRVL SPCL1 (S13T)	RE	\$125,155,240	\$124,268,920	-\$886,320	-0.71%	\$40,816,204	-\$41,702,524
(included in 44 totals)	PP	\$0		\$0			
	MH	\$0		\$0			
DOR CITYTAD (TDRV1,S10T,S13T)	RE	\$160,819,061	\$253,704,307	\$92,885,246	57.76%	\$21,760,400	\$3,820,491
(included in 44 totals)	PP	\$0	\$0	\$0		\$0	
	MH	\$0	\$0	\$0			
METRO SOUTH CID (S11)	RE	\$160,171,745	\$180,287,997	\$20,116,252	12.56%	\$2,931,360	\$29,337,890
(included in 04 totals)	PP	\$0		\$0			
	MH	\$0		\$0			
CHAMBLEE DORAVILLE CID (S16,17,18,19)	RE	\$264,148,508	\$277,513,724	\$13,365,216	5.06%	\$1,663,660	\$7,102,401
(included in 22 and 44 totals)	PP	\$0		\$0			
	MH			\$0			
ATL BELTLINE SSD	RE	\$66,512,939	\$74,625,080	\$8,112,141	12.20%	\$0	\$8,112,141
(included in 61 totals)	PP	\$0	\$0	\$0			
	MH	\$0	\$0	\$0			
CHAMB DOWNTOWN SSD (24D,S16D,24DS,S16	RE	\$320,578,838	\$357,896,275	\$37,317,437	11.64%	\$22,360	\$18,020,154
(included in 24 totals)	PP	\$0	\$0	\$0			
	MH	\$0		\$0			
P/TREE BLVD SSD (24S,S16S,24DS,S16DS)	RE	\$248,344,613	\$297,821,117	\$49,476,504	19.92%	\$0	\$32,543,864
(included in 24 totals)	PP	\$0	\$0	\$0			
	MH	\$0		\$0			
DORAVILLE TANK FARM SSD (44S)	RE	\$26,768,440	\$27,351,040	\$582,600	2.18%	\$0	\$654,520
(included in 24 totals)	PP	\$0		\$0			
	MH	\$0		\$0			
Brookhaven SSD (20S)	RE	\$2,081,418,695	\$2,101,282,747	\$19,864,052	0.95%	\$13,949,200	\$0
(included in 20 totals)	PP	\$0	\$0	\$0			
	MH	\$0		\$0			
TAD#4 Market Sq. (T404)	RE	\$60,577,172	\$69,293,553	\$8,716,381	14.39%	\$4,294,490	\$5,188,000
(included in 04 totals)	PP	\$0		\$0			
	MH	\$0		\$0			
TAD#5 SW Dekalb (T504,S6T5,S11T5)	RE	\$356,456,140	\$392,043,053	\$35,586,913	9.98%	\$603,440	\$32,855,017
(included in 04 totals)	PP	\$0	\$0	\$0			
	MH	\$0	\$0	\$0			
LITTLE 5 PTS. BID (S7B,61SB,61B)	RE	\$11,056,707	\$13,285,399	\$2,228,692	20.16%	\$0	\$2,378,482
(included in S7 totals)	PP	\$0	\$0	\$0			
	MH	\$0	\$0	\$0			
DORAVILLE INVEST (44/AV/BV/SV/TDRV2)	RE	\$145,082,546	\$388,251,328	\$243,168,782	167.61%	\$411,000	\$17,384,410
(included in 44 totals)	PP	\$0	\$0	\$0			
	MH	\$0	\$0	\$0			
DRESDEN PLASTER SSD (24AS)	RE	\$185,373,929	\$246,982,531	\$61,608,602	33.23%	\$2,643,800	\$19,259,464
(included in 24 totals)	PP	\$0	\$0	\$0			
	MH	\$0	\$0	\$0			

TOTAL GROSS	RE	\$52,177,833,474	\$54,776,261,818	\$2,598,428,344	4.98%	\$935,583,946	\$1,662,844,398
TOTAL GROSS	PP	\$2,250,311,730	\$2,264,799,490	\$14,487,760	0.64%	\$0	\$14,487,760
TOTAL GROSS	MH	\$1,136,509	\$1,691,053	\$554,544	48.79%	\$0	\$554,544
TOTAL GROSS		\$54,429,281,713	\$57,042,752,361	\$2,613,470,648	4.80%	\$935,583,946	\$1,677,886,702

CONSOLIDATION AND EVALUATION OF DIGEST 2025

COUNTY NAME: DeKalb				COUNTY NO: 44				Sheet # 46 - CITY OF PINE LAKE (74, 74A)				Total Parcel Count: 452			
RESIDENTIAL				FOREST LAND CONSERVATION USE				EXEMPT PROPERTY				SUMMARY			
Code	Count	Acres	40% Value	Code	Count	Acres	40% Value	Code	Count	40% Value		PROPERTY CLASS	COUNT	ACRES	ASSESSED VALUE
R1	332		33,405,669	J3	0	0.00	0	E0	0	0		Residential Real	388	88.69	41,271,080
R3	388	88.69	7,865,411	J4	0	0.00	0	E1	24	391,412		Residential Personal	0		0
R4	0	0.00	0	J5	0	0.00	0	E2	10	276,200		Residential Total	388	88.69	41,271,080
R5	0	0.00	0	J6	0	0	0	E3	0	0		Residential Trans.	0	0.00	0
R6	0		0	FLPA FAIR MARKET ASMT				E4	0	0		Historic	0	0.00	0
R9	0	0.00	0	Code	Count	Acres	40% Value	E5	0	0		Agricultural Real	0	0.00	0
RA	0		0	F3	0	0.00	0	E6	0	0		Agricultural Personal	0		0
RB	0		0	F4	0	0.00	0	E7	0	0		Agricultural Total	0	0.00	0
RF	0		0	F5	0	0.00	0	E8	0	0		Preferential	0	0.00	0
RI	0		0	F6	0		0	E9	0	0		Conservation Use	0	0.00	0
RZ	0		0	Total		0	0	TOTAL	34	667,612		Environmentally Sen	0	0.00	0
RESIDENTIALTRANSITIONAL				ENVIRONMENTALLY SENSITIVE				HOMESTEAD & PROPERTY EXEMPTIONS				Commercial Real	28	21.29	6,080,842
Code	Count	Acres	40% Value	Code	Count	Acres	40% Value	Code	Count	M&O AMOUNT	BOND AMOUNT	Commercial Personal	23		383,357
T1	0		0	W3	0	0.00	0	S1	0	0	0	Commercial Total	51	21.29	6,464,199
T3	0	0.00	0	W4	0	0.00	0	SC	0	0	0	Industrial Real	2	0.51	259,400
T4	0	0.00	0	W5	0	0.00	0	S3	0	0	0	Industrial Personal	0		0
HISTORIC				COMMERCIAL				S4	0	0	0	Industrial Total	2	0.51	259,400
Code	Count	Acres	40% Value	Code	Count	Acres	40% Value	S5	0	0	0	Forest Lnd Con Use	0	0.00	0
H1	0		0	C1	23		4,344,784	SD	0	0	0	Brownfield Property	0	0.00	0
H3	0	0.00	0	C3	28	21.29	1,736,058	SE	0	0	0	Qualified Timberland	0	0.00	0
AGRICULTURAL				C4	0	0.00	0	SG	0	0	0	Real Total	418	110.49	47,611,322
Code	Count	Acres	40% Value	C5	0	0.00	0	SE	0	0	0	Personal Total	23		383,357
A1	0		0	C9	0	0.00	0	SG	0	0	0	Digest Total	441	110.49	47,994,679
A3	0	0.00	0	CA	0		0	S6	0	0	0	Public Utility	3	0.00	488,980
A4	0	0.00	0	CB	0		0	S8	0	0	0	Motor Vehicle	56		59,900
A5	0	0.00	0	CF	14		233,003	S9	0	0	0	Mobile Home			
A6	0		0	CI	9		150,354	SF	0	0	0	Timber - 100%	0	0.00	0
A9	0	0.00	0	CP	0		0	SA	0	0	0	Heavy Duty Equip.			
AA	0		0	CZ	0		0	SB	0	0	0	I, Irvin J. Johnson, receiver of tax returns in and for said county, do hereby certify that the above and foregoing is a true and correct consolidation of all the tax returns received from the taxpayer (or assessed against defaulters) in said county of DeKalb for the year 2025, and duplicate digests have been made and delivered to the county governing authority and tax collector of said county as required by law.			
AB	0		0	INDUSTRIAL				SP	10	13,721	13,721				
AF	0		0	Code	Count	Acres	40% Value	SH	0	0	0				
AI	0		0	I1	1		223,440	ST	0	0	0				
AZ	0		0	I3	2	0.51	35,960	SV	0	0	0				
PREFERENTIAL				I4	0	0.00	0	SJ	0	0	0	Gross Digest Total	500	110.49	48,543,559
Code	Count	Acres	40% Value	I5	0	0.00	0	SX	0	0	0	Exemptions-Bonds			13,721
P3	0	0.00	0	I9	0	0.00	0	SN	0	0	0	Net Bond Digest			48,529,838
P4	0	0.00	0	IA	0		0	DO NOT USE L1 THRU L9 CODES ON STATE SHEET				Gross Digest Total	500	110.49	48,543,559
P5	0	0.00	0	IB	0		0	L1	264	1,056,000	0	Exemptions-M & O			1,069,721
P6	0		0	IF	0		0	L2	0	0	0	Net M & O Digest			47,473,838
CONSERVATION USE				II	0		0	L3	0	0	0	Witness my hand and official signature, this 25th day of July 2025.			
Code	Count	Acres	40% Value	IP	0		0	L4	0	0	0				
V3	0	0.00	0	IZ	0		0	L5	0	0	0				
V4	0	0.00	0	PUBLIC UTILITY				L6	0	0	0				
V5	0	0.00	0	Code	Count	Acres	40% Value	L7	0	0	0				
V6	0		0	U1	0		0	L8	0	0	0				
BROWNFIELD PROPERTY				U2	3	0.00	488,980	L9	0	0	0				
Code	Count	Acres	40% Value	U3	0	0.00	0	L10	0	0	0				
B1	0		0	U4	0	0.00	0	L11	0	0	0				
B3	0	0.00	0	U5	0	0.00	0	L12	0	0	0				
B4	0	0.00	0	U9	0	0.00	0	L13	0	0	0				
B5	0	0.00	0	UA	0		0	L14	0	0	0				
B6	0		0	UB	0		0	L15	0	0	0				
Qualified Timberland				UF	0		0	L16	0	0	0				
Code	Count	Acres	40% Value	UZ	0		0	TOTAL	274	1,069,721	13,721				
Q4	0	0.00	0												
Q5	0	0.00	0												

Tax Year	PARID	ROLLTYPE	TAXDIST	CLASS	EXCODE	100% VALUE	TAXABLE VALUE
2024	18 041 08 160	RE	74	R3	H1	\$277,300	\$110,920
2024	18 041 08 240	RE	74	R3	H1	\$374,100	\$149,640
2024	18 041 08 260	RE	74	R3	H1	\$278,900	\$111,560
2024	18 041 01 045	RE	74A	R3	H1F	\$392,700	\$157,080
2024	18 041 08 004	RE	74	R3	H1F	\$295,300	\$118,120
2024	18 041 08 005	RE	74	R3	H1F	\$260,000	\$104,000
2024	18 041 08 013	RE	74	R3	H1F	\$275,000	\$110,000
2024	18 041 08 015	RE	74	R3	H1F	\$340,000	\$136,000
2024	18 041 08 016	RE	74	R3	H1F	\$172,500	\$69,000
2024	18 041 08 018	RE	74	R3	H1F	\$278,000	\$111,200
2024	18 041 08 019	RE	74	R3	H1F	\$349,100	\$139,640
2024	18 041 08 020	RE	74	R3	H1F	\$348,900	\$139,560
2024	18 041 08 021	RE	74	R3	H1F	\$337,600	\$135,040
2024	18 041 08 023	RE	74	R3	H1F	\$359,800	\$143,920
2024	18 041 08 025	RE	74	R3	H1F	\$369,300	\$147,720
2024	18 041 08 032	RE	74	R3	H1F	\$271,400	\$108,560
2024	18 041 08 040	RE	74	R3	H1F	\$318,000	\$127,200
2024	18 041 08 041	RE	74	R3	H1F	\$353,600	\$141,440
2024	18 041 08 042	RE	74	R3	H1F	\$336,100	\$134,440
2024	18 041 08 046	RE	74	R3	H1F	\$357,600	\$143,040
2024	18 041 08 047	RE	74	R3	H1F	\$190,000	\$76,000
2024	18 041 08 050	RE	74	R3	H1F	\$256,500	\$102,600
2024	18 041 08 052	RE	74	R3	H1F	\$287,000	\$114,800
2024	18 041 08 057	RE	74	R3	H1F	\$384,300	\$153,720
2024	18 041 08 062	RE	74	R3	H1F	\$432,000	\$172,800
2024	18 041 08 066	RE	74	R3	H1F	\$260,800	\$104,320
2024	18 041 08 069	RE	74	R3	H1F	\$253,300	\$101,320
2024	18 041 08 072	RE	74	R3	H1F	\$270,700	\$108,280
2024	18 041 08 074	RE	74	R3	H1F	\$302,000	\$120,800
2024	18 041 08 076	RE	74	R3	H1F	\$436,000	\$174,400
2024	18 041 08 077	RE	74	R3	H1F	\$287,300	\$114,920
2024	18 041 08 078	RE	74	R3	H1F	\$343,400	\$137,360
2024	18 041 08 079	RE	74	R3	H1F	\$302,500	\$121,000

AVG HOMESTEAD VALUE	
APPRAISED VAL (100%)	ASSESSED VAL (40%)
\$300,000	\$125,000

2024	18 041 08 088	RE	74	R3	H1F	\$266,000	\$106,400
2024	18 041 08 091	RE	74	R3	H1F	\$375,300	\$150,120
2024	18 041 08 093	RE	74	R3	H1F	\$349,900	\$139,960
2024	18 041 08 094	RE	74	R3	H1F	\$278,700	\$111,480
2024	18 041 08 095	RE	74	R3	H1F	\$341,100	\$136,440
2024	18 041 08 097	RE	74	R3	H1F	\$390,500	\$156,200
2024	18 041 08 098	RE	74	R3	H1F	\$258,400	\$103,360
2024	18 041 08 099	RE	74	R3	H1F	\$393,100	\$157,240
2024	18 041 08 103	RE	74	R3	H1F	\$378,000	\$151,200
2024	18 041 08 104	RE	74	R3	H1F	\$295,000	\$118,000
2024	18 041 08 105	RE	74	R3	H1F	\$273,700	\$109,480
2024	18 041 08 108	RE	74	R3	H1F	\$276,400	\$110,560
2024	18 041 08 109	RE	74	R3	H1F	\$330,000	\$132,000
2024	18 041 08 110	RE	74	R3	H1F	\$343,300	\$137,320
2024	18 041 08 115	RE	74	R3	H1F	\$165,000	\$66,000
2024	18 041 08 122	RE	74	R3	H1F	\$298,000	\$119,200
2024	18 041 08 129	RE	74	R3	H1F	\$275,000	\$110,000
2024	18 041 08 131	RE	74	R3	H1F	\$317,000	\$126,800
2024	18 041 08 133	RE	74	R3	H1F	\$345,500	\$138,200
2024	18 041 08 140	RE	74	R3	H1F	\$306,900	\$122,760
2024	18 041 08 142	RE	74	R3	H1F	\$263,600	\$105,440
2024	18 041 08 144	RE	74	R3	H1F	\$331,400	\$132,560
2024	18 041 08 145	RE	74	R3	H1F	\$278,900	\$111,560
2024	18 041 08 148	RE	74	R3	H1F	\$390,700	\$156,280
2024	18 041 08 149	RE	74	R3	H1F	\$288,100	\$115,240
2024	18 041 08 152	RE	74	R3	H1F	\$305,700	\$122,280
2024	18 041 08 154	RE	74	R3	H1F	\$298,400	\$119,360
2024	18 041 08 155	RE	74	R3	H1F	\$271,300	\$108,520
2024	18 041 08 157	RE	74	R3	H1F	\$301,500	\$120,600
2024	18 041 08 158	RE	74	R3	H1F	\$275,000	\$110,000
2024	18 041 08 159	RE	74	R3	H1F	\$314,700	\$125,880
2024	18 041 08 161	RE	74	R3	H1F	\$298,200	\$119,280
2024	18 041 08 164	RE	74	R3	H1F	\$311,400	\$124,560
2024	18 041 08 166	RE	74	R3	H1F	\$325,600	\$130,240

2024	18 041 08 168	RE	74	R3	H1F	\$199,000	\$79,600
2024	18 041 08 169	RE	74	R3	H1F	\$263,100	\$105,240
2024	18 041 08 173	RE	74	R3	H1F	\$383,000	\$153,200
2024	18 041 08 176	RE	74	R3	H1F	\$298,900	\$119,560
2024	18 041 08 177	RE	74	R3	H1F	\$298,200	\$119,280
2024	18 041 08 179	RE	74	R3	H1F	\$365,100	\$146,040
2024	18 041 08 184	RE	74	R3	H1F	\$333,900	\$133,560
2024	18 041 08 187	RE	74	R3	H1F	\$293,300	\$117,320
2024	18 041 08 188	RE	74	R3	H1F	\$306,200	\$122,480
2024	18 041 08 189	RE	74	R3	H1F	\$285,700	\$114,280
2024	18 041 08 190	RE	74	R3	H1F	\$346,500	\$138,600
2024	18 041 08 191	RE	74	R3	H1F	\$310,600	\$124,240
2024	18 041 08 195	RE	74	R3	H1F	\$180,700	\$72,280
2024	18 041 08 199	RE	74	R3	H1F	\$303,100	\$121,240
2024	18 041 08 204	RE	74	R3	H1F	\$317,300	\$126,920
2024	18 041 08 208	RE	74	R3	H1F	\$352,700	\$141,080
2024	18 041 08 225	RE	74	R3	H1F	\$342,700	\$137,080
2024	18 041 08 229	RE	74	R3	H1F	\$302,400	\$120,960
2024	18 041 08 233	RE	74	R3	H1F	\$324,500	\$129,800
2024	18 041 08 234	RE	74	R3	H1F	\$363,300	\$145,320
2024	18 041 08 237	RE	74	R3	H1F	\$292,600	\$117,040
2024	18 041 08 242	RE	74	R3	H1F	\$308,700	\$123,480
2024	18 041 08 243	RE	74	R3	H1F	\$282,300	\$112,920
2024	18 041 08 245	RE	74	R3	H1F	\$265,800	\$106,320
2024	18 041 08 249	RE	74	R3	H1F	\$277,600	\$111,040
2024	18 041 08 251	RE	74	R3	H1F	\$314,400	\$125,760
2024	18 041 08 253	RE	74	R3	H1F	\$264,420	\$105,768
2024	18 041 08 254	RE	74	R3	H1F	\$389,100	\$155,640
2024	18 041 08 255	RE	74	R3	H1F	\$319,400	\$127,760
2024	18 041 08 257	RE	74	R3	H1F	\$316,300	\$66,800
2024	18 041 08 259	RE	74	R3	H1F	\$245,800	\$98,320
2024	18 041 08 262	RE	74	R3	H1F	\$358,700	\$143,480
2024	18 041 08 263	RE	74	R3	H1F	\$330,000	\$132,000
2024	18 041 08 264	RE	74	R3	H1F	\$264,800	\$105,920

2024	18 041 08 266	RE	74	R3	H1F	\$374,000	\$149,600
2024	18 041 08 267	RE	74	R3	H1F	\$356,200	\$142,480
2024	18 041 08 268	RE	74	R3	H1F	\$391,900	\$156,760
2024	18 041 08 269	RE	74	R3	H1F	\$293,500	\$117,400
2024	18 041 08 272	RE	74	R3	H1F	\$247,000	\$98,800
2024	18 041 08 274	RE	74	R3	H1F	\$327,800	\$131,120
2024	18 041 08 275	RE	74	R3	H1F	\$315,100	\$126,040
2024	18 041 08 276	RE	74	R3	H1F	\$281,700	\$112,680
2024	18 041 08 277	RE	74	R3	H1F	\$294,700	\$117,880
2024	18 041 08 278	RE	74	R3	H1F	\$299,100	\$119,640
2024	18 041 08 279	RE	74	R3	H1F	\$316,900	\$126,760
2024	18 041 08 285	RE	74	R3	H1F	\$267,500	\$107,000
2024	18 041 09 006	RE	74	R3	H1F	\$324,300	\$129,720
2024	18 041 09 007	RE	74	R3	H1F	\$260,900	\$104,360
2024	18 041 09 008	RE	74	R3	H1F	\$236,800	\$94,720
2024	18 041 09 013	RE	74	R3	H1F	\$296,500	\$118,600
2024	18 041 09 014	RE	74	R3	H1F	\$272,300	\$108,920
2024	18 041 09 016	RE	74	R3	H1F	\$194,100	\$77,640
2024	18 041 09 019	RE	74	R3	H1F	\$255,700	\$102,280
2024	18 041 09 022	RE	74	R3	H1F	\$287,000	\$114,800
2024	18 041 09 027	RE	74	R3	H1F	\$263,600	\$105,440
2024	18 041 09 028	RE	74	R3	H1F	\$284,000	\$113,600
2024	18 041 09 029	RE	74	R3	H1F	\$317,000	\$126,800
2024	18 041 09 030	RE	74	R3	H1F	\$322,100	\$128,840
2024	18 041 09 032	RE	74	R3	H1F	\$280,500	\$112,200
2024	18 041 09 033	RE	74	R3	H1F	\$257,200	\$48,120
2024	18 041 09 034	RE	74	R3	H1F	\$349,300	\$139,720
2024	18 041 09 035	RE	74	R3	H1F	\$213,100	\$85,240
2024	18 041 09 038	RE	74	R3	H1F	\$278,200	\$111,280
2024	18 041 09 044	RE	74	R3	H1F	\$284,900	\$113,960
2024	18 041 09 045	RE	74	R3	H1F	\$334,100	\$133,640
2024	18 041 09 046	RE	74	R3	H1F	\$279,700	\$111,880
2024	18 041 09 048	RE	74	R3	H1F	\$293,000	\$117,200
2024	18 041 09 051	RE	74	R3	H1F	\$294,400	\$117,760

2024	18 041 09 052	RE	74	R3	H1F	\$258,500	\$103,400
2024	18 041 09 053	RE	74	R3	H1F	\$327,200	\$130,880
2024	18 041 09 061	RE	74	R3	H1F	\$272,500	\$109,000
2024	18 041 09 062	RE	74	R3	H1F	\$317,300	\$126,920
2024	18 041 09 063	RE	74	R3	H1F	\$306,800	\$122,720
2024	18 041 09 067	RE	74	R3	H1F	\$272,400	\$108,960
2024	18 041 09 074	RE	74	R3	H1F	\$291,900	\$116,760
2024	18 041 09 081	RE	74	R3	H1F	\$310,100	\$124,040
2024	18 041 09 082	RE	74	R3	H1F	\$314,700	\$125,880
2024	18 041 09 085	RE	74	R3	H1F	\$438,200	\$175,280
2024	18 041 09 086	RE	74	R3	H1F	\$314,700	\$125,880
2024	18 041 09 088	RE	74	R3	H1F	\$387,400	\$154,960
2024	18 041 09 089	RE	74	R3	H1F	\$251,900	\$100,760
2024	18 041 09 090	RE	74	R3	H1F	\$310,000	\$124,000
2024	18 041 09 091	RE	74	R3	H1F	\$180,600	\$72,240
2024	18 041 09 094	RE	74	R3	H1F	\$304,400	\$121,760
2024	18 041 09 097	RE	74	R3	H1F	\$378,700	\$151,480
2024	18 041 09 098	RE	74	R3	H1F	\$285,100	\$114,040
2024	18 041 09 100	RE	74	R3	H1F	\$255,600	\$102,240
2024	18 041 09 101	RE	74	R3	H1F	\$271,400	\$108,560
2024	18 041 09 105	RE	74	R3	H1F	\$310,000	\$124,000
2024	18 041 09 106	RE	74	R3	H1F	\$301,700	\$120,680
2024	18 041 09 107	RE	74	R3	H1F	\$275,000	\$110,000
2024	18 041 09 108	RE	74	R3	H1F	\$276,200	\$110,480
2024	18 041 09 110	RE	74	R3	H1F	\$170,000	\$68,000
2024	18 041 09 112	RE	74	R3	H1F	\$394,100	\$157,640
2024	18 041 09 113	RE	74	R3	H1F	\$279,700	\$111,880
2024	18 041 09 116	RE	74	R3	H1F	\$235,000	\$75,160
2024	18 041 09 117	RE	74	R3	H1F	\$293,700	\$117,480
2024	18 041 09 118	RE	74	R3	H1F	\$350,000	\$140,000
2024	18 041 09 119	RE	74	R3	H1F	\$276,700	\$110,680
2024	18 041 09 121	RE	74	R3	H1F	\$327,800	\$131,120
2024	18 041 09 122	RE	74	R3	H1F	\$328,700	\$131,480
2024	18 041 09 123	RE	74	R3	H1F	\$380,000	\$152,000

2024	18 041 09 124	RE	74	R3	H1F	\$246,300	\$98,520
2024	18 041 09 126	RE	74	R3	H1F	\$301,500	\$120,600
2024	18 041 09 127	RE	74	R3	H1F	\$276,800	\$110,720
2024	18 041 09 130	RE	74	R3	H1F	\$294,300	\$117,720
2024	18 041 09 131	RE	74	R3	H1F	\$264,800	\$105,920
2024	18 041 09 135	RE	74	R3	H1F	\$279,000	\$111,600
2024	18 041 09 136	RE	74	R3	H1F	\$357,600	\$143,040
2024	18 041 09 138	RE	74	R3	H1F	\$230,300	\$92,120
2024	18 041 09 139	RE	74	R3	H1F	\$272,300	\$108,920
2024	18 041 09 140	RE	74	R3	H1F	\$278,500	\$111,400
2024	18 041 09 142	RE	74	R3	H1F	\$282,800	\$113,120
2024	18 041 09 143	RE	74	R3	H1F	\$147,300	\$58,920
2024	18 041 09 144	RE	74	R3	H1F	\$304,500	\$121,800
2024	18 041 09 151	RE	74	R3	H1F	\$308,000	\$123,200
2024	18 041 09 152	RE	74	R3	H1F	\$288,900	\$115,560
2024	18 041 09 154	RE	74	R3	H1F	\$267,800	\$107,120
2024	18 041 09 155	RE	74	R3	H1F	\$382,000	\$152,800
2024	18 041 09 156	RE	74	R3	H1F	\$307,100	\$122,840
2024	18 041 09 158	RE	74	R3	H1F	\$378,000	\$151,200
2024	18 041 09 164	RE	74	R3	H1F	\$275,900	\$110,360
2024	18 041 09 165	RE	74	R3	H1F	\$268,000	\$107,200
2024	18 041 09 173	RE	74	R3	H1F	\$329,300	\$131,720
2024	18 041 09 175	RE	74	R3	H1F	\$436,000	\$174,400
2024	18 041 09 177	RE	74	R3	H1F	\$414,500	\$165,800
2024	18 041 09 178	RE	74	R3	H1F	\$302,500	\$121,000
2024	18 041 09 182	RE	74	R3	H1F	\$357,200	\$142,880
2024	18 041 09 184	RE	74	R3	H1F	\$324,000	\$129,600
2024	18 041 09 185	RE	74	R3	H1F	\$290,000	\$116,000
2024	18 041 09 186	RE	74	R3	H1F	\$310,400	\$124,160
2024	18 041 09 187	RE	74	R3	H1F	\$295,000	\$118,000
2024	18 041 09 001	RE	74	R3	H1S	\$250,100	\$100,040
2024	18 041 09 083	RE	74	R3	H1S	\$284,200	\$113,680
2024	18 041 08 084	RE	74	R3	H3DF	\$358,700	\$143,480
2024	18 041 08 085	RE	74	R3	H3F	\$375,000	\$150,000

2024	18 041 08 146	RE	74	R3	H3F	\$297,300	\$118,920
2024	18 041 08 256	RE	74	R3	H3F	\$318,400	\$127,360
2024	18 041 09 039	RE	74	R3	H3F	\$211,000	\$84,400
2024	18 041 09 054	RE	74	R3	H3F	\$273,500	\$109,400
2024	18 041 09 163	RE	74	R3	H3F	\$280,500	\$112,200
2024	18 041 08 003	RE	74	R3	H4F	\$306,900	\$122,760
2024	18 041 08 011	RE	74	R3	H4F	\$292,100	\$116,840
2024	18 041 08 037	RE	74	R3	H4F	\$230,500	\$92,200
2024	18 041 08 068	RE	74	R3	H4F	\$280,800	\$112,320
2024	18 041 08 083	RE	74	R3	H4F	\$297,100	\$118,840
2024	18 041 08 089	RE	74	R3	H4F	\$361,900	\$144,760
2024	18 041 08 092	RE	74	R3	H4F	\$287,600	\$115,040
2024	18 041 08 102	RE	74	R3	H4F	\$330,700	\$132,280
2024	18 041 08 119	RE	74	R3	H4F	\$236,500	\$94,600
2024	18 041 08 127	RE	74	R3	H4F	\$250,800	\$100,320
2024	18 041 08 130	RE	74	R3	H4F	\$302,000	\$120,800
2024	18 041 08 178	RE	74	R3	H4F	\$277,400	\$110,960
2024	18 041 08 183	RE	74	R3	H4F	\$403,000	\$161,200
2024	18 041 08 194	RE	74	R3	H4F	\$282,500	\$113,000
2024	18 041 08 202	RE	74	R3	H4F	\$185,800	\$74,320
2024	18 041 08 232	RE	74	R3	H4F	\$293,700	\$117,480
2024	18 041 08 238	RE	74	R3	H4F	\$291,200	\$116,480
2024	18 041 08 239	RE	74	R3	H4F	\$376,200	\$150,480
2024	18 041 08 248	RE	74	R3	H4F	\$160,900	\$64,360
2024	18 041 08 280	RE	74	R3	H4F	\$371,000	\$148,400
2024	18 041 08 281	RE	74	R3	H4F	\$200,300	\$80,120
2024	18 041 08 283	RE	74	R3	H4F	\$432,500	\$173,000
2024	18 041 09 020	RE	74	R3	H4F	\$239,400	\$95,760
2024	18 041 09 021	RE	74	R3	H4F	\$390,600	\$156,240
2024	18 041 09 043	RE	74	R3	H4F	\$355,600	\$142,240
2024	18 041 09 049	RE	74	R3	H4F	\$306,600	\$122,640
2024	18 041 09 068	RE	74	R3	H4F	\$310,000	\$105,400
2024	18 041 09 076	RE	74	R3	H4F	\$271,300	\$108,520
2024	18 041 09 099	RE	74	R3	H4F	\$258,600	\$103,440

2024	18 041 09 103	RE	74	R3	H4F	\$270,700	\$108,280
2024	18 041 09 104	RE	74	R3	H4F	\$254,300	\$101,720
2024	18 041 09 115	RE	74	R3	H4F	\$377,100	\$150,840
2024	18 041 09 133	RE	74	R3	H4F	\$291,700	\$116,680
2024	18 041 09 137	RE	74	R3	H4F	\$268,800	\$107,520
2024	18 041 09 147	RE	74	R3	H4F	\$316,200	\$126,480
2024	18 041 09 153	RE	74	R3	H4F	\$289,800	\$115,920
2024	18 041 09 160	RE	74	R3	H4F	\$388,100	\$155,240
2024	18 041 09 162	RE	74	R3	H4F	\$276,600	\$110,640
2024	18 041 09 176	RE	74	R3	H4F	\$352,500	\$141,000
2024	18 041 08 143	RE	74	R3	H6DF	\$274,100	\$109,640
2024	18 041 08 175	RE	74	R3	H6F	\$260,000	\$104,000
2024	18 041 08 200	RE	74	R3	H6F	\$287,000	\$114,800
2024	18 041 09 015	RE	74	R3	H6F	\$265,000	\$106,000
2024	18 041 08 063	RE	74	R3	H9F	\$307,800	\$123,120
2024	18 041 08 067	RE	74	R3	H9F	\$268,400	\$107,360
2024	18 041 08 087	RE	74	R3	H9F	\$279,900	\$111,960
2024	18 041 08 163	RE	74	R3	H9F	\$300,900	\$120,360
2024	18 041 08 201	RE	74	R3	H9F	\$375,300	\$150,120
2024	18 041 08 236	RE	74	R3	H9F	\$296,300	\$118,520
2024	18 041 08 270	RE	74	R3	H9F	\$275,700	\$110,280
2024	18 041 08 282	RE	74	R3	H9F	\$373,900	\$149,560
2024	18 041 09 003	RE	74	R3	H9F	\$302,800	\$121,120
2024	18 041 09 064	RE	74	R3	H9F	\$334,200	\$133,680
2024	18 041 09 080	RE	74	R3	H9F	\$205,200	\$82,080
2024	18 041 09 146	RE	74	R3	H9F	\$365,600	\$146,240

16. What is the assessment value in Georgia, and who sets it?

The assessment percentage is 40% of fair market value and is set according to the laws of Georgia.

17. If my property value and assessment remain the same, can my tax bill change?

Yes. The millage rate can change. Your bill is the product of two items - the assessed value and the mill rate; a change in either can impact your tax bill.

18. How can you have a tax increase with no mill rate change?

A change in your assessed value or the loss of an exemption could produce a tax increase for you. The millage rate alone does not constitute "taxes."

19. What constitutes a millage rate?

The millage rate is calculated by dividing the total county budget by the total value of the tax digest.

20. Who sets these rates?

Millage rates are set by the school board, the county governing authority and any other taxing authorities in whose jurisdiction your property is located.

21. Do I get an exemption from some assessed value and a reduction in taxes because I own a home and live in it?

Yes. This is known as a homestead exemption. [Applications](#) for homestead exemptions in DeKalb County can be filed at any time but must be received before April 1st to be applied to the current tax year. Failure to file constitutes your waiver of the exemption for that year. Please contact the Tax Commissioner's office at (404) 298-4000 to apply for homestead exemptions.


PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2025

COUNTY:	002-DEKALB	TAXING JURISDICTION:	PINE LAKE	
ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW				
DESCRIPTION	2024 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2025 DIGEST
REAL	45,138,290	1,828,272	644,760	47,611,322
PERSONAL	826,768		45,569	872,337
MOTOR VEHICLES	83,620		(23,720)	59,900
MOBILE HOMES	0		0	
TIMBER -100%	0		0	
HEAVY DUTY EQUIP	0		0	
GROSS DIGEST	46,048,678	1,828,272	666,609	48,543,559
EXEMPTIONS	1,060,951	0	8,770	1,069,721
NET DIGEST	44,987,727	1,828,272	657,839	47,473,838
	(PYD)	(RVA)	(NAG)	(CYD)
2024 MILLAGE RATE:	19.400	2025 MILLAGE RATE:		
CALCULATION OF ROLLBACK RATE				
DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA	
2024 Net Digest	PYD	44,987,727		
Net Value Added-Reassessment of Existing Real Property	RVA	1,828,272		
Other Net Changes to Taxable Digest	NAG	657,839		
2025 Net Digest	CYD	47,473,838	(PYD+RVA+NAG)	
2024 Millage Rate	PYM	19.400	PYM	
Millage Equivalent of Reassessed Value Added	ME	0.747	(RVA/CYD) * PYM	
Rollback Millage Rate for 2025	RR - ROLLBACK RATE	18.653	PYM - ME	
CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES				
If the 2025 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	18.653		
	2025 Millage Rate	0.000		
	Percentage Tax Increase	-100.00%		
CERTIFICATIONS				
I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.				
----- Chairman, Board of Tax Assessors		----- Date		
I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.				
----- Tax Collector or Tax Commissioner		----- Date		
I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2025 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2025 is _____				
CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION				
<input type="checkbox"/>	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2025 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.			
<input type="checkbox"/>	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2025 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.			
----- Responsible Party		----- Date		



COUNCIL AGENDA MEMORANDUM (CAM)

TO: Honorable Mayor and Council Members

FROM: Stanley D Hawthorne, City Manager 

DATE: May 27, 2025

TITLE: Ordinance Amendment to Enact Chapter 16 – Public Nuisances

RECOMMENDATION

Approve ordinance amendment to enact Chapter 16 – Public Nuisances.

BACKGROUND

As provided in the City of Pine Lake's City Council Retreat Report, October 25, 2024, four strategic priorities (goals) were discussed and set forth. Goal number 4 prioritized the revamping of city codes and ordinances with an emphasis on code enforcement on a city-wide basis. Objectives included:

- Implement a robust plan to pursue code enforcement on an immediate basis utilizing what is currently in place for code enforcement.
- Define the types of codes desired and focus on updates.
- Research 3-5 different samples of other cities and their code enforcement practices, such as Suwannee, Canton, Woodstock, and Roswell.
- Review downtown boundaries and define a comprehensive plan for conditions, standards, and expectations.

During the City Council's Planning Retreat held on March 28, 2025, the City Attorney was provided direction to draft an enforceable code for compliance with policy based community standards. Originally, the code enforcement draft along with discussion was scheduled for the June 10, 2025 Work Session.

However, as advised by the City Attorney in a communication to the Mayor and Council on May 13: "We made a decision to advance the Code Enforcement changes to this meeting [May 13, 2025] because the comprehensive nature of the changes will require more thought and potential for public input before asking the Council to vote, which is scheduled for the end of June, as discussed during your retreat."

On May 8, the City Attorney advanced an initial draft with summary:

"Mayor and Council:

I attach here the draft of the changes to your Code that we are recommending to combat the blight and challenges you have encountered with remedying problem properties. As currently drafted, your code only affects properties in foreclosure or that are bank owned. It does not offer remedies for owners and owner/occupiers that do not maintain their property.

Several things to be noted in this draft and discussed on Tuesday:

- 1. The proposed Code is a wholly new set of sections and ordinances related to property maintenance and management.*
- 2. There is a comprehensive discussion of issues to be addressed, starting with the City's adoption of the International Property Maintenance Code of 2021, which is currently an optional code approved by the Georgia Department of Community Affairs. The State approved version is available at the link.*
- 3. The Code amendments as presented create criminal violations for the property owner's failure to comply. This authorizes the Municipal Court to fine or incarcerate property owners. I do not recommend this be the process you follow. Quality of Life ordinances such as this need to be about compliance not punishment. We can discuss these options in more detail on Tuesday.*
- 4. The Council should authorize a separate division or authorize the Chief Municipal Court judge to establish a special day, once per month, to address code enforcement cases, rather than lumping them into regular arraignment or trial days. I have discussed this with Judge Wiggins and she is amenable to this suggestion if the Council acts.*
- 5. Not all of the proposed sections or Chapters have to be adopted. Please let me know if you think the proposals go too far or not far enough.*
- 6. I have spoken with Ned and he will create a special page for the website with the proposed language of the new ordinance for the community to review. That page will be live before your meeting on Tuesday. A link on the landing page of the website will be added that will take interested residents to proposed amendments to the Code of Ordinances.*
- 7. The language to be considered offers a number of policy choices and I am happy to discuss those in detail with you either on Tuesday or privately.*

Please feel free contact me at your leisure if you have any questions or concerns.

*Best regards,
Chris*

*Chris Balch
Lawyer
Balch Law Group
830 Glenwood Ave., Suite 510-220
Atlanta, GA 30316
404/202-5934 (M)"*

Stanley D Hawthorne
City Manager
stanleyhawthorne@pinelakega.net
425 Allgood Road Stone Mountain GA 30083
PO Box 1325 • Pine Lake, GA 30072 • 404-999-4932
www.pinelakega.net

Following the May 13, 2025 City Council Work Session based on the feedback received from governing body members, City Attorney Balch was able to revise the original draft in time for a first reading of the ordinance amendment at the May 27, 2025 Regular Meeting.

RESOURCE IMPACT

As the City Council had previously requested a Special Work Session at its March 28 Planning Retreat to discuss their priorities and preferences of a bona fide code compliance and/or enforcement program to be developed with an expectation of sufficient resources to implement, a budget modification placeholder of \$50,000 was recommended for future contracted services and approved as part of the Fiscal Year 2025 Budget Amendment at the City Council April 29, 2025 Regular Meeting.

ATTACHMENTS

Ordinance

Chapter 16 – Public Nuisances Revised draft

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PINE
LAKE TO ENACT CHAPTER 16 – PUBLIC NUISANCES, TO PROVIDE FOR THE
CORRECTION OF SCRIVENERS ERRORS, AND FOR OTHER PURPOSES

WHEREAS, the Governing Authority finds that there are a number of properties within the City of Pine Lake that may constitute public nuisances because of the failure to maintain those properties; and

WHEREAS, the Governing Authority finds that the preservation and protection of the health, safety, and welfare of the citizens and residents of the City require additional tools and remedies to address the issues presented by public nuisances within the City;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Pine Lake that Chapter 16 – Public Nuisances, as attached hereto as Exhibit A, is enacted and passed and shall upon its adoption by the Mayor and City Council, be codified as part of the Code of Ordinances;

the City Clerk in consultation with the City Attorney shall be authorized to make any corrections to scrivener's errors in this Ordinance to give full effect to the intent and will of the Council.

SO ORDAINED, this 24th day June, 2025.

BRANDY HALL
Mayor

ATTEST:

APPROVED AS TO FORM:

NED DAGENHARD
Acting City Clerk

CHRISTOPHER D. BALCH
City Attorney

Chapter 16 NUISANCES

ARTICLE I. IN GENERAL

Sec. 16-1. Purpose and findings.

The governing authority of the city finds that nuisances are such activities and conditions that cause demonstrable adverse impact on the community as defined by Georgia law. These activities and conditions may be associated with illegal criminal activity that has also been proven to have a demonstrable adverse impact on community residences and results in neighborhood blight. The city finds that there is a substantial need directly related to the public health, safety and general welfare of its citizens to comprehensively address these concerns through the adoption of the following regulations. The purpose and intent of the governing authority of the city in enacting the ordinance are as follows:

- (1) To state that it is the duty of the owner of every dwelling, building, structure, or property within the jurisdiction to construct and maintain such dwelling, building, structure, or property in conformance with applicable codes in force within the jurisdiction, or such ordinances which regulate and prohibit activities on property and which declare it to be a public nuisance to construct or maintain any dwelling, building, structure, or property in violation of such codes or ordinances;
- (2) To preserve the value of property and prevent neighborhood blight that arises from poorly maintained property;
- (3) To maintain and promote an attractive residential area and commercial area by requiring that dilapidated property be repaired or removed;
- (4) To maintain for the city's residents, workers and visitors an aesthetically attractive environment and to advance the aesthetic interest of the city;
- (5) To protect the health, welfare and safety of the citizens of city by the removal of both criminal perpetrators and the housing blight on the community;
- (6) To require owners of real property to keep their property in compliance with building, safety and fire codes to minimize the occurrence of illegal criminal activity therein;
- (7) To promote the safety of its citizens, to preserve property values, to provide for the convenience and enjoyment of public areas, to attract tourists, settlers and industry, to serve the public health, safety and aesthetics, to advance the general prosperity of the community and to serve the general welfare; and
- (8) To provide for the enforcement of the provisions of this chapter.

Sec. 16-2. Definitions.

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

Building official means the officer or other person designated by the City Manager and charged with the administration and enforcement of this Code or his designee.

Closing means securing and causing a dwelling, building or structure to be vacated and secured against entry.

Drug crime means an act which is a violation of O.C.G.A. tit. 16, ch. 13, art. 2, known as the "Georgia Controlled Substances Act," as may hereinafter be amended, or comparable Federal law or regulation.

Dwelling, building, or structure means any building or structure or part thereof used and occupied for human habitation or commercial, industrial or business uses, or intended to be so used, and includes any outhouses, appurtenances belonging thereto or usually enjoyed therewith and also includes any portion of the public way that abuts the parcel of property when it is used in conjunction with the abutting property for the commission of nuisance activity described in section 16-23.

Interest holder. See *Party-in-interest*.

Owner means the holder of the title in fee simple and every mortgagee of record including any person who, alone or jointly or severally with others:

- (1) Has legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Has charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, prime tenant, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner.

Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as the owner.

Party-in-interest or *interest holder* means an individual, association, entity or corporation, executor, administrator, guardian, or trustee that has a legal interest in or possession of a dwelling, building, or structure.

***Prostitution* shall have the meaning provided in O.C.G.A. § 16-6-9.**

Public authority means the Governing Authority of the city, also known as the Mayor and City Council for the City of Pine Lake, or their express designee.

Repair means *closing* a dwelling, building or structure (as defined above), the correction of defects in walls or roofs of the structure secure the structure from entry or the encroachment of rain, sleet, snow, hail or other weather elements, or the cleaning or removal of debris, trash, and other materials present and accumulated which create a health or safety hazard in or about any dwelling, building or structure.

Sec. 16-3. Jurisdiction to abate.

- (a) *Summary abatement.* Any judge of the municipal court, without hearing, of those things that are declared either by the common law or statute law to be nuisances, or that are nuisances per se.
- (b) *Service of notice to abate.* Any requirement of service of notice to abate a nuisance, which may be summarily abated, may be complied with by the mailing of such notice by certified United States mail or statutory overnight delivery to the last-known address of the person to be so notified or by posting a copy of the notice of intent to abate on the property in such a way that it is reasonably likely to be observed by the owner or occupants of the property.
- (c) *Service of complaint to abate a nuisance.* On the hearing of any complaint before a judge of the municipal court concerning a nuisance and removal and abatement, reasonable notice shall be given to the parties interested, including the owner or occupant of the premises where the alleged nuisance is taking place and the person causing the nuisance, of the time and place of the hearing upon the complaint.
- (d) *Persons authorized to perform the removal or abatement of nuisances.* After a nuisance has been ordered to be abated or removed, as provided in this section, it may be removed or otherwise abated by any employee designated by the City Manager or the City Manager's designee.

Sec. 16-4. Collection by lien of cost of abatement of nuisance.

Where any person ordered to do any work for the purpose of abating a nuisance has failed or refused to do that work, and the work has been done by the employees of the city, the cost thereof may be collected by lien

against that person and that person's property. Each lien shall be prepared by the department charged with the duty of abating or removing the nuisance, shall be signed by the city clerk, and shall be delivered to the DeKalb County Tax Commissioner for collection as other liens are collected, and filed of record with the Clerk of the Superior Court until such time as the lien is satisfied as provided by law.

Sec. 16-5. Civil Proceedings and Burden of Proof

Proceedings under this Chapter shall be civil in nature and shall not result in the incarceration of any person held responsible for a violation of this Chapter. The City's burden of proof for violation of this Chapter shall be a preponderance of the evidence. Those persons issued a citation or other document to appear for a hearing under this Chapter shall not be entitled to appointed counsel at the City's expense.

Sec. 16-6. Penalties for Violations of this Chapter; Separate Offenses

In addition to any other remedy provided by this Chapter, each violation of any requirement imposed by this Chapter, once a Court of competent jurisdiction has adjudicated such violation after notice to the owner or person of interest in the property, may be punished by a civil penalty of up to \$1000 per violation.

- (1) If the property or structure at issue is one designed or allowed to be used by multiple families, each violation in each unit of the structure may be deemed a separate violation of this Chapter.
- (2) If an Order of abatement is issued by the Court in response to proof by the City of the presence of a public nuisance, each day after (A) the deadline to abate or remedy the violation as stated in the Notice of Violation issued prior to any citation to appear in Court on the violation, and/or (B) each day after the deadline in any court order to abate or remedy a violation of this Chapter, may constitute a separate violation of this Chapter and be assessed a civil penalty for such separate violation, in addition to the Order authorizing the City to abate the nuisance.
- (3) In every case where the Court finds based on the evidence presented a separate violation of this Chapter, the Court is authorized to impose a separate and distinct penalty for such violation.
- (4) The municipal court of the City of Pine Lake is not authorized to incarcerate any person for failure to pay any civil penalty assessed under this Chapter, but may, in accordance with the Court's inherent authority punish direct criminal contempt of the Court's authority in its discretion.

Secs. 16-7—16-22. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Sec. 16-23. Drug and illegal gambling houses, houses of prostitution and other disorderly houses.

- (a) Any dwelling, building, or structure used for prostitution, illegal gambling, or in connection with the commission of drug crimes is hereby declared to be a public nuisance. However, consistent with state public policy, this chapter shall not apply to any publicly owned cultural facility pursuant to O.C.G.A. § 41-1-8.
- (b) It is the affirmative duty of the owner of every dwelling, building, or structure within city to construct and maintain such dwelling, building, or structure in conformance with applicable codes under state law, and all ordinances in force within the city.

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- (c) An owner or party-in-interest of a dwelling, building or structure shall not be subject to proceedings described in subsection (e), (f), (h), (i) or (j) of this section if it is established that the owner or party-in-interest:
- (1) Did not know and could not reasonably have known of the public nuisance described in subsection (a) of this section occurring on the subject premises;
 - (2) Does not hold the subject property for the benefit of or as nominee for any person whose conduct gave rise to the public nuisance described in subsection (a) of this section, and, if the owner or party-in-interest acquired the interest through any such person, the owner or party-in-interest acquired it as a bona fide purchaser for value without knowingly taking part in the public nuisance; or
 - (3) Acquired ownership or legal interest after the completion of the public nuisance giving rise to proceedings under this chapter or at the time the title was acquired, was reasonably without cause to believe that the dwelling, building or structure was subject to be deemed a public nuisance or likely to become subject to being deemed a public nuisance under this chapter.
- (d) The building official shall have all powers to carry out and effectuate the purpose of this chapter as set forth in O.C.G.A. § 41-2-11.
- (e) The building official shall make an investigation or inspection of a dwelling, building, or structure whenever a charge is made that any dwelling, building, or structure is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of activities described in subsection (a) of this section; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions. If the building official's investigation or inspection identifies that any dwelling, building, or structure is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of activities described in subsection (a) of this section; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the building official may either:
- (1) Issue a citation for violation of any applicable state minimum standard codes, building, fire, life safety, and other codes adopted by ordinance, and conditions creating a public health hazard or general nuisance. The citation shall notify the owner and parties of the violation and a time frame for compliance; and
 - (2) Issue a complaint in rem against the lot, tract, or parcel of real property on which such dwelling, building, or structure is situated or where such public health hazard or general nuisance exists and shall cause summons and a copy of the complaint to be served on the owner and parties in interest in such dwelling, building, or structure. Service of the complaint shall be in the manner as mandated by O.C.G.A. § 41-2-12. The complaint shall identify the subject real property by appropriate street address and official tax map reference; identify the owner and parties in interest; state with particularity the factual basis for the action; and contain a statement of the action sought by the building official to abate the alleged nuisance. The summons shall notify the owner and parties in interest that a hearing will be held before a court of competent jurisdiction at a date and time certain and at a place within the city where the dwelling, building or structure is located. Such hearing shall be held not less than 15 days nor more than 45 days after the filing of said complaint in the proper court, unless some other time is agreed to by the City and the owner or parties in interest, or ordered by the Court. The owner and parties in interest shall have the right to file an answer to the complaint and to appear in person or by attorney and offer testimony at the time and place fixed for hearing.
- (f) After notice and a hearing conducted pursuant to subsection (e)(2) of this section, if a court of competent jurisdiction determines that the dwelling, building, or structure in question is a disorderly house or unfit for human habitation or is unfit for its current commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of activities described in subsection (a) of this section; or constitutes an endangerment to the public health or safety as a result of
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unsanitary or unsafe conditions, the court shall state in writing findings of fact in support of such determination and shall issue and cause to be served upon the owner and any parties in interest that have answered the complaint or appeared at the hearing an order of abatement:

- (1) If the repair, alteration, or improvement of the said dwelling, building, or structure can be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, the order of abatement shall require the owner, within the time specified in the order, to repair, alter, or improve such dwelling, building, or structure so as to bring it into full compliance with the applicable codes relevant to the cited violation and, if applicable, shall require the taking of reasonable measures designed to prevent the recurrence of the nuisance activity described in subsection (a) of this section in light of the magnitude of the harm caused by the nuisance. Those measures may include, but are not limited to, making improvements to real estate and installing lighting to enhance security, the hiring of licensed and insured security personnel, the hiring of a receiver, the initiation and execution of eviction proceedings against tenants engaged in illegal activity.
- (2) If the repair, alteration, or improvement of the said dwelling, building, or structure in order to bring it into full compliance with applicable codes relevant to the cited violations cannot be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to demolish and remove such dwelling, building, or structure and all debris from the property.
- (3) The court shall make its determination of "reasonable cost in relation to the present value of the dwelling, building, or structure" without consideration of the value of the land on which the structure is situated; provided, however, that costs of the preparation necessary to repair, alter, or improve a structure may be considered. Income and financial status of the owner shall not be a factor in the court's determination. The present value of the structure and the costs of repair, alteration, or improvement may be established by county tax records, affidavits of real estate appraisers with a state appraiser classification as provided by state law, qualified building contractors, or qualified building inspectors without actual testimony presented. Costs of repair, alteration, or improvement of the structure shall be the cost necessary to bring the structure into compliance with the applicable codes relevant to the cited violations in force in the county.
- (g) The court may authorize the issuance of ex parte administrative search warrants reasonably calculated to determine whether the nuisance has been abated or whether the order of the court has been obeyed.
- (h) If the owner fails to comply with an order to repair or demolish the dwelling, building, or structure, the building official may cause such dwelling, building, or structure to be repaired, altered, or improved or to be vacated and closed or demolished. The public officer shall cause to be posted on the main entrance of the building, dwelling, or structure a placard with the following words:

"This building is unfit for human habitation or commercial, industrial, or business use and does not comply with the applicable codes or has been ordered secured to prevent its use in connection with illegal activities or constitutes an endangerment to public health or safety as a result of unsanitary or unsafe conditions. The use or occupation of this building is prohibited and unlawful."

After a hearing, if it is deemed by the court that this section has not been complied with, such owner or other person is given five days from written notice, to comply and if he fails or refuses to do so, the building official shall thereupon cause the work to be done.

- (i) If the building official has the structure demolished, reasonable effort shall be made to salvage reusable materials for credit against the cost of demolition. The proceeds of any moneys received from the sale of salvaged materials shall be used or applied against the cost of the demolition and removal of the structure, and proper records shall be kept showing application of sales proceeds. Any such sale of salvaged materials may be made without the necessity of public advertisement and bid.

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- (1) The city, the building official and the city council are relieved of any and all liability resulting from or occasioned by the sale of any such salvaged materials, including, without limitation, defects in such salvaged materials; and
 - (2) The amount of the cost of demolition, including all court costs, appraisal fees, administrative costs incurred by the tax commissioner, and all other costs necessarily associated with the abatement action, including restoration to grade of the real property after demolition, shall be a lien against the real property upon which such cost was incurred.
- (j) The lien provided for in subsection (i)(2) of this section shall attach to the real property upon the filing of a certified copy of the order requiring repair, closure, or demolition in the office of the clerk of superior court of DeKalb County, Georgia, and shall relate back to the date of the filing of the lis pendens notice required under O.C.G.A. § 41-2-12(g), as amended. The clerk of superior court shall record and index such certified copy of the order in the deed records of the county and enter the lien on the general execution docket. The lien shall be superior to all other liens on the property, except liens for taxes to which the lien shall be inferior, and shall continue in force until paid. After filing a certified copy of the order with the clerk of superior court, the public officer shall forward a copy of the order and a final statement of costs to the county tax commissioner. It shall be the duty of the county tax commissioner to collect the amount of the lien in conjunction with the collection of ad valorem taxes on the property and to collect the amount of the lien as if it were a real property ad valorem tax, using all methods available for collecting real property ad valorem taxes, including specifically O.C.G.A. tit. 48, ch. 4; provided, however, that the limitation of O.C.G.A. § 48-4-78 which requires 12 months of delinquency before commencing a tax foreclosure shall not apply. The tax commissioner shall remit the amount collected to the city. Thirty days after imposition of the lien, the unpaid lien amount shall bear interest and penalties in the same amount as applicable to interest and penalties on unpaid real property ad valorem taxes.
- (k) The city council may waive and release any lien imposed on property pursuant to subsection (i)(2) of this section if the owner of such property enters into a contract with the city agreeing to a timetable for rehabilitation of the real property or the dwelling, building, or structure on the property; demonstrates the financial means to accomplish such rehabilitation; fully completes the rehabilitation; and fulfills all terms of the contract.
- (l) The city council may appropriate revenue as necessary and may accept and apply grants or donations in carrying out the provisions of this chapter.
- (m) Where the abatement action does not commence in the superior court of the county, review of a court order requiring the repair, alteration, improvement, or demolition of a dwelling, building, or structure shall be by direct appeal to the superior court of the county under O.C.G.A. § 5-3-29, as may hereinafter be amended. Notice of an appeal shall act as a supersedeas.
- (n) Nothing in this Code section shall apply to the consensual cohabitation of any couple or group so long as the agreement to live together shall not be for the purpose of a commercial enterprise or in furtherance of any crime defined by Georgia law, as interpreted by Georgia Appellate Courts, in sections 16-6-1 through 16-6-19 of the Official Code of Georgia Annotated.

Secs. 16-24—16-35. Reserved.

Sec. 16-36. Rules for the use and conduct on and in city parks, trails and greenspace.

- (a) *Purpose.* The purpose of this section is to secure the quiet, orderly and suitable use and enjoyment of City of Pine Lake parks, trails, and greenspaces.
 - (b) *Definitions.* The following words shall have the definitions assigned in this subsection. All other words shall bear their usual and customary meaning, unless defined elsewhere in this Code or by state statute.
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Horse means a horse, mule, donkey, llama, alpaca, or other ungulate or ruminant that is used to transport people, equipment, or materials.

Motorized recreational vehicle means any self-propelled, off the road or all terrain vehicle including, but not limited to minibike, motorcycle, go cart, trail bike, dune buggy, or all terrain vehicle.

Pet means any animal that is tamed and domesticated and kept as a companion.

Pollutant means any substance, solid, liquid or gas, which could cause contamination of air, land or water so as to create or cause a nuisance or render unclean or noxious or impure so as to actually or potentially harmful or detrimental or injurious to public health, safety, or welfare, or that of wildlife or vegetation.

Property means any land, waters, facilities or possessions of the City of Pine Lake.

Responsible person means the parent, guardian, or person having lawful custody and control of a minor.

Roller skater means any person riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person's feet or stood upon by a person. This definition shall not include skate boards or other wheeled devices that are not affixed to the person's feet by laces or brackets.

Smoke/smoking means the inhaling or exhaling of smoke or gas from any lighted cigar, cigarette, pipe or other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or other lighted tobacco or plant product intended for inhalation.

Vehicle means every device in, upon, or by which any person or property is or may be transported upon a roadway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(c) *Public use regulations.*

(1) *Hours of operation for parks and greenspaces.* Parks and greenspaces shall be open to the public daily from dawn to dusk, local time. It shall be unlawful for any person to enter or remain in a park at any other time without a use permit, except when the park area or facility is otherwise designated by the council. Overnight use shall be unlawful.

(2) *Drug and alcohol use.* It shall be unlawful for any person

~~a. To use, possess, or sell any controlled substance in violation of state statutes.~~

~~b. Serve, possess, or consume any alcoholic beverage within a park, except pursuant to a special permit issued by the city.~~

(3) *Disorderly conduct.* It shall be unlawful for any person to engage in disorderly conduct as defined under state law, as it may be amended from time to time.

(4) *Selling of food items.* It shall be unlawful to sell any food items except by special permit issued by the city.

(5) *Tents, canopies, or temporary shelters.* It shall be unlawful to erect, use, establish tents, canopies, tarpaulins, or other temporary shelter except by special permit issued by the city, or pursuant to an authorized and city-sponsored special event.

(6) *Open fires, smokers, or grills.* It shall be unlawful to ignite, light, or utilize any open fire, smoker or grill, except in permanent installations provided at the park or trail for such purpose.

(7) *Animals.* It shall be unlawful to bring, allow or otherwise accompany any horse, or undomesticated animal into any park of the city.

(8) *Pets.* All pets must be on leash at all times while in a park, greenspace, unless within a designated and fenced "dog park" established by the city council. No leash shall be more than six feet in length and must be in the owner's control at all times. Any pet not on a leash shall be deemed "running at large" as defined by the Code of the city and the owner of such pet subject to citation, adjudication and punishment as permitted by law.

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- (10) *Vandalism and damage to landscaped areas.* It shall be unlawful to commit any act of vandalism or to recklessly harm any park property, amenity, landscaping, hardscaping, equipment, or amenity.
- (11) *Fishing.* It shall be unlawful to fish in any stream, river, creek, lake or other body of water, within any park, greenspace or adjacent to any trail, unless the fisherperson shall use monofilament line, of not more than ten pounds breaking strength, and a single unbarbed hook, using only natural baits. No lures, jigs, or other artificial devices may be utilized.
- (12) *Roller skating.* Roller skating shall be allowed on paved surfaces only. The use of any other type of wheeled device or vehicle shall be unlawful.
- (13) *Smoking.* It shall be unlawful to smoke or use smokeless tobacco products.
- ~~(14) *Swimming or wading.* It shall be unlawful to swim or wade in any stream, river, lake or other natural body of water.~~
- (14)** *Vehicles.* It shall be unlawful to use, operate, or ride any motorized vehicle except in designated parking lots and spaces. This prohibition shall not apply to scooters or bicycles powered by electric motors.
- (d) The Pine Lake Police Department, the DeKalb County Sheriff's Department, the DeKalb County Police Department and any other sworn law enforcement agency or employee of any of the enumerated agencies or other agency shall be empowered to enforce this section by citation to the Municipal Court of the City of Pine Lake, where upon conviction such person may be punished as the court directs pursuant to section 1-11 of this Code.
- (e) ~~[Other rules and regulations.]~~ The council shall have the right to adopt by resolution other rules and regulations related to this section. Such other rules and regulations shall not be a basis for citation, though a violation of such rules and regulations will provide good and sufficient justification for a law enforcement officer to conduct a reasonable inquiry into the conduct of the violation and whether other violations of law may have occurred or be occurring.

Secs. 16-37—16-49. Reserved.

ARTICLE III. PROPERTY MAINTENANCE CODE ADOPTION

Sec. 16-50. Adopted codes.

- (a) *Generally.* As future new editions and/or amendments of the code listed below are adopted by the board of community affairs of the state department of community affairs, it shall become a part of or replacement for the adopted code, rules and regulations or standards and shall become enforceable as prescribed without separate adoption by the city. All new construction, installations, repairs or alterations shall be in conformance with the current edition of the following codes and referenced appendixes with state amendments as currently adopted or authorized by the Board of Community Affairs of the state Department of Community Affairs: International Property Maintenance Code, as amended.
- (b) *Referenced standards.* Standards referenced in the above-stated codes shall be considered an integral part of the code without separate adoption. If specific portions of a standard are denoted by a code test, only those portions of the standard shall be enforced. Where code provisions conflict with a standard, the code provisions shall govern. Permissive and advisory provisions in a standard shall not be construed as mandatory.
- (c) *Appendices.* The appendixes included in any code adopted pursuant to subsection (a) of this section are not intended for enforcement unless specifically referenced in this chapter or specifically included in this Code.

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- (d) *Referenced codes and standards.* The adopted state codes adopted pursuant to this chapter shall be considered part of the requirements of this chapter to the prescribed extent of each such adoption. Where differences occur between the provisions of this chapter and referenced codes and standards, the provisions of this chapter shall govern.

Sec. 16-51. International Property Maintenance Code.

A certain document, being marked and designated as the International Property Maintenance Code, as published by the International Code Council, be and is hereby adopted as the property maintenance code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the city are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 16-52.

Sec. 16-52. Revisions to the International Property Maintenance Code.

The following revisions shall be made to the International Property Maintenance Code:

Section 101.1. Insert: City.

Section 103.1. Insert: Department of Code Enforcement

Section 302.4. Insert: 12 inches. (maximum height of plant growth)

Section 304.14. Insert: March 15 to November 1. (insect screens)

Section 602.3. Insert: October 15 to March 15. (heating required residence)

Section 602.4. Insert: October 15 to March 15. (heating required work spaces)

Secs. 16-53—16-97. Reserved.

ARTICLE V. MULTIFAMILY RENTAL HOUSING

Sec. 16-98. Definitions.

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

Building official means the chief building inspector for the city.

Certified building inspector means any person inspecting for compliance with this article who is certified pursuant to section 16-102.

Code compliance certificate means a certificate, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report attached thereto.

Inspection report means the report attached to the code compliance certificate describing minimum requirements for inspection of each multifamily rental unit in the premises.

Lease means any written agreement which sets forth any and all conditions concerning the use and occupancy of multifamily rental dwellings or multifamily rental units.

Multifamily rental dwelling means any structure, building, or other facility containing four or more multifamily rental units that is leased to a tenant or tenants for use as a home, residence, or sleeping unit. This definition includes, but is not limited to, multiple-family dwellings, multiple-family apartment units, boardinghouses, rooming houses, group homes, and flats.

Multifamily rental unit means any one area, room, structure, flat, apartment, or facility of a multifamily rental dwelling that is being leased or rented to only one tenant, group of tenants, or family under one lease, or under terms of joint and severable liability.

Occupant means all tenants, lessees and persons residing within a multifamily rental unit.

Owner means any person, agent, firm, corporation or other entity having a legal interest in a premises.

Owner-occupied means any part of a structure used as living quarters by the owner of said structure where other parts of the structure are used as multifamily rental units. Example: Two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit.

Premises means any lot or piece of land that includes a multifamily rental dwelling or multifamily rental units.

Sec. 16-99. Fee and certificate required.

- (a) *Occupational tax.* All owners of multifamily rental dwellings or multifamily rental units within the city that receive income for use of four or more such multifamily rental units and meet the requirements of O.C.G.A. § 48-13-5 for having a location or office within the city shall be subject to an occupational tax as provided in chapter 15 and shall provide to the city, prior to April 15th, of each calendar year. Said code compliance certificate shall be certified by the owner and the certified building inspector that all multifamily rental units have been inspected and are in compliance with those standards contained in the code compliance certificate and inspection report. New multifamily rental developments are exempt from the interior evaluation requirements described herein, provided proper permits are obtained from the city, five years after the date of the certificate of occupancy issued by the city.
- (b) *Inspection.* Upon initial inspection of such multifamily rental dwellings or multifamily rental units, should a certified building inspector determine that further work is necessary to comply with the minimum standards set forth herein, an acceptable plan shall be submitted to the building official, outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this article. Notwithstanding anything to the contrary contained herein, no extension shall be granted for noncompliance of life safety code issues and any such multifamily rental units containing such noncompliant life safety issues shall not be leased until brought into full compliance with the minimum standards contained in this chapter and re-certification provide to the building official by the owner.
- (c) *Code compliance certificate.* Each owner shall submit a code compliance certificate annually, with their occupational tax certificate renewal. Such subsequent code compliance certificate shall cover at least one half of the multifamily rental units in the premises, provided all multifamily rental units contained in the premises shall be inspected, at a minimum, every two years. All multifamily rental units inspected shall be listed individually on the code compliance certificate submitted to the city by the owner.

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- (d) *Written record of inspection.* Furthermore, each owner shall keep a written record of all inspections for each multifamily rental unit including the date of the inspection, items inspected and all violations, if any, observed. In addition, the most recent copy of the inspection reports for the multifamily rental units shall also be maintained at the premises. Such records shall be presented to the city within ten business days after such request is made in writing to the owner at the contact address listed on the code of compliance certificate. Failure to provide such records shall nullify the code compliance certificate for those multifamily dwelling units included in the request.
- (e) *Authority to audit and inspection warrants.* The building official or its designee shall have the authority to inspect the interior of those units that are included in each annual code compliance certificate submitted to the city pursuant to subsection (c) of this section when there is probable cause to believe there has been a violation of this chapter or other applicable code sections. Said inspection may, at the discretion of the building official, include such number of submitted units included in the code compliance certificate as determined by the building official or its designee. Once determined that an audit inspection will be conducted, the building official shall give written notice to the certified building inspector issuing the code compliance certificate, the owner and/or the property management company of the date of the inspection which inspection shall take place, which shall be no sooner than seven days from the date of the notice and shall be conducted on from 9:00 a.m. to 5:00 p.m. during weekdays, other than nationally recognized holidays. The written notice shall state that the owner and/or property management company shall have the right to refuse the inspection and the building official or designee's right to seek issuance of an inspection warrant in the event of any such refusal. The owner, the certified building inspection or a member of the property management company shall be available to accompany the building official during the inspection. In the event the owner and/or property management company refuses inspection, the building official or designee shall have the right to seek issuance of an inspection warrant from a judge of the municipal court in accordance with section 7-171.

Sec. 16-100. Failure to provide code compliance certificate.

- (a) Failure to provide the code compliance certificate as provided herein shall be a violation of this chapter and is subject to those penalties contained herein and in section 1-11.
- (b) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said multifamily rental dwelling or multifamily rental units to inspection by the building official, at a fee as determined by the governing body of the city, that includes all costs of such inspection by the city. Said inspection by the city, if required, shall be performed at the sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for in city Code. Nothing contained in this chapter shall prevent the city from enforcement of the state minimum standard codes as provided in this chapter during the city's inspection of the multifamily rental units.
- (c) Failure to pay the occupational tax as provided herein shall be a violation of chapter 15 and is subject to those penalties set forth in chapter 15 and as otherwise provided in the Code.

Sec. 16-101. Penalty for false certification and false inspection.

- (a) An owner who knowingly furnishes a code compliance certificate to the city which contains a false certification that any multifamily rental dwellings or multifamily rental unit inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this chapter for each multifamily rental dwelling or multifamily rental unit for which the code compliance certificate is shown to be false and can be fined by the court for each violation up to \$1,000.00 for each dwelling or unit.

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- (b) A certified building inspector who knowingly, recklessly, or negligently furnishes an inspection report which contains fraudulent information that a multifamily rental dwelling or multifamily rental unit meets the minimum standards of this chapter, shall be guilty of a violation of this Code, may be subject to the provisions of section 1-11 and may be fined, by the court for each violation up to \$1,000.00 for each dwelling or unit, each dwelling or unit shall constitute a separate offense. In addition, the certified building inspector's right to submit inspection reports to the city shall be suspended for a stated prior of time, up to five years.
 - (c) A property manager who knowingly furnishes a code compliance certificate to the city which contains a false certification that any multifamily rental dwelling or multifamily rental unit inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this chapter for each multifamily rental dwelling or multifamily rental unit for which the code compliance certificate is shown to be false and can be fined by the court for each violation up to \$1,000.00 for each dwelling or unit.

Sec. 16-102. Certified building inspector requirements.

All inspectors wishing to submit or participate in the city's multifamily rental housing evaluation program must comply with the following requirements:

- (1) The inspector must be a licensed design professional (architect or engineer) or hold one of the following certifications from the International Code Council (ICC): property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.
- (2) The inspector must submit a copy of his business license or occupational tax certificate and certificate of insurance of liability insurance.
- (3) The inspector must meet with the building official to present the qualifications noted in subsections (1) and (2) of this section for approval prior to performing any inspections pursuant to this chapter. Upon completion of this meeting, an inspector determined to be qualified by the building official will be placed on a list of approved certified building inspectors to be maintained by the city.
- (4) From time to time, mandatory meetings will be called by the city building official which all certified building inspectors participating in the program must attend, except as permitted on an individual basis by the building official due to extenuating circumstances. Ample notice will be provided by the city to the contact address provided by the certified building inspector no less than two weeks prior to the date of the meeting.

Sec. 16-103. Interior evaluations of multifamily rental units.

Interior evaluations will be conducted to ensure compliance with the International Property Maintenance Code, the Life Safety Code (existing provisions) and the International Fire Code and other referenced standards contained herein and, at a minimum, will include inspections of the following items. The 2006 International Property Maintenance Code and the 2006 International Fire Code, or the latest version of the same as adopted periodically by the State Fire Commissioner or Georgia Department of Community Affairs, are the referenced codes.

- (1) Apartment numbers identification posted in accordance with IPMC section 304.3. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the public or private street or road fronting the multifamily dwelling unit. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).
- (2) Flooring is an impervious surface in the kitchen and bath areas in accordance with IPMC 305.3.

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- (3) All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition with no chipping or flaking paint or loose plaster, decayed wood and other defective surface conditions.
- (4) Hot and cold water at kitchen baths and laundry rooms is provided in accordance with IPMC section 505.1. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
- (5) Privacy for bathrooms shall be provided in accordance with IPMC section 503.1. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.
- (6) Heating facilities are in good working order in accordance with IPMC section 602.2 and 603.1. No unvented heating appliances in sleeping rooms. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section (603.1). All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.
- (7) Garbage disposal facilities are in accordance with IPMC sections 307.3, 307.3.1 and 307.3.2. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. (307.3.1) The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each multifamily rental unit; ~~an approved incinerator unit in the structure available to the occupants in each multifamily dwelling unit;~~ or an approved leak-proof, covered, outside garbage container. (307.3.2) The owner of every multifamily rental unit producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.
- (8) Smoke detector devices shall be provided in accordance with IPMC section 704.2. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:
- On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - In each room used for sleeping purposes.
 - In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
 - Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.
 - as required by O.C.G.A. § 25-2-40.
 - For multifamily rental units constructed before 1987: At least one battery operated between the living and sleeping areas.
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- g. Unless over three or more stories, detectors shall be installed within each multifamily rental unit between living and sleeping areas. Such detectors shall be continuously powered by the building's electrical system. When activated, the detector shall initiate an alarm which is audible in sleeping rooms of that living unit.
 - h. For multifamily rental units constructed after 1987, detectors must be located on every level and outside of the sleeping area.
 - i. For multifamily rental units constructed after 2007, detectors must be installed per IPMC including one on every level, outside of the sleeping area and inside of every sleeping room.
- (9) Window spaces for light, ventilation, operable and emergency escape shall conform with IPMC sections 304.13.1, 304.13.2, 304.14, 304.18.2, 402.1 and 702.4. (304.13.1) All glazing materials shall be maintained free from cracks and holes. (304.13.2) Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware. (304.14) During the period from April 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition. (304.18.2) Operable windows located in whole or in part within six feet (1,828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device. (402.1) Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet (914 mm) from the exterior of the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. (702.4) Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following: (i) required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools; (ii) bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.
- (10) Plumbing facilities to be maintained in a safe working condition in accordance with IPMC section 502.1. Every multifamily rental unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.
- (11) Electrical devices, service equipment and luminaries are in safe working condition with no exposed wires in accordance with IPMC sections 604 and 605. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and section 605. Multifamily rental units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, improper wiring or installation, deterioration or damage, or for similar reasons, the defects are to be corrected to eliminate the hazard. (605) All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall
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contain at least one receptacle. Every public hall, interior stairway, toilet room, kitchen, bathroom, bedroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. GFCI devices are provided in required locations dependent on the time of construction, repair or remodel generally in accordance with the following standards:

- a. 1971 Receptacles within 15 feet of pool walls.
 - b. 1973 All outdoor receptacles.
 - c. 1975 Bathrooms, 120-volt pool lights, and fountain equipment.
 - d. 1978 Garage receptacles.
 - e. 1981 Whirlpools and tubs.
 - f. 1984 Distance of GFCI protection extended to 20 feet from pool walls.
 - g. 1987 Unfinished basements.
 - h. 1987 Kitchen countertop receptacles within six feet of sink.
 - i. 1990 Crawlspace (with exception for sump pumps or other dedicated equipment).
 - j. 1993 Wet bar countertops within six feet of sink.
 - k. 1993 Any receptacle replaced in an area presently requiring GFCI.
 - l. 1996 All kitchen counters—not just those within six feet of sink.
 - m. 2005 Receptacles near laundry and utility sinks within six feet.
- (12) Door units, jambs and hardware are in good working order in accordance with IPMC sections 304.13, 304.18, 305.3 and 305.6 and required opening protective devices be maintained in an operative condition. In accordance with IPMC section 703.2 (304.13), every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. (304.18) Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within. (305.3) All interior surfaces, including windows and doors, shall be maintained in good condition. Loose plaster and decayed wood shall be corrected. (305.6) Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware. (703.2) Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.
- (13) Interior stairs, handrails and guards are maintained in a sound condition and good repair in accordance with IPMC sections 305.4, 305.5, and 306.1. (305.4) Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition. (305.5) Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good repair. (306.1) Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have handrails. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1,067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces.
- (14) Interior floors, walls and ceilings are maintained in good repair, structurally sound and in sanitary condition in accordance with IPMC section 305. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that
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part of the structure which they occupy or control in a clean and sanitary condition. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads. Defective surface conditions shall be corrected. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition.

- (15) Occupancy limitations per bedroom in accordance with IPMC section 404. Dwelling units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces. A habitable room, other than a kitchen, shall not be less than seven feet (2,134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than three feet (914 mm) between counterfronts and appliances or counterfronts and walls. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than seven feet (2,134 mm).
- Every bedroom shall comply with the requirements of sections 404.4.1 through 404.4.5.
 - 404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of additional floor area for each occupant thereof.
 - 404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces. Exception: Units that contain fewer than two bedrooms.
 - Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.
 - Kitchens and nonhabitable spaces shall not be used for sleeping purposes.
 - Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of the IPMC.
 - Multifamily rental units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

Space	Minimum Area (in square feet)		
	1—2 Occupants	3—5 Occupants	6 or More Occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with section IPMC 404.4		

For SI: 1 square foot = 0.093 m²

^a See IPMC section 404.5.2 for combined living room/dining room spaces.

^b See IPMC section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

- The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with IPMC section 404.4.

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- i. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.
 - (16) Insect and rodent infestation in accordance with IPMC section 308.1. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.
 - (17) Means of egress shall be provided in accordance with IPMC section 702. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. The required width of aisles in accordance with the International Fire Code shall be unobstructed. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.
 - (18) Fire extinguisher shall be present and tagged or inspection current in accordance with IFC 906.1 and NFPA 10 (906.1). Portable fire extinguishers shall be installed in the following locations: (1.) In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies and; (2.) (NFPA 10) Fire extinguishers must be within 75 foot travel distance of the most remote location of a dwelling. (906.2) Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.
 - (19) Sprinkler heads clear and unobstructed. NFPA 25 Sprinkler heads must be free from dust debris paint and obstructions that would otherwise inhibit their operation.

Sec. 16-104. Exterior and publicly accessible evaluations of multifamily properties.

- (a) Exterior evaluations will be conducted evaluating for compliance with the latest edition of the International Property Maintenance Code, the Life Safety Code (existing provisions) and the International Fire Code and other referenced standards contained herein.
- (b) All premises containing multifamily rental dwellings or multifamily rental units will be subject to an evaluation of the exterior, public and mechanical areas in accordance with policy approved by the city. After the exterior inspection, the owner of the premises will be presented with a report containing the findings of the city's inspection. Compliance must be achieved in a timeframe as specified in the exterior inspection report.
- (c) Failure by the owner to properly address the exterior inspection report findings in the timeframe outlined therein as presented shall be a violation of this article and is subject to those penalties provided by the International Property Maintenance Code, allowed by law, contained herein or in section 16-23.

Secs. 16-105—16-121. Reserved.

ARTICLE VI. WEEDS AND GRASS

Sec. 16-122. Maximum height of weeds, grass, etc.

It shall be unlawful for the owner of improved property or previously improved property in the city, whether zoned residential, commercial, industrial or other, to have, place or allow grass, weeds and/or other undergrowth to exceed the height of 12 inches or more on such property, including but not limited to, the front, side or rear yard, or right-of-way. Notwithstanding the above, grass, weeds and/or other undergrowth of a height of 12 inches or more are declared to be a public nuisance and abatable as such.

Sec. 16-123 to 16-124 RESERVED

Sec. 16-125. Remedies.

The remedies provided in this article are cumulative of all other remedies the city has for the accomplishment of the objectives set forth in this chapter. Nothing in this article shall be construed as relieving any person from the obligation to comply with this Code, all ordinances, laws or regulations of the city, or to permit the maintenance by any person of a nuisance; and any nuisance shall be subject to be abated in the manner provided by law.

Secs. 16-126—16-150. Reserved

ARTICLE VII. NOISE

Sec. 16-151. Definitions.

All terminology used in this article, not defined below, shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body. The following words and terms, when used in this article, shall have the following meanings:

A-weighting is the electronic filtering in sound level meters that models human hearing frequency sensitivity.

Background sound level is the total sound pressure level in the area of interest excluding the noise source of interest.

Commercial or business property category is all property which is used primarily for the sale of merchandise or goods, or for the performances of service, or for office or clerical work. Any property zoned multi-use, as that term may be used in chapter 27 shall be deemed commercial or business property under this chapter.

Construction is any site preparation, assembly, erection, repair, alteration or similar action, or demolition of buildings or structures.

Daytime hours shall mean the hours of 7:00 a.m. to 11:00 p.m., Monday through Thursday, 7:00 a.m. to 11:59 p.m. Friday, 9:00 a.m. to 11:59 p.m. Saturday, and 9:00 a.m. to 11:00 p.m. Sunday.

Decibel (dB) is the unit of measurement for sound pressure level at a specified location.

dBA is the A-weighted unit of sound pressure level.

dB(C) is the C-weighted unit of sound pressure level.

Emergency is any occurrence or set or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work is any work or action performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Impulsive sound is a sound having a duration of less than one second with an abrupt onset and rapid decay.

Industrial or manufacturing property category is any property which is used primarily for manufacturing or processing.

Institutional property category is any property which is used primarily for public purposes such as city hall or a city park.

Muffler is a sound-dissipative device or system for attenuating the sound of escaping gases of an internal combustion engine where such a device is part of the normal configuration of the equipment.

Multi-family dwelling is any building or other shelter that has been divided into separate units to house more than one family.

Nighttime shall mean the hours of 11:00 p.m. 7:00 a.m., Monday through Friday, 12:00 a.m. to 9:00 a.m. Saturday, and 12:00 a.m. to 9:00 a.m. Sunday.

Noise is any sound which annoys or disturbs humans or causes or tends to cause an adverse psychological or physiological effect on humans.

Noise disturbance is any sound that:

- (1) Endangers the safety or health of any person;
- (2) Disturbs a reasonable person of normal sensitivities; or
- (3) Endangers personal or real property.

Noise-sensitive facility means any facility whose operations may be detrimentally impacted by excessive sound levels. Such facilities include, but are not limited to, schools, hospitals, and places of worship.

Octave band is all the components in a sound spectrum whose frequencies are between two sine waves components separated by an octave.

Real property line is the line, including its vertical extension that separates one parcel of real property from another.

Residential property category is all property established as a residential zoning category by chapter 27 of the ordinances of the City of Pine Lake, except for multi-use zoning categories where there may be residential components.

Sound level meter (SLM) is an instrument used to measure sound pressure levels conforming to type 1 or type 2 standards as specified in ANSI Standard S1.4-1983 or the latest version thereof.

Sound pressure level (SPL) is 20 multiplied by the logarithm, to the base ten, of the measured sound pressure divided by the sound pressure associated with the threshold of human hearing, in units of decibels.

Sec. 16-152. Sound level limitations.

- (a) No person shall cause, suffer, allow, or permit the operation of any sound source in such a manner as to create a sound level that exceeds the sound level limits set forth in table 1 when measured at or within the real property line of the receiving property using the slow response setting unless otherwise noted. Such a sound source would constitute a noise disturbance.

Table 1 Sound Level Limits by Receiving Property

Receiving property zoning category	Day of week	Time of day	Distance from sound source	Sound limitation
Residential or noise sensitive facility	Everyday	Daytime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	80 dB 75 dB 65 dB 55 dB
Residential or noise sensitive facility	Sunday through Thursday	Nighttime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	70 dB 65 dB 55 dB 50 dB
Residential or noise sensitive facility	Friday and Saturday	Nighttime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	75 dB 65 dB 55 dB 50 dB
Commercial	Sunday to Friday	Daytime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	80 dB 75 dB 65 dB 55 dB
Commercial	Sunday to Thursday	Nighttime	0—50 feet 51—150 feet 151-300 feet Over 300 feet	70 dB 65 dB 55 dB 50 dB
Commercial	Friday and Saturday	Daytime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	85 dB 80 dB 70 dB 65 dB
Commercial	Friday and Saturday	Nighttime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	75 dB 70 dB 65 dB 55 dB
Industrial	Everyday	Anytime	0—50 feet 51—150 feet 151—300 feet Over 300 feet	85 dB 80 dB 70 dB 65 dB

(b) *Prohibited conduct.*

- (1) *Mechanical sound-making devices.* It is unlawful for any person to play, use, operate, or permit to be played, used, or operated, any radio receiving device, television, stereo, musical instrument, phonograph, sound, amplifier, or other machines or devices producing, reproducing or amplifying sound and/or at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible and heard or cause vibrations to property or person at or more than the specified distances above from the building, structure or motor vehicle on private property, unless the property boundaries from which the sound originates is a greater distance than those specified in subsection (a) of this section. In that event, the sound shall not be plainly audible beyond the property boundary.
- (2) *Human-produced sound.* It is unlawful for any person to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance at or more than the specified distances in subsection (a) of this

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- section from the place, building, structure, or in the case of real property, beyond the property limits, in which the person is located, whichever is farthest.
- (3) *Party noise.* It is unlawful for any person in charge of a party or other social event that occurs on any private property to allow that party or event to produce noise in such a manner so as to cause such noise to be plainly audible at or more than the specified distances in subsection (a) of this section from the building or structure from which the party noise is emanating or, in the case of real property, beyond the property limits on which the party or social event is located, whichever farthest.
 - (4) *Commercial advertising.* It is unlawful for any person to use, operate, or permit to be used or operated, any radio receiving device, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for production or reproduction of a sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract attention of the public to any building, structure or vehicle in such a manner as to create, or cause to be created, any noises or sounds which are plainly audible at or more than the specified distances in subsection (a) of this section from the building, structure, or motor vehicle on private property.
 - (5) *Use or ignition of fireworks.* It is unlawful for any person to use, ignite or permit to be used or operated any fireworks as defined in O.C.G.A. 25-10-1 producing noise in such a manner so as to cause such noise to be plainly audible on any day before 10:00 a.m. or after 10:30 pm and up to including the time of 11:59 pm, except as permitted by State Statute, and on July 2, 2016, for which no fireworks will be permitted before 10:00 a.m.
- (c) In a multi-family dwelling, it shall be unlawful to create or permit to be created any noise that exceeds the daytime limit of 75 dBA and the nighttime limit of 55 dBA as measured from the closest neighbor's dwelling.
 - (d) In places of public entertainment having a capacity of 5,000 or more persons, it shall be unlawful to create or permit to be created any noise that exceeds an average of 95 dBC in any ten-minute period from 7:00 a.m. to 12:00 a.m. Sunday through Thursday and from 7:00 a.m. to 1:00 a.m. for events commencing on Friday or Saturday. The sound level limit for all other times shall be 55 dBC. The sound shall be measured at a point which is found by traveling a straight line distance from the center of the sound board through the center rear of the facility a distance of 500 feet or to the property line of the facility, whichever is less. The measurement assumes that the sound board is not more than 100 feet from the center stage. The 500-foot measurement shall be reduced one foot for each foot that the sound board is more than 100 feet from center stage.
 - (e) In interpreting and applying the times and values in table 1, it is the intent of the city council that the times be interpreted to provide maximum protection from undesirable noise possible.

Sec. 16-153. Exemptions.

- (a) Noise generated from municipally sponsored or approved celebrations or events shall be exempt from the provisions of subsections 16-152(a) and (b).
 - (b) The following are exempt from the sound level limits of subsections 16-152(a), (b), and (c):
 - (1) Sound by public safety vehicles, emergency signaling devices, or authorized public safety personnel for the purpose of alerting persons to the existence of an emergency;
 - (2) Noise from an exterior burglar alarm of any building, provided such burglar alarm shall terminate its operation within five minutes of its activation if the sound is uninterrupted or ten minutes if intermittent;
 - (3) Noise from any automobile alarm, provided such alarm shall terminate its operation within five minutes of its activation if the sound is uninterrupted or ten minutes if the sound is intermittent;
 - (4) The generation of sound in situations within the jurisdiction of the Federal Occupational Safety and Health Administration;
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- (5) Organized band and/or sports league activity sponsored by a school, or authorized by written agreement by the DeKal County School District, or the City of Pine Lake that is otherwise in compliance with the code of ordinances of the City of Pine Lake, Georgia;
 - (6) Unamplified bells, chimes or carillons while being used in conjunction with religious services between the hours of 7:00 a.m.—10:00 p.m.;
 - (7) Emergency work;
 - (8) Events with amplified sound that are operating within the time and volume parameters set forth in an approved special administrative permit;

Sec. 16-154. Restricted uses and activities.

Notwithstanding the provisions of subsection (1)—(2)a. and the exceptions above, the following standards shall apply to the activities or sources of sound set forth below:

- (1) Non-commercial or non-industrial power tools used for landscaping and yard maintenance shall not be operated between the hours of 7:00 p.m. and 7:00 a.m., or on Saturday or Sunday before the hour of 9:00 a.m. At all other times, the limits set forth in subsection (1)—(2)a. do not apply to non-commercial or non-industrial power tools and landscaping and yard maintenance equipment, provided that all motorized equipment is operated with a functioning muffler.
- (2) Commercial or industrial power tools used for landscaping and yard maintenance shall be operated with a muffler. All motorized equipment used in these activities shall not be operated on a residential property or within 250 feet of a residential property line, between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or before the hour of 9:00 a.m. or after the hour of 5:00 p.m. on Saturday, or at any time on Sunday, unless:
 - a. Such activities are deemed emergency work, or
 - b. Such activities meet the limits set forth in subsection (1)—(2)a.

At all other times, the limits set forth in subsection (1)—(2)a. do not apply to commercial or industrial power tools and landscaping and yard maintenance equipment.

- (3) Construction and demolition activity shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, before the hour of 8:00 a.m. or after the hour of 5:00 p.m. on Saturday, or at any time on Sunday, unless:
 - a. Such activities are deemed emergency work; or
 - b. Such activities meet the limits set forth in subsection (1)—(2)a.

This provision shall not apply if the chief of police determines that the loss or inconvenience that would result to any party in interest is of such a nature as to warrant special consideration. In such cases, the chief of police may grant a renewable permit for a period not to exceed ten days for this work to be done within the hours of 10:00 p.m. to 7:00 a.m.

- (4) Domesticated animals may not make any vocalizations (including barking, baying, howling, crying, or making any other noise) for more than ten minutes without interruption or more than 30 minutes if intermittent.
- (5) The collection of trash or refuse in residential districts is prohibited between the hours of 9:00 p.m. and 7:00 a.m.
- (6) No person shall operate, play, or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, or similar device in such a manner as to create a continuing noise

disturbance at 50 feet from such device, when operated in or on a motor vehicle on a public right-of-way or public space.

Sec. 16-155. Procedures for the determination of sound levels.

- (a) Insofar as practicable, sound will be measured while the source under investigation is operating at normal, routine conditions and, as necessary, at other conditions, including but not limited to, design, maximum and fluctuating rates. All noise measurements shall be made at or within the property line of the impacted site, unless otherwise directed in this article. When instrumentation cannot be placed at or within the property line, the measurement shall be made as close thereto as is reasonable. For the purposes of this article, noise measurements are measurements on the A- or C-weighted sound scale, as applicable, of a sound level meter of standard design and quality having characteristics established by ANSI.
- (b) Measurements shall be taken by police officers appropriately trained in the use of a sound level meter.

Sec. 16-156. Special variances.

- (a) The chief of police or the chief's designated representative shall have the authority, consistent with this article, to grant special variances.
- (b) Any person seeking a special variance pursuant to this article shall file an application with the chief of police or the chief's designated representative. The application shall contain information which demonstrates that bringing the source of sound into compliance with this article would constitute an unreasonable hardship on the applicant, on the community, or on the other persons. Notice of an application for a special variance shall be given by the chief or the chief's representative to persons who frequent the area of the sound or activity and who may be adversely affected by the granting of the variance. Any individual who claims to be adversely affected by allowance of the special variance may file a statement with the chief or the chief's representative containing any information to support such individual's claim.
- (c) In determining whether to grant or deny the application, the chief or the chief's designated representative shall balance the hardship to the applicant, the community, and other persons of not granting the special variance against the adverse impact on the health, safety and welfare of persons affected, the adverse impact on property affected, and any other adverse impact of granting the special variance. Applicants for special variances may be required to submit any information the chief or the chief's representative may reasonably require. In granting or denying an application, the chief or the chief's representative shall place on public file a copy of the decision and the reasons for denying or granting the special variance.
- (d) Special variances shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The special variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the special variance shall terminate it and subject the person holding it to those provisions of this article regulating the source of sound or activity for which the special variance was granted.
- (e) Application for extension of time limits specified in special variances or for modification of other substantial conditions shall be treated like applications for initial special variances.
- (f) The chief of police or the chief's designated representative may issue guidelines approved by city council defining the procedures to be followed in applying for a special variance and the criteria to be considered in deciding whether or not to grant a special variance.

Sec. 16-157. Enforcement procedures; miscellaneous.

- (a) Except as provided in subsection (b) of this section, the city may prosecute noise related violations by issuance of a city ordinance citation, in which case, the penalty for a violation shall be as set forth in section

1-11 of this Code. In addition to issuing any penalty as provided in section 1-11, or in lieu thereof, the municipal court judge may issue an order requiring immediate abatement of any sound source alleged to be in violation of this section.

- (1) Notwithstanding the generally punishments established above, the fine for a first conviction of this Chapter shall be not less than \$200.00, in addition to any other penalty imposed by the Court, however, the total fine shall not exceed \$1,000.00.
- (2) Upon a second conviction within 12 months, measured from the date of the conviction, the Court shall impose a fine of not less than \$500.00, in addition to any other penalty imposed by the Court, however, the total fine shall not exceed \$1,000.00.
- (3) Upon a third conviction within 24 months, measured from the date of the earliest conviction, the Court shall impose a fine of \$1,000.00, in addition to any other penalty imposed by the Court.
- (4) Upon a third conviction within 24 months, measured from the date of the earliest conviction, if the offender has been granted or has applied for an alcohol license as a restaurant or as a late night establishment, such license shall automatically be suspended as of the date of the conviction, and proceedings initiated to revoke such alcohol license in accordance with the City of Pine Lake Alcohol Ordinance. The clerk of municipal court shall refer such third convictions to the attention of the city manager or her or his designee for action consistent with this paragraph.

Secs. 16-158—16-192. Reserved.

ARTICLE VIII. VEGETATION

Sec. 16-193. Vegetation and debris.

- (a) *Vegetation.* There shall be no dead or hazardous trees, shrubs, ground cover or weeds likely to harbor vermin or insects, restrict or impede access to or public use of adjacent sidewalks, paths, trails and streets, obstruct traffic-control signs and devices and fire hydrants, or pose a risk of physical injury to the public.
- (b) *Debris.* There shall not be maintained on a property for more than seven calendar days any used or damaged lumber, junk, trash, debris, scrap metal, concrete, sand, asphalt, cans, bottles, tires, salvage materials, boxes, containers, bins, and abandoned, discarded, inoperative or unusable furniture, stove, refrigerator, freezer, sink, toilet, cabinet or other household fixtures, yard waste or equipment stored so as to be visible from public street, alley or from an adjoining property unless appropriate permits have been obtained from the county. Nothing herein shall preclude the placement of stacked firewood for use on the premises in the side or rear yards of the premises.
- (c) *Shared property.* Where parking in open areas is used jointly for the benefit of two or more owners or tenants, the responsibility for maintaining these parking areas free of garbage and trash shall be the joint and several responsibility of the owners and tenants.
- (d) *Invasive vegetation.* Invasive plant species on premises and exterior property shall be maintained whereby damage to existing trees and encroachment onto adjacent properties is prevented. Invasive plant species within the city are defined by the Georgia Exotic Pest Plant Council (EPPC) Invasive Plant List, which is maintained by the Center for Invasive Species and Ecosystem Health, University of Georgia: <https://www.gaepcc.org/list/>. The list includes, but is not limited to, English Ivy (*Hedera helix*), Chinese Wisteria (*Wisteria sinensis*), Kudzu (*Pueraria montana* var. *lobata*), *Elaeagnus umbellata*, Tree of Heaven (*Ailanthus altissima*), all Privet species (*Ligustrum* spp.), and all Bamboo species other than the native species River Cane, Switch Cane (*Arundinaria* spp.).

ARTICLE IX. DERELICT PROPERTY

Sec. 16-200. Short title.

This article shall be known as the "Pine Lake Derelict Property Ordinance."

Sec. 16-201. Definitions.

As used in this article, the term:

Applicable codes means any optional housing or abatement standard provided in O.C.G.A. tit. 8, ch. 2 as adopted by ordinance or operation of law, or other property-maintenance standards as adopted by ordinance or operation of law, or general nuisance law, relative to the safe use of real property; any fire or life safety code as provided for in O.C.G.A. tit. 25, ch. 2; and any building codes adopted by local ordinance prior to October 1, 1991, or the minimum standard codes provided in O.C.G.A. tit. 8, ch. 2 after October 1, 1991, provided that such building or minimum standard codes for real-property improvements shall be deemed to mean those building or minimum standard codes in existence at the time such real property improvements were constructed unless otherwise provided by law.

Closing means causing a dwelling, building, or structure to be vacated and secured against unauthorized entry.

Drug crime means an act that is a violation of O.C.G.A. tit. 16, ch. 13, art. 2, known as the "Georgia Controlled Substances Act".

Dwellings, buildings, or structures means any building or structure or part thereof used and occupied for human habitation or commercial, industrial, or business uses, or intended to be so used, and includes any outhouses, improvements, and appurtenances belonging thereto or usually enjoyed therewith and also includes any building or structure of any design. As used in this article, the term "dwellings, buildings, or structures" shall not mean or include any farm, any building or structure located on a farm, or any agricultural facility or other building or structure used for the production, growing, raising, harvesting, storage, or processing of crops, livestock, poultry, or other farm products.

Graffiti means any inscriptions, words, figures, paintings, or other defacements that are written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by means of any aerosol paint container, broad-tipped marker, gum label, paint stick, graffiti stick, etching equipment, brush, or other device capable of scarring or leaving a visible mark on any surface without prior authorization from the owner or occupant of the property.

Governing authority means the City Council of the City of Pine Lake, Georgia.

Interested party means:

- (1) The "owner";
- (2) Persons in possession of said property and premises;
- (3) Those parties having an interest in the property as revealed by a certification of title to the property conducted in accordance with the title standards of the State Bar of Georgia;
- (4) Those parties having filed a notice in accordance with O.C.G.A. § 48-3-9; and
- (5) Any other party having an interest in the property whose identity and address are reasonably ascertainable from the records of the municipality or records maintained in the county courthouse or by the clerk of court; provided, however, interested party shall not include the holder of the benefit or burden of any easement or right-of-way whose interest is properly recorded which interest shall remain unaffected.

Municipality means the City of Pine Lake, Georgia.

Owner means the holder of the title in fee simple and every mortgagee of record.

Public authority means the governing authority of the City of Pine Lake, any director of a public housing authority, or any officer who is in charge of any department or branch of government (municipal, county or state) relating to health, fire, life safety, building regulations, or to other activities concerning dwellings, buildings, or structures, or use of private property within the city.

Public officer means the city manager, who is authorized to exercise the powers prescribed by article, and any officer or employee of the city, specifically including but not limited to code enforcement officers, to whom he delegates such authority.

Repair means altering or improving a dwelling, building, or structure so as to bring the structure into compliance with the applicable codes in the jurisdiction where the property is located and the cleaning or removal of debris, trash, and other materials present and accumulated that create a health or safety hazard in or about any dwelling, building, or structure.

Resident means any person residing in the jurisdiction where the property is located on or after the date that the alleged nuisance arose.

Sec. 16-202. Duty of owners of real property and structures thereon.

It is the duty of the owner of every dwelling, building, structure, or private property within the jurisdiction to construct and maintain such dwelling, building, structure, or property in conformance with applicable codes in force within the city or such laws and ordinances that regulate and prohibit activities on private property and that declare it to be a public nuisance to construct or maintain any dwelling, building, structure, or use private property in violation of such codes, laws or ordinances.

Sec. 16-203. Declaration of public nuisance.

Every dwelling, building, or structure within the city that (i) is constructed or maintained in violation of applicable codes in force within the city; (ii) is unfit for human habitation or commercial, industrial, or business use or occupancy due to inadequate provisions for ventilation, light, air, sanitation, or open spaces; (iii) poses an imminent harm to life or other property due to fire, flood, hurricane, tornado, earthquake, storm or other natural catastrophe; (iv) is vacant and used in the commission of drug crimes; (v) is occupied and used repeatedly for the commission of illegal activities, including facilitating organized crime or criminal enterprises, after written notice to the owner of such activities conducted therein; (vi) is abandoned; or (vii) is vacant for more than 6 continuous months, or periodically for 12 months; (viii) otherwise constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, is hereby declared a public nuisance. Every private property within the city on which is being regularly conducted any activity or land use in violation of applicable laws and ordinances, including the zoning ordinance of this city, is hereby declared to be a public nuisance. Property that may be deemed esthetically substandard or deteriorating shall not meet the definition of a public nuisance unless the overall condition or use of the property results in impaired health, safety, transmission of disease, infant mortality, or crime.

Sec. 16-204. Powers of city manager or their designee.

- (a) In carrying out his duties pursuant to this article, the city manager or his designee to whom his authority is assigned shall, in addition to those powers otherwise conferred upon or delegated to him by the Charter and other ordinances of the city, be empowered to:
 - (1) Investigate and inspect the condition of dwellings, buildings, structures, and private property within the city to determine those structures and property uses in violation of this article. Entries onto private property shall be made in a manner so as to cause the least possible inconvenience; provided,

however, the public officer shall not enter into any occupied dwelling or structure without first having obtained the consent of the owner or a person in possession. In those cases where consent to entry is denied after reasonable request, the public officer may apply to the municipal court for an administrative search warrant upon showing probable cause that a violation exists.

- (2) To retain experts including certified real estate appraisers, qualified building contractors, and qualified building inspectors, engineers, surveyors, accountants, and attorneys.
 - (3) To appoint and fix the duties of such officers and employees of the city as he deems necessary to carry out the purposes of this article; and
 - (4) To delegate any of his functions and powers under this article to such officers, employees and agents as he may designate.
- (b) In addition to the procedures set forth in this article, the city manager or his designee(s) may issue citations for violations of state minimum standard codes, optional building, fire, life safety and other codes adopted by ordinance, and conditions declared to constitute a public health or safety hazard or general nuisance, and to seek enforcement of such citations before the municipal court prior to issuing a complaint in rem as provided in this article. Nothing in this article shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by other summary proceedings.

Sec. 16-205. Complaint in rem in municipal court; procedure; lien; appeal.

- (a) Whenever a request is filed with the public officer by a public authority or by at least five residents of the municipality charging that any dwelling, building, structure, or property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the public officer may make an investigation or inspection of the specific dwelling, building, structure, or property and make a written report of his findings. Such officer shall be guided in his investigation by documenting conditions including but not limited to:
- (1) Defects therein increasing the hazards of fire, accidents, or other calamities;
 - (2) Lack of adequate ventilation, light, or sanitary facilities;
 - (3) Dilapidation;
 - (4) Disrepair by failure to conform to applicable codes and ordinances;
 - (5) Structural defects that render the structure unsafe for human habitation or occupancy;
 - (6) Uncleanliness; or
 - (7) The presence of graffiti that is visible from adjoining public or private property.
- (b) If the public officer's investigation or inspection identifies that any dwelling, building, structure, or property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the public officer shall file a complaint in rem in the municipal court of the city against the lot, tract, or parcel of real property on which such dwelling, building, or structure is situated or where such public health hazard or general nuisance exists and shall cause summons and a copy of the complaint to be served on the interested parties in such dwelling, building, or structure. The complaint shall identify the subject real property by appropriate street address and official tax map reference; identify the interested parties; state with particularity the factual basis for the action; and contain a statement of the action sought by the public

officer to abate the alleged nuisance. The summons shall notify the interested parties that a hearing will be held before the municipal court at a date and time certain and at a place within the county or municipality where the property is located. Such hearing shall be held not less than 15 days nor more than 45 days after the filing of said complaint in the proper court. The interested parties shall have the right to file an answer to the complaint and to appear in person or by attorney and offer testimony at the time and place fixed for hearing.

- (c) If, after such notice and hearing, the court determines that the dwelling, building, or structure in question is unfit for human habitation or is unfit for its current commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the court shall state, in writing, findings of fact in support of such determination and shall issue and cause to be served upon the interested parties that have answered the complaint or appeared at the hearing an order:
- (1) If the repair, alteration, or improvement of the said dwelling, building, or structure can be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to repair, alter, or improve such dwelling, building, or structure so as to bring it into full compliance with the applicable codes relevant to the cited violation; and, if applicable, to secure by closing the structure so that it cannot be used in connection with the commission of drug crimes; or
 - (2) If the repair, alteration, or improvement of the said dwelling, building, or structure in order to bring it into full compliance with applicable codes relevant to the cited violations cannot be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to demolish and remove such dwelling, building, or structure and all debris from the property.

For purposes of this section, the court shall make its determination of reasonable cost in relation to the present value of the dwelling, building, or structure without consideration of the value of the land on which the structure is situated; provided, however, that costs of the preparation necessary to repair, alter, or improve a structure may be considered; and, provided further, that if the unsatisfactory condition is limited solely to the presence of graffiti, the dwelling, building or structure shall not be ordered demolished or closed, but its owner may be ordered to repair the same by cleaning or removal of the graffiti. Income and financial status of the owner shall not be a factor in the court's determination. The present value of the structure and the costs of repair, alteration, or improvement may be established by affidavits of real estate appraisers with a Georgia appraiser classification as provided in O.C.G.A. tit. 43, ch. 39A, qualified building contractors, or qualified building inspectors without actual testimony presented. Costs of repair, alteration, or improvement of the structure shall be the cost necessary to bring the structure into compliance with the applicable codes relevant to the cited violations in force in the jurisdiction.

- (d) Notwithstanding the requirements of any other Code section in this chapter, if the owner fails to comply with an order to repair or demolish the dwelling, building, or structure, the public officer shall cause such dwelling, building, or structure to be repaired, altered, or improved, or to be vacated and closed, or demolished within 270 days of the expiration of time specified in the order for abatement by the owner. Any time during which such action is prohibited by a court order issued pursuant to subsection (c) of this section or any equitable relief granted by a court of competent jurisdiction shall not be counted toward the 270 days in which such abatement action shall commence. The public officer shall cause to be posted on the main entrance of the building, dwelling, or structure a placard with the following words:

"This building is unfit for human habitation or commercial, industrial, or business use and does not comply with the applicable codes or has been ordered secured to prevent its use in connection with drug crimes or constitutes an endangerment to public health or safety as a result of unsanitary or unsafe conditions. The use or occupation of this building is prohibited and unlawful."

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- (e) If the public officer has the structure demolished, reasonable effort shall be made to salvage reusable materials for credit against the cost of demolition. The proceeds of any moneys received from the sale of salvaged materials shall be used or applied against the cost of the demolition and removal of the structure, and proper records shall be kept showing application of sales proceeds. Any such sale of salvaged materials may be made without the necessity of public advertisement and bid. The public officer and governing authority are relieved of any and all liability resulting from or occasioned by the sale of any such salvaged materials, including, without limitation, defects in such salvaged materials.
 - (f) The amount of the cost of demolition, including all court costs, appraisal fees, administrative costs incurred by the tax commissioner, and all other costs necessarily associated with the abatement action, including restoration to grade of the real property after demolition, shall be a lien against the real property upon which such cost was incurred.
 - (g) The lien provided for in subsection (e) shall attach to the real property upon the filing of a certified copy of the order requiring repair, closure, or demolition in the office of the clerk of superior court in DeKalb County and shall relate back to the date of the filing of the lis pendens notice required under subsection (a). The clerk of superior court shall record and index such certified copy of the order in the deed records of the county and enter the lien on the general execution docket. The lien shall be superior to all other liens on the property, except liens for taxes to which the lien shall be inferior, and shall continue in force until paid. After filing a certified copy of the order with the clerk of superior court, the public officer shall, within 90 days of the completion of repairs, demolition or closure, forward a copy of the order and a final statement of costs to the county tax commissioner.
 - (h) It shall be the duty of the county tax commissioner to collect the amount of the lien in conjunction with the collection of ad valorem taxes on the property and to collect the amount of the lien as if it were a real property ad valorem tax, using all methods available for collecting real property ad valorem taxes, including specifically O.C.G.A. § 48-4-5; provided, however, that the limitation of O.C.G.A. § 48-4-78 that requires 12 months of delinquency before commencing a tax foreclosure shall not apply; provided, further, that redemption of property from the lien may be made in accordance with the provisions of O.C.G.A. §§ 48-4-80 and 48-4-81. The tax commissioner may initiate enforcement of liens imposed under this section at any time following receipt of the final determination of costs from the public officer. The unpaid lien amount shall bear interest and penalties from and after the date of final determination of costs in the same amount as applicable to interest and penalties on unpaid real property ad valorem taxes.
 - (i) The tax commissioner shall remit the amount collected to the governing authority of the municipality whose ordinance is being enforced. The tax commissioner may retain an amount equal to the cost of administering collection of the lien. Any such amount collected and retained for administration shall be deposited in the general fund of the county to pay the cost of administering the lien.
 - (j) In addition to the remedies and powers authorized elsewhere in this chapter, the governing authority may waive and release any such lien imposed on property upon the owner of such property entering into a contract with the municipality agreeing to a timetable for rehabilitation of the real property or the dwelling, building, or structure on the property and demonstrating the financial means to accomplish such rehabilitation.
 - (k) Review of a court order requiring the repair, alteration, improvement, or demolition of a dwelling, building, or structure shall be by *writ of certiorari* to the superior court under O.C.G.A. § 5-3-29.

Sec. 16-206. Service of complaints or orders upon owners and parties in interest.

- (a) Summons and copies of the complaint shall be served in the following manner:
 - (1) In all cases, a copy of the complaint and summons shall be conspicuously posted on the subject dwelling, building, structure, or property within three business days of filing of the complaint and at least 14 days prior to the date of the hearing.
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- (2) At least 14 days prior to the date of the hearing, the public officer shall mail copies of the complaint and summons by certified mail or statutory overnight delivery, return receipt requested, to all interested parties whose identities and addresses are readily ascertainable. Copies of the complaint and summons shall also be mailed by first-class mail to the property address to the attention of the occupants, if any;
 - (3) For interested parties whose mailing address is unknown, a notice stating the date, time, and place of the hearing shall be published in the newspaper in which the sheriff's advertisements appear in such county once a week for two consecutive weeks prior to the hearing; and
 - (4) A notice of lis pendens shall be filed in the office of the clerk of superior court in which the dwelling, building, structure, or property is located at the time of filing the complaint in municipal court.
- (b) The public officer shall cause an affidavit of service to be filed of record in the municipal court prior to the hearing showing compliance with the service requirements of this section. Such affidavit shall constitute a prima facie showing of minimum procedural due process and shall constitute sufficient proof that service was perfected.
 - (c) Orders and other filings made subsequent to service of the initial complaint shall be served in the manner provided in this section on every interested party who answers the complaint or appears at the hearing. Any interested party who fails to answer or appear at the hearing shall be deemed to have waived all further notice in the proceedings.

Sec. 16-207. Limitation of liability for code enforcement; no special duty created.

It is the intent of this article to protect the public health, life safety and general welfare of properties and occupiers of buildings and structures within the city in general, but not to create any special duty or relationship with any individual person or to any specified property within or without the boundaries of the city. Approval of a permit and inspection of a property shall in no manner guarantee or warrant to the owner or occupants thereof that said property has been constructed, maintained, or operated in conformance with applicable codes, laws and regulations. The city reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the city, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may now exist or hereafter be created. To the extent any federal or state law, regulation, or ordinance requires compliance as a condition precedent to the issuance of a permit, plan or design approval, inspection or other activity by the city, its officers, employees and agents, issuance of such permit, approval, or inspection shall not be deemed to constitute a waiver or estoppel of the condition precedent, and it shall remain the obligation and responsibility of the owner, his design professional(s), and contractor(s) to satisfy such legal requirements.

Sec. 16-208. General cleanliness of premises.

The owner and occupant of property within the city shall each be independently responsible for keeping the premises, including all buildings thereon and the full yard thereof, clean and free from all garbage, refuse, filth, dirt, ashes, trash, rubbish, or other offensive materials.

(Ord. No. 2017-12-05, § 1, 12-12-2017)

Sec. 16-209. Disorderly house.

- (a) Any person who keeps and maintains, either by himself or others, a common, ill-governed and disorderly house, to the encouragement of gaming, drinking, illicit drug activity, or other misbehavior, to the common disturbance of the neighborhood or orderly citizens, shall be guilty of an offense against the city; provided, however, before any person is charged under this subsection, written notice shall be given the owner of the

property and the person in possession thereof by the chief of police stating the general, customary and common habits of the house, giving fair notice of this subsection and the conduct proscribed thereby.

- (b) Any person who shall allow any boisterous, noisy, drunken or riotous persons to assemble or remain in their house, apartment or upon their property, after receiving oral notice from a police officer that boisterous, noisy, drunken or carousing activities have caused complaint and annoyance to the common disturbance of the neighborhood or orderly citizens, shall be guilty of an offense against the city; provided, however, no person shall be charged under this subsection unless the owner or person in possession of the premises has been afforded an opportunity to disburse the assembly or offending person from the premises. This subsection shall not preclude a police officer from arresting any individual for criminal trespass where such individual knowingly and without authority remains on private property after being notified by the owner or lawful occupant to depart.

Sec. 16-210. Violations; enforcement penalties.

Any person who willfully refuses to comply with the provisions of this article shall be cited to appear before the municipal court and, upon conviction, shall be fined not less than \$100.00 and not more than \$1,000.00 and shall be subject to the provisions of section 1-11; each day of continued violation, after citation, shall constitute a separate offense. In addition to the foregoing fines, upon conviction, the director shall discontinue the public water supply service at any premises upon which there is found to be a cross-connection, auxiliary intake, by-pass, or inter-connection, and service shall not be restored until such cross-connection, auxiliary, by-pass, or inter-connection has been discontinued.

Secs. 16-211—16-300. Reserved.

ARTICLE X. BLIGHTED PROPERTY

Sec. 16-301. Purpose.

The existence of real property that is maintained in a blighted condition increases the burden of the state and local government by increasing the need for government services, including but not limited to social services, public safety services, and code enforcement services. Rehabilitation of blighted property decreases this need for such government services.

In furtherance of its objective to eradicate conditions of slum and blight within the city, this board of commissioners, in exercise of the powers granted to municipal corporations at Chapter 61, Urban Redevelopment, of Title 36 of the Official Code of Georgia Annotated, has designated those areas of the city where conditions of slum and blight are found or are likely to spread.

In recognition of the need for enhanced governmental services and in order to encourage private property owners to maintain their real property and the buildings, structures and improvement thereon in good condition and repair, and as an incentive to encourage community redevelopment, a community redevelopment tax incentive program is hereby established as authorized by Article IX, Section II, Paragraph VII(d) of the 1983 Constitution of the State of Georgia.

Sec. 16-302. Definitions.

Blighted property, blighted, or blight means any urbanized or developed property that:

- (1) Presents two or more of the following conditions:
 - a. Uninhabitable, unsafe, or abandoned structure;

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- b. Inadequate provisions for ventilation, light, air, or sanitation;
 - c. An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the governor has declared a state of emergency under the state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm;
 - d. A site identified by the federal Environmental Protection Agency as a superfund site pursuant to 42 U.S.C. Section 9601, et seq., or having environmental contamination to an extent that requires remedial investigation or a feasibility study;
 - e. Repeated illegal activity on the individual property of which the property owner knew or should have known; or
 - f. The maintenance of the property is below state, county, or municipal codes for at least one year after written notice of the code violation to its owner; and
- (2) Is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property.

Property shall not be deemed blighted solely because of aesthetic conditions.

Building inspector means a certified inspector possessing the requisite qualifications to determine minimal code compliance.

Community redevelopment means any activity, project, or service necessary or incidental to achieving the redevelopment or revitalization of a redevelopment area or portion thereof designated for redevelopment through an urban redevelopment plan or thorough local ordinances relating to the repair, closing, and demolition of buildings and structures unfit for human habitation.

Governing authority means the City Council of the City of Pine Lake, a Georgia municipal corporation.

Millage or millage rate means the levy, in mills, that is established by the governing authority for purposes of financing, in whole or in part, the levying jurisdiction's general fund expenses for the fiscal year.

Person means such individual(s), partnership, corporations, business entities and associations which return real property for ad valorem taxation or who are chargeable by law for the taxes on the property.

Public officer means the city manager or such officer or employee of the city as designated by the city manager to perform the duties and responsibilities hereafter set forth in this article.

Sec. 16-303. Ad valorem tax increase on blighted property.

- (a) There is hereby levied on all real property within the city that has been officially identified as maintained in a blighted condition an increased ad valorem tax by applying a factor of seven (7.0) to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or otherwise provided by general law; provided, however, real property on which there is situated a dwelling house that is being occupied as the primary residence of one or more persons shall not be subject to official identification as maintained in a blighted condition and shall not be subject to increased taxation.
 - (b) Such increased ad valorem tax shall be applied and reflected in the first tax bill rendered following official designation of a real property as blighted.
 - (c) Revenues arising from the increased rate of ad valorem taxation shall, upon receipt, be segregated by the city manager and used only for community redevelopment purposes, as identified in an approved urban
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redevelopment program, including defraying the cost of the city's program to close, repair, or demolish unfit building and structures.

Sec. 16-304. Identification of blighted property.

- (a) In order for a parcel of real property to be officially designated as maintained in a blighted condition and subject to increased taxation, the following steps must be completed:
 - (1) An inspection must be performed on the parcel of property. In order for an inspection to be performed,
 - a. A request may be made by the public officer or by at least five residents of the city for inspection of a parcel of property, said inspection to be based on the criteria as delineated in ordinance, or
 - b. The public officer may cause a survey of existing housing conditions to be performed, or may refer to any such survey conducted or finalized within the previous five years, to locate or identify any parcels that may be in a blighted condition and for which a full inspection should be conducted to determine if that parcel of property meets the criteria set out in this article for designation as being maintained in a blighted condition.
 - (2) A written inspection report of the findings for any parcel of property inspected pursuant to subsection (1) above shall be prepared and submitted to the public officer. Where feasible, photographs of the conditions found to exist on the property on the date of inspection shall be made and supplement the inspection report. Where compliance with minimum construction, housing, occupancy, fire and life safety codes in effect within the city are in question, the inspection shall be conducted by a certified inspector possessing the requisite qualifications to determine minimal code compliance.
 - (3) Following completion of the inspection report, the public officer shall make a determination, in writing, that a property is maintained in a blighted condition, as defined by this article, and is subject to increased taxation.
 - (4) The public officer shall cause a written notice of his determination that the real property at issue is being maintained in a blighted condition to be served upon the person(s) shown on the most recent tax digest of DeKalb County as responsible for payment of ad valorem taxes assessed thereon; provided, however, where through the existence of reasonable diligence it becomes known to the public officer that real property has been sold or conveyed since publication of the most recent tax digest, written notice shall be given to the person(s) known or reasonably believed to then own the property or be chargeable with the payment of ad valorem taxes thereon, at the best address available. Service in the manner set forth at O.C.G.A. § 41-2-12 shall constitute sufficient notice to the property's owner or person chargeable with the payment of ad valorem taxes for purpose of this section, except that posting of the notice on the property will not be required.
- (b) The written notice given to the person(s) chargeable with the payment of ad valorem taxes shall notify such person of the public officer's determination the real property is being maintained in a blighted condition and shall advise such person of the hours and location where the person may inspect and copy the public officer's determination and any supporting documentation. Persons notified that real property of which the person(s) is chargeable with the payment of ad valorem taxes shall have 30 days from the receipt of notice to request a hearing before the city's municipal court. Written request for hearing shall be filed with the public officer and shall be date stamped upon receipt. Upon receipt of a request for hearing, the public officer shall notify the municipal court and the building inspector or person who performed the inspection and prepared the inspection report.
- (c) Within 30 days of the receipt of a request for hearing, the municipal court clerk shall set a date, time and location for the hearing and shall give at least ten business days' notice to the person(s) requesting the

hearing, the public officer and the building inspector or person who performed the inspection and prepared the inspection report. Notice of scheduled hearings shall be published as a legal advertisement in the designated legal organ in DeKalb County, at least five days prior to the hearing. Hearings may be continued by the municipal court judge upon request of any party, for good cause.

- (d) At the hearing, the public officer shall have the burden of demonstrating by a preponderance of the evidence that the subject property is maintained in a blighted condition, as defined by this article. The municipal court judge shall cause a record of the evidence submitted at the hearing to be maintained. Upon hearing from the public officer and/or their witnesses and the person(s) requesting the hearing and/or their witnesses, the judge of municipal court shall make a determination either affirming or reversing the determination of the public officer. The determination shall be in writing and copies thereof shall be served on the parties by certified mail or statutory overnight delivery. The determination by the court shall be deemed final. A copy of such determination shall also be served upon the Tax Commissioner of DeKalb County, who shall include the increased tax on the next regular tax bill rendered on behalf of the city.
- (e) Persons aggrieved by the determination of the court affirming the determination of the public officer may petition the Superior Court of DeKalb County for a writ of certiorari within 30 days of issuance of the court's written determination.

Sec. 16-305. Remediation or redevelopment.

- (a) A property owner or person(s) who is chargeable with the payment of ad valorem taxes on real property that has been officially designated pursuant to this article as property maintained in a blighted condition may petition the public officer to lift the designation, upon proof of compliance with the following:
 - (1) Completion of work required under a plan of remedial action or redevelopment approved by the city's planning and development director that addresses the conditions of blight found to exist on or within the property, including compliance with all applicable minimum codes; or
 - (2) Completion of work required under a court order entered in a proceeding brought pursuant to article II or article IX of the Code of Ordinances of the City of Pine Lake.
- (b) Before action on a petition to lift the designation, the public officer shall cause the property to be thoroughly inspected by a building inspector who, by written inspection report, shall certify that all requisite work has been performed to applicable code in a workmanlike manner, in accordance with the specifications of the plan of remedial action or redevelopment, or applicable court order. Upon finding required work to be satisfactorily performed, the public officer shall issue a written determination that the real property is no longer maintained in a blighted condition. Copies of this determination shall be served upon the person(s) chargeable with the payment of ad valorem taxes, and upon the Tax Commissioner of DeKalb County.
- (c) All plans for remedial action or redevelopment shall be in writing, signed by the person(s) chargeable with the payment of ad valorem taxes on the real property and the director of the city's planning and development department, and contain the following:
 - (1) The plan shall be consistent with the city's comprehensive plan and all laws and ordinances governing the subject property, and shall conform to any urban redevelopment plan adopted for the area within which the property lies;
 - (2) The plan shall set forth in reasonable detail the requirements for repair, closure, demolition, or restoration of existing structures, in accordance with minimal statewide codes; where structures are demolished, the plan shall include provisions for debris removal, stabilization and landscaping of the property;
 - (3) On parcels of five acres or greater, the plan shall address the relationship to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements;

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- (4) The plan shall contain verifiable funding sources that will be used to complete its requirements and show the feasibility thereof;
 - (5) The plan shall contain a timetable for completion of required work; and
 - (6) Any outstanding ad valorem taxes (state, school, county and city, including the increased tax pursuant to this article) and governmental liens due and payable on the property must be satisfied in full.

Sec. 16-306. Decrease of tax rate.

- (a) Real property that has had its designation as maintained in a blighted condition removed by the public officer, as provided in section 16-304, Identification of Blighted Property, of this article, shall be eligible for a decrease in the rate of city ad valorem taxation by applying a factor of 0.5 to the city millage rate applied to the property, so that such property shall be taxed at a lower millage rate than the millage rate generally applied in the municipality or otherwise provided by general law; such decreased rate of taxation shall be applied beginning with the next tax bill rendered following removal of official designation of a real property as blighted. The decreased rate of taxation may be given in successive years, depending on the amount of cost expended by the person(s) chargeable with payment of ad valorem taxes on the property to satisfy its remediation or redevelopment, with every \$25,000.00 or portion thereof equaling one year of tax reduction; provided, however, that no property shall be entitled to reduction in city ad valorem taxes for more than four successive years.
- (b) In order to claim entitlement for a decreased rate of taxation, the person(s) chargeable with payment of ad valorem taxes on the property shall submit a notarized affidavit to the public officer, supported by receipts or other evidence of payment, of the amount expended.

Sec. 16-307. Notice to tax commissioner.

It shall be the duty of the public officer to notify the Tax Commissioner of DeKalb County in writing as to designation or removal of designation of a specific property as maintained in a blighted condition. Such notice shall identify the specific property by street address and tax map, block and parcel number, as assigned by the DeKalb County Tax Assessor's Office. The public officer shall cooperate with the tax commissioner to assure accurate tax billing of those properties subject to increased or reduced ad valorem taxation under this article.