

**CITY OF PINE LAKE, GEORGIA
REGULAR MEETING AGENDA
FEBRUARY 10, 2026 @ 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

PUBLIC HEARING – 2026 Comprehensive Plan

PUBLIC COMMENT – 3 minutes each please

NEW BUSINESS

1. Comprehensive Plan, "Kickoff" by the Atlanta Regional Commission – Presentation
2. Dam Project – Engineering Report on Rip Rap
3. Implementation of Ordinance 2024-05, Registry and Regulation of Short-Term Rentals
4. Charter Review – Council-Manager Form of Government

PUBLIC COMMENT – 3 minutes each please

REPORTS AND OTHER BUSINESS

- Strategic Performance Report (SPR), February 2026
- Mayor
- City Council

ADJOURNMENT

MAYOR

Brandy Hall

COUNCIL MEMBERS

Jeff Goldberg, Mayor pro tem
Deborah Hull
Stephanie Kohler
Jane Lowers
Thomas Torrent

**CITY OF PINE LAKE
425 ALLGOOD ROAD
P.O. BOX 1325
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**LOCAL COMPREHENSIVE PLAN UPDATE ASSISTANCE
MEMORANDUM OF AGREEMENT**

THIS AGREEMENT is made and entered into as of this **1st day of November 2025** (the “Effective Date”) by and between the **CITY OF PINE LAKE** (hereinafter referred as the “City”), a political subdivision of the State of Georgia and the **ATLANTA REGIONAL COMMISSION** (hereinafter referred to as “ARC”).

WITNESSETH:

WHEREAS, Regional Commissions were created by the State of Georgia in order to assist local governments on a regional basis and to develop, promote, and assist in establishing coordinated and comprehensive planning in the state; and

WHEREAS, as the Regional Commission for the 11-county Atlanta Region, ARC has been mandated to undertake certain regional responsibilities under the Georgia Planning Act of 1989 (as amended) (O.C.G.A. 45-12-200, et seq., and 50-8-1, et seq.) and does agree to perform prescribed services to local governments; and

WHEREAS, the City is required to update its Local Comprehensive Plan by **October 31, 2026**, according to the schedule set by the Georgia Department of Community Affairs (“DCA”); and

WHEREAS, the City has requested assistance from ARC to update its Local Comprehensive Plan under the requirements set by the Minimum Standards and Procedures for Local Comprehensive Planning (the “Minimum Standards”) found in Chapter 110-12-1 of the DCA Rules, in accordance with the Georgia Planning Act of 1989 (as amended); and

WHEREAS, ARC and the City believe it is mutually beneficial for both parties that the City, as part of the ARC, maintains its Local Comprehensive Plan; and

WHEREAS, ARC agrees to provide assistance for development of the City’s update of its Local Comprehensive Plan.

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, and for other good and valuable consideration, the parties hereto agrees as follows:

1. Duties of ARC. ARC agrees to perform the following services:
 - a. Provide a project manager to coordinate with local government staff and ensure that the project is moving forward in a timely manner.
 - b. Facilitate and/or participate in Project Management Team meetings with local government staff.
 - c. Facilitate, in consultation with local government staff, a public engagement process reflecting the community’s demographics, composition and dynamics, to solicit community input, that includes or is equivalent to the following:
 - i. A maximum of two (2) Steering Committee meetings, one (1) to be held in-person and one (1) to be held virtually.

- ii. A maximum of one (1) public engagement event, to be held either in-person or virtually and, if at all possible, attached to an existing/scheduled community event.
 - iii. An online public engagement portal and survey, hosted by ARC.
 - iv. An opportunity for Steering Committee members to review and comment on the draft plan, including a review and comment period lasting at least two (2) weeks.
 - v. An opportunity for Steering Committee members to review and comment on the draft plan, including a review and comment period lasting at least two (2) weeks.
- d. Update, in consultation with local government staff, the following Comprehensive Plan elements of which Regional Commissions are required to assist, as defined at Chapter 110-12-1-.02(7)(b) of the Minimum Standards:
 - i. Community Vision/Goals
 - ii. Needs and Opportunities
 - iii. Broadband
 - iv. Report of Accomplishments
 - v. Community Work Program
- e. Update, in consultation with local government staff, the following Comprehensive Plan elements, if requested by the local government:
 - i. Land Use
 - ii. Economic Development
 - iii. Transportation
 - iv. Housing
 - v. Historic and Arts/Cultural Resources
 - vi. Natural Resources and Sustainability
 - vii. Any other elements identified by the local government
- f. Review any adopted HUD Consolidated Plan, Local Comprehensive Transportation Plan (CTP), Regional Transportation Plan/Transportation Improvement Program (RTP/TIP), Economic Development Plan, relevant to ARC or other regional policy or plan document, and any other plans as needed, and integrate same with applicable elements of the Comprehensive Plan, as appropriate.
- g. Present at, attend, or support the two (2) DCA-required public hearings (one at kick-off and one prior to transmittal for regional and state review), if requested by the local government.
- h. Provide language for public hearing notices, if requested by the local government.
- i. Provide advertisement and other public involvement materials, if requested by the local government.
- j. Prepare the final plan document and other supporting materials in ARC's standard format and provide all project files to the local government.
- k. Complete any plan revisions required by DCA following its state review process.
- l. Complete a maximum of two (2) rounds of plan revisions or edits requested by the local government project manager, outside of any revisions required by DCA following its state review process.

2. Duties of the City. The City agrees to perform the following duties:

- a. Provide a staff point of contact throughout the process, to coordinate with ARC staff and ensure that the project is moving forward in a timely manner.
- b. Ensure the staff point of contact participates as a member of the Project Management Team and attends Project Management Team meetings with ARC staff.
- c. Develop a draft Report of Accomplishments showing the status of each item in the Community Work Program from the existing Comprehensive Plan.
- d. Develop a draft five (5) year Community Work Program.
- e. Assemble a Steering Committee reflecting the composition of the local community. The Steering Committee must include members of the governing authority (elected officials), representatives of the local economic development community, and local government staff. It should include or leverage local entities such as artists or arts organizations, nonprofits, community-based organizations (CBOs), neighborhood associations or organizations, and local businesses and/or local business association(s).
- f. Schedule Steering Committee meetings, in consultation with ARC.
- g. Promote public awareness of the plan development process, including timely notice of, and invitations to, Steering Committee and public meetings.
- h. Provide locations for Steering Committee and public meetings that have heat/air conditioning, water, and electricity.
- i. Provide any food or beverages desired by the local government for Steering Committee and public meetings.
- j. Post timely notice of, and conduct, public hearings as required by the City's existing procedures.
- k. Provide timely notice to ARC of local government meetings that ARC staff should attend.
- l. Provide ARC with submittal deadlines for relevant City boards and committees at the beginning of the process.
- m. Meet the following milestones in order for ARC to ensure that the City meets its DCA-designated Plan Update deadline and maintains Qualified Local Government ("QLG") status:
 - i. Schedule a date for the First Required Public Hearing, as defined at Chapter 110-12-1-.04(1)(a) of the Minimum Standards, no more than thirty (30) days after the signing of this Agreement. Note: The actual meeting does not have to occur within the aforementioned thirty (30) days.
 - ii. Identify and confirm Steering Committee members no more than thirty (30) days after the signing of this Agreement.
 - iii. Schedule both Steering Committee meetings no more than forty-five (45) days after the signing of this Agreement (Note: The actual meeting does not have to occur within the aforementioned forty-five (45) days.
 - iv. Complete and provide to ARC staff a draft Report of Accomplishments, showing the status of each item in the Community Work Program from the existing Comprehensive Plan, no more than sixty (60) days after the signing of this Agreement.
 - v. Accompany or host ARC staff on a site visit or tour (walking, biking, or

driving, as appropriate) of key areas of the community no more than sixty (60) days after the signing of this Agreement.

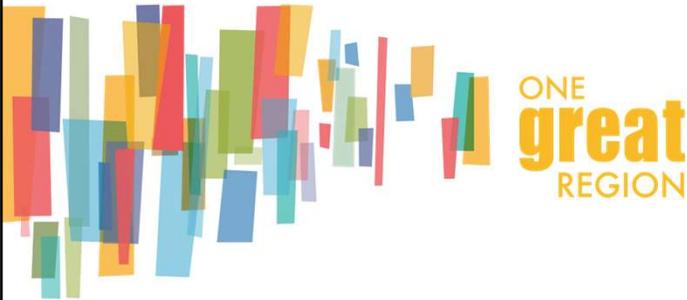
- vi. Schedule the Second Public Hearing, as defined at Chapter 110-12-1-.04(1)(c) of the Minimum Standards, no fewer than seventy-five (75) days before the City's DCA-designated Plan Update deadline of October 31, 2026.
- vii. Ensure that any presentation(s) by ARC staff at the above-mentioned First and Second Public Hearings take place first on the hearing or meeting agenda.
- n. If the City seeks to use any consultant services on its plan update, in addition to the services provided by the ARC as outlined in the foregoing, the ARC will only coordinate with, and will only provide information to, the City's staff point of contact.

3. Time of Performance, Amendments, Modifications.

- a. This Agreement shall become effective upon the Effective Date and remain in effect until the completion of the project or termination by the parties as provided below. Notwithstanding anything to the contrary herein, in no event shall the term of this Agreement exceed two (2) yeas from the Effective Date.
- b. Either party may terminate this Agreement upon thirty (30) days' written notice to the other party, provided that the party requesting termination has provided notice and sufficient opportunity for remedy.
- c. Either party may request changes to this Agreement at any time by written notice to the other party's signatory of this Agreement. Such changes as are mutually agreed upon by and between the parties shall be incorporated in written amendments to this Agreement and executed in the same manner as this Agreement. This Agreement may only be modified by an instrument in writing executed by the City and ARC. Notwithstanding the foregoing, the City and ARC acknowledge that this Agreement may be revised or refined from time to time during its term. The parties agree to cooperate with each other by executing such documents as may be necessary to evidence such mutually agreeable modifications and refinements.

4. Rights in Documents, Materials, and Data Produced. For the purposes of this Agreement, 'data' includes, but is not limited to, writings, sound recordings, photographs, films, videotapes, or other graphic representations and works of a similar nature. The City and ARC shall have the right to use same without restriction or limitation and without compensation to the other party of the Agreement.

5. Indemnity. The City shall indemnify and hold harmless ARC, its officers, directors, employees and agents from and against any and all losses, reasonable attorneys' fees and costs, that may be based on any injury to persons or property caused by the negligent performance of services under this Agreement by the City or any person employed by the City.



City of Pine Lake 2026 Comprehensive Plan Update

Public Hearing #1 – February 10, 2025

Jillian Porter-Willis, Senior Planner



1

Why do we plan?

- How a community shapes and guides growth and development
- Updating the comprehensive plan offers communities the opportunity to **look beyond the execution of day-to-day services** and **consider where they want to be in the next five years** – as well as **what has to be done to get there**





2

Required Elements

REQUIRED FOR ALL



REQUIRED FOR SOME



* = Required for Pine Lake
be updated every 5 years

Underlined = Required to

ONE great REGION See pp. 7-12 of DCA rules at Chapter 110-12-1-.03



3

Elements RCs Are Required to Assist With

- ▮ Goals
- ▮ Needs and Opportunities
- ▮ Broadband
- ▮ Community Work Program

See p. 6 of DCA rules at Chapter 110-12-1-.03(7)(b)

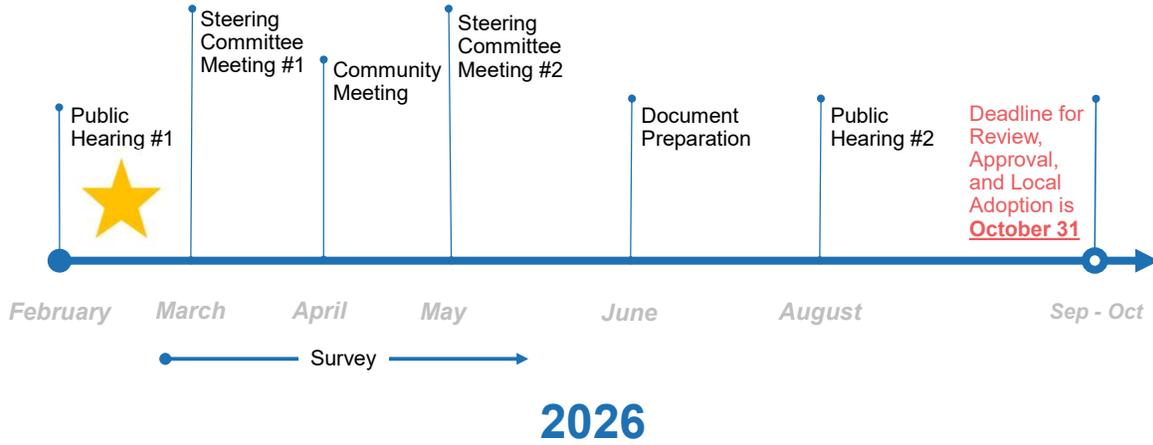
This is technically what's required of the Regional Commission (RC), but ARC's scope covers more.

ONE great REGION



4

What is our timeline?



5

Help us spread the word!
<https://publicinput.com/2026pinelake>



Home Steering Committee Survey Relevant Documents

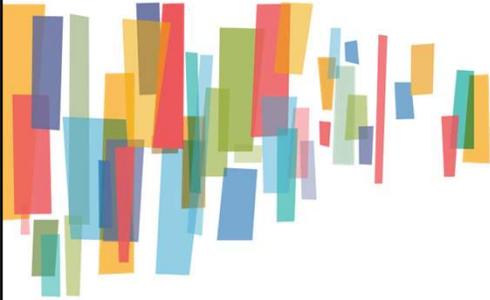
Welcome to the City of Pine Lake's 2026 comprehensive planning process!

It is time for the City of Pine Lake to update its 2021 Comprehensive Plan to determine where the community is, where it wants to be, and how to get there. Through this process, we will look at the need for updates to:

- Data and research
- Vision, goals, and objectives
- Priority areas
- Action items



6



Thank You!
Questions?





CITY OF PINE LAKE

2021 COMPREHENSIVE PLAN



ADOPTED
OCTOBER 12, 2021

prepared by the



Atlanta Regional Commission

ACKNOWLEDGEMENTS

City Council

Melanie Hammet, Mayor
Brandy Beavers
Tracey Brantley
Jean Bordeaux, Mayor Pro Tem
Brandy Hall
Augusta Woods

Comprehensive Plan Steering Committee

Jean Bordeaux, Mayor Pro Tem
David Burt
Melanie Hammet, Mayor
Megan Pulsts
Thomas Ramsey
Augusta Woods
Sarai Y'Hudah-Green, Chief of Police

City of Pine Lake Staff

Peggy Merriss - Acting City Administrator
Sarai Y'Hudah-Green - Chief of Police

Atlanta Regional Commission Staff

Anna Baggett, Senior Planner
Mollie Bogle, Senior Planner



This document was prepared by the Atlanta Regional Commission.

Unless otherwise noted, all photos were taken by ARC staff.

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EXECUTIVE SUMMARY

Pine Lake is DeKalb County's smallest City, both in population and geography. For much of its history, it has retained the legacy and identity associated with its beginnings as a rural "resort" community that provided recreation for Atlantans. Over time, it has incorporated a few commercial properties along Rockbridge Road, but even as DeKalb County has developed around it, the City has retained its village character and local charm. Its citizens identify with a strong sense of cultural involvement and environmental stewardship. The City has invested heavily in preserving the environmental quality of its lake and wetlands, fostering a community arts program, and improving recreation opportunities with projects such as a local community garden and new playground.

As the City worked through this Comprehensive Plan Update, it wrestled with the implications of how potential new cities in DeKalb County may impact Pine Lake. Citizens were very candid in their desire to increase the city's financial resources to alleviate the tax burden on the residential properties. Public input recognized that there may be some changes that would become inevitable. Pine Lake has proven its resiliency by stepping up to the challenge of meeting the demands of its constituents, tackling complex engineering and reconstruction projects, and continuing to deliver quality services with limited resources. In the next five years, this small city will continue to face very big decisions that will demand that same innovation and resiliency that has kept this community stable and progressive for over 75 years.



Pine Lake is a strongly connected community where individuals are valued.

It elevates the arts, the environment, and civic participation. To sustain these values, Pine Lake will plan growth and maintain the environment while improving services, city finances, and quality of life for our residents.

A scenic landscape featuring a large tree in the foreground, a grassy bank, a body of water, and a forested background. The tree is positioned on the right side of the frame, with its trunk and branches extending towards the center. The grassy bank is in the lower foreground, and the body of water is in the middle ground. The background is filled with dense green trees under a bright sky.

CHAPTER 1

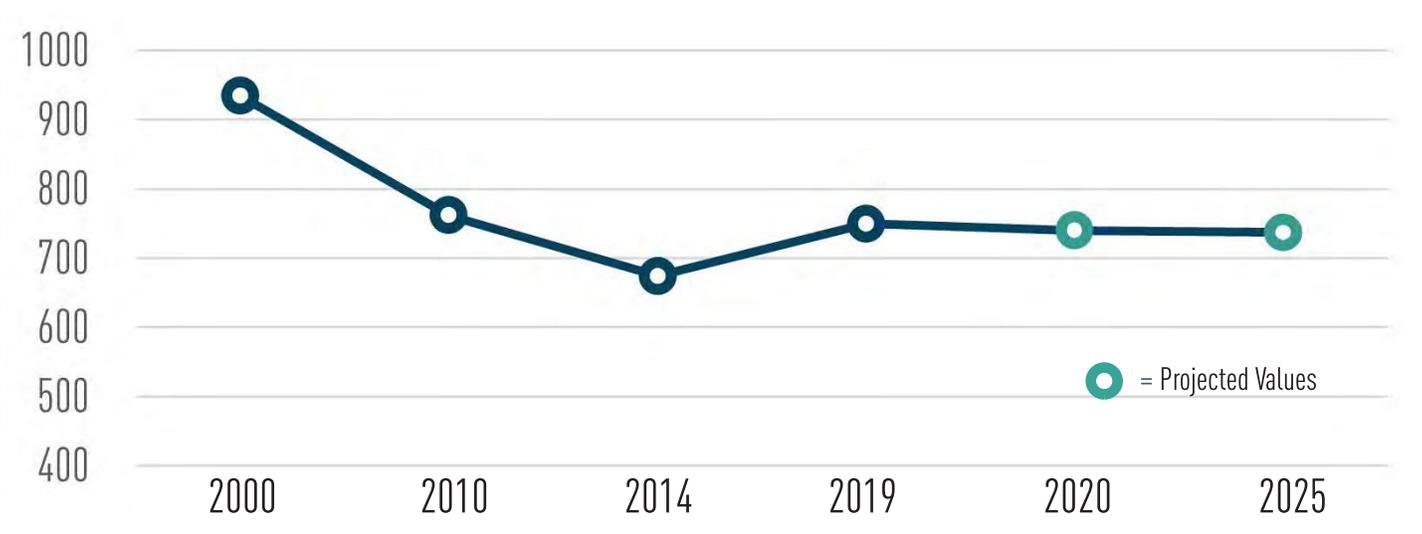
DATA & DEMOGRAPHICS

POPULATION

Pine Lake’s current population is 749 according to American Community Survey (ACS) 2019 estimates. Pine Lake’s population has remained consistently around 750 since 2010 with a slight dip in 2014. Population forecasts predict very slight decline in the next five years.

Historic and Projected Population Change in the City of Pine Lake from 2000 to 2025

ACS 5-Year Estimates 2000-2019, Esri Business Analyst Projections 2020-2025



RACE

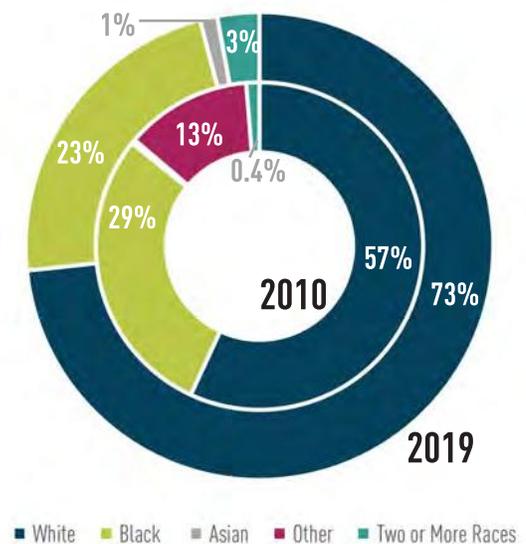
White people make up 73.3% of the racial distribution in Pine Lake as of 2019 ACS estimates. Black people make up 22.6%, Asian people are 1.2% of the population, and those of two or more races are 2.9% of the population.

People of Hispanic origin of any race are 4.27% of the population.

Since 2010, the share of white residents has increased as the share of black and those identifying as “other” has declined.

City of Pine Lake Racial Composition, 2010 & 2019

ACS 5-Year Estimates 2010 & 2019



AGE

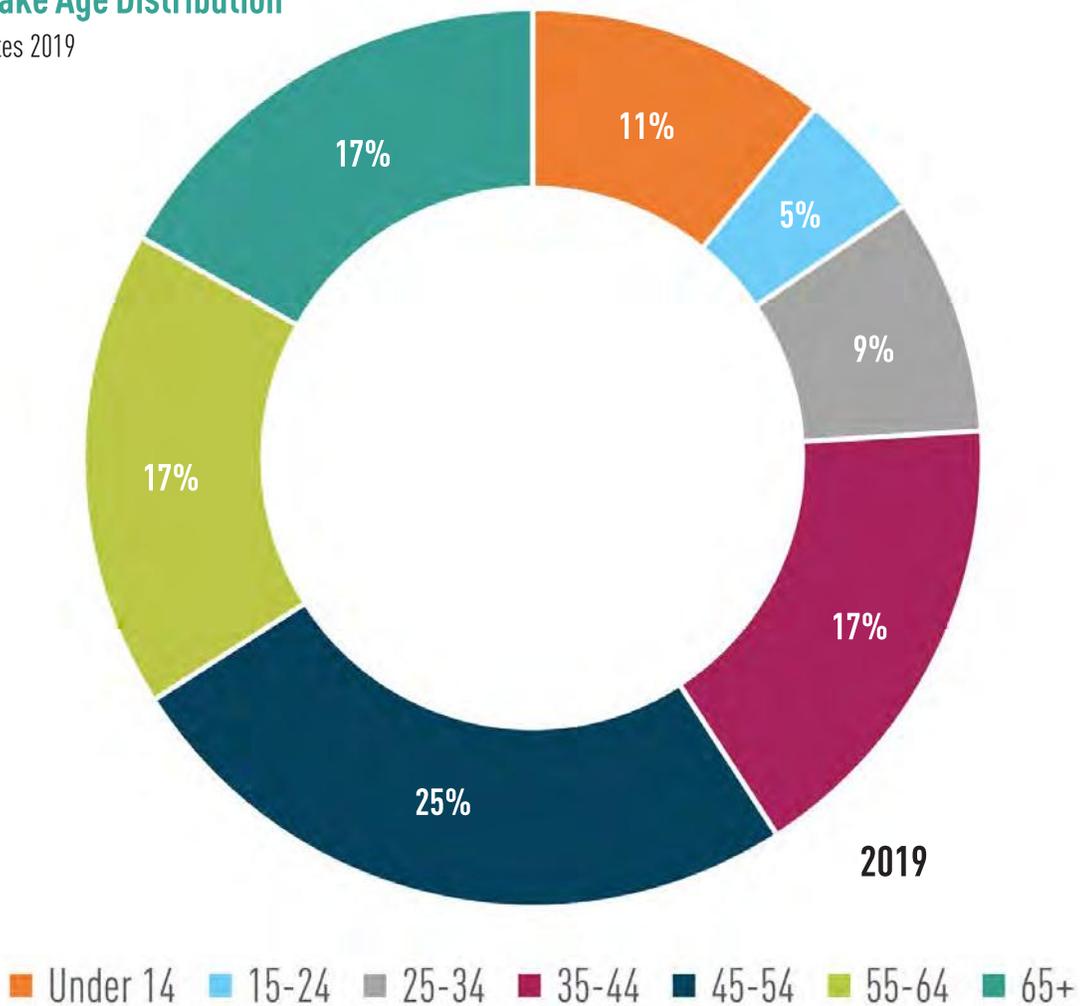
Over 50% of Pine Lake’s population is above the age of 45. More specifically, a quarter of Pine Lake’s population is between the age of 45 and 54. Understandably, the average age in Pine Lake is 48.4 years old. Since 2010, the average age has increased by 6 years. This change indicates that the proportion of middle-aged and older residents has increased while the proportion of younger residents has decreased. As of 2019 estimates, only a quarter of residents are below the age of 35.

City of Pine Lake Average Age 2010 & 2019		
	2010	2019
Total Population	42	48.4
Male	36.9	45.7
Female	44.3	49.5

ACS 5-Year Estimates 2010 & 2019

City of Pine Lake Age Distribution

ACS 5-Year Estimates 2019

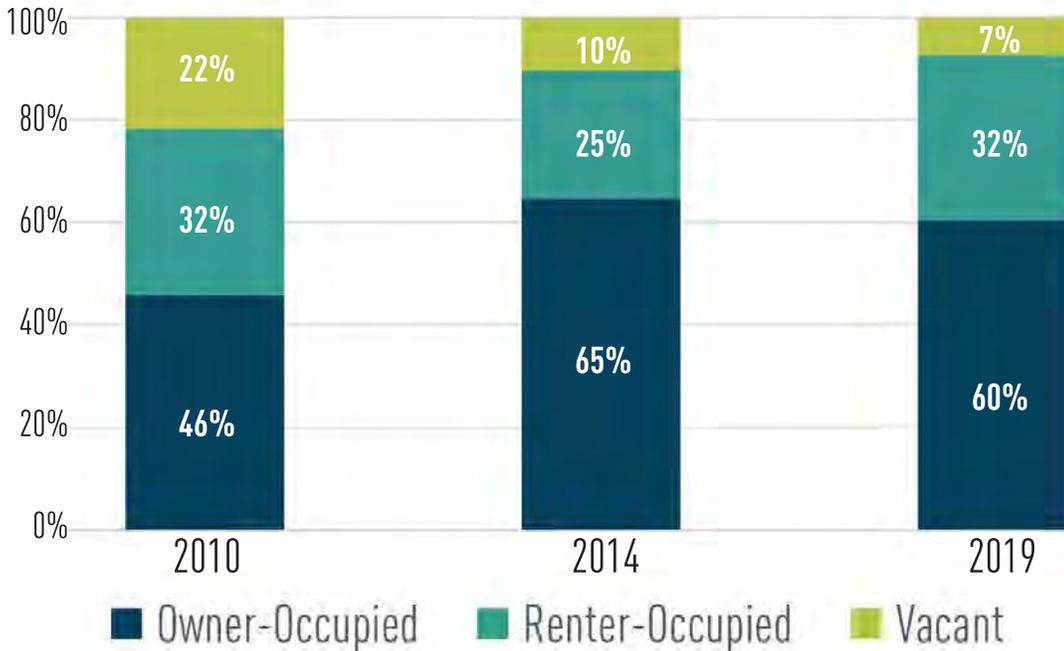


HOUSING DEMAND & VALUES

The majority of Pine Lake residents own their homes, with 60% of housing stock owned, 32% rented, and 7% vacant according to 2019 ACS Estimates. Since 2010, the proportion of vacant units has steadily decreased in the post-recession years. Between 2010 and 2014, the proportion of owner-occupied units increased drastically. Since 2014, the proportion of renter-occupied units have increased, but homeownership still remains high.

Housing Occupancy in the City of Pine Lake

ACS 5-Year Estimates 2010, 2014, & 2019



The DeKalb County Consolidated Plan for HUD Programs was consulted in the preparation of the Pine Lake Comprehensive Plan. There were not any programs, data, or recommendations that were determined to be relevant to Pine Lake. Data on Housing Characteristics, Housing Demand, and Housing Values are described here.

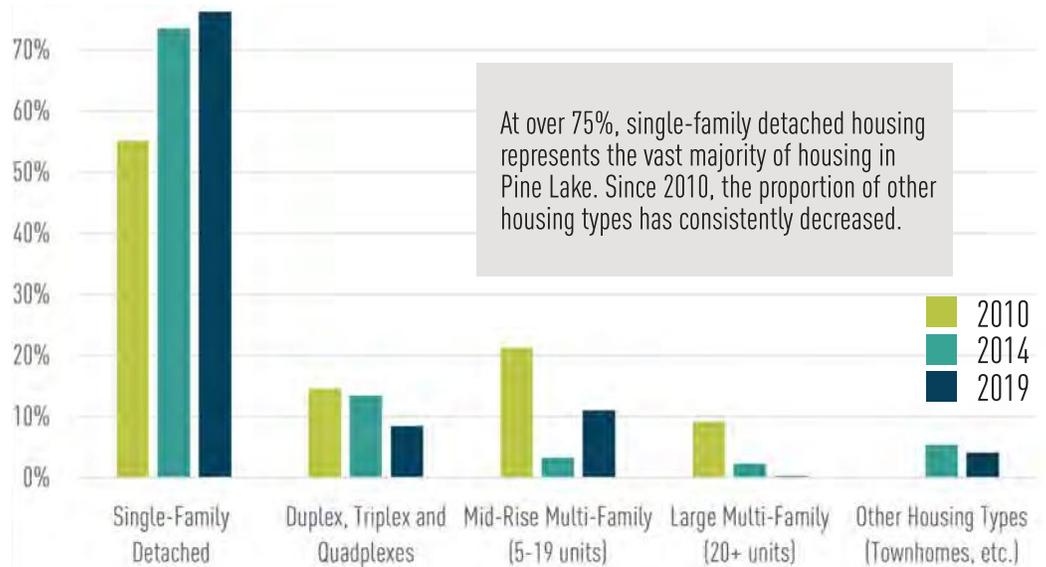
Median Home Value*
\$172,100

Median Rent*
\$1,042/mo

*ACS 5-Year Estimates, 2019

Housing Types in the City of Pine Lake

ACS 5-Year Estimates 2010, 2014, & 2019



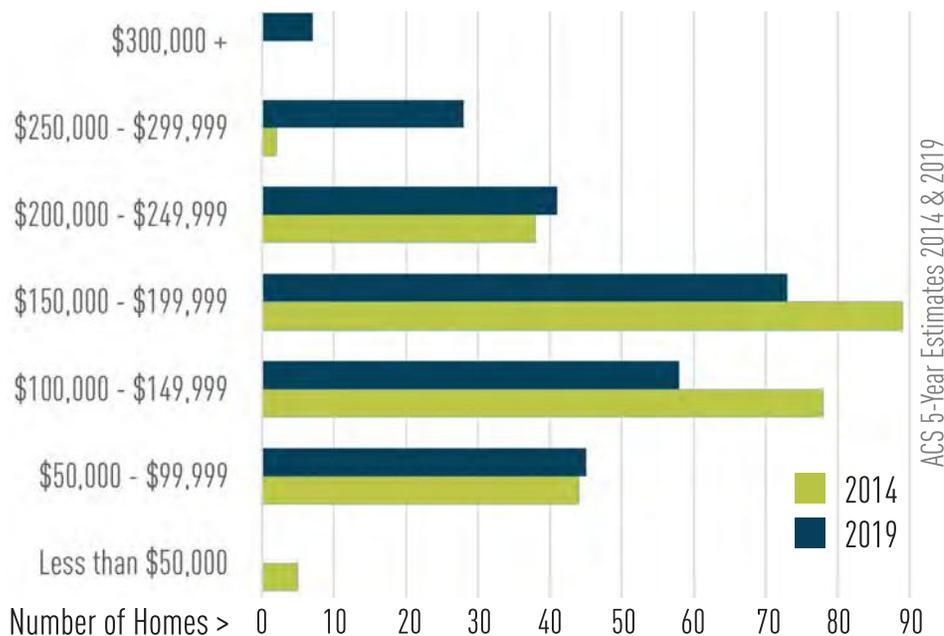
HOUSING DEMAND & VALUES

Dates of construction for housing in Pine Lake reflect a range of historic periods and styles. The highest proportion of housing stock was constructed in the 1940's soon after Pine Lake was marketed as a rural "resort" community starting in 1935. Pine Lake regulates the size of housing through maximum square footage limitations to ensure compatibility with the historic character of the residential areas. In the last decade, few new residential units have been constructed compared to historic numbers. This is likely due to Pine Lake's limited space for new development and desire to maintain its character. However, there was at least one new house built in 2020 according to the project management team.

Housing Built by Year as Percentage of Total Housing Units in the City of Pine Lake



Housing Values in the City of Pine Lake, 2014 & 2019



On average, housing values in Pine Lake have increased. The number of homes valued above \$250,000 have increased compared to 2014 figures. Consequently, the share of homes valued below \$200,000 have decreased from 2014 values, aside from the \$50,000 to \$99,999 range. However, this value range only increased by one home in 2019.

INCOME

City of Pine Lake Median Household Income, 2010, 2014 & 2019

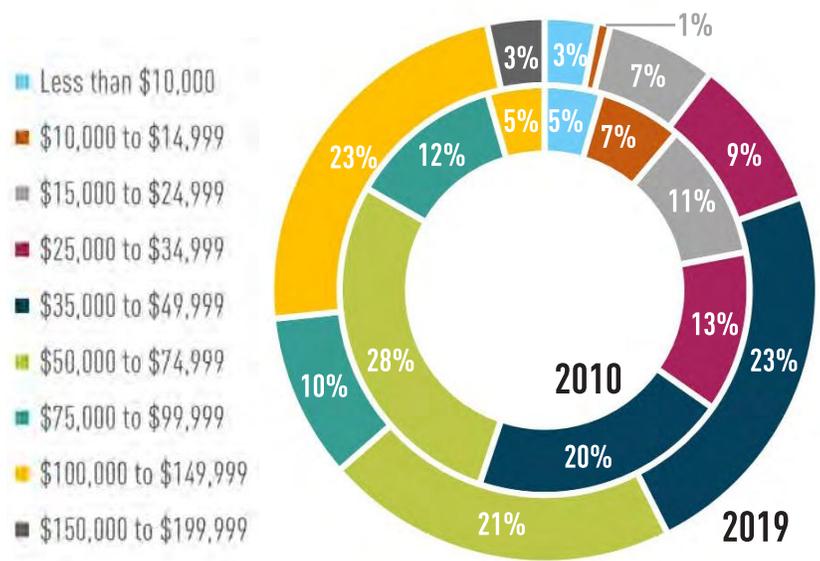
ACS 5-Year Estimates 2019



Since 2010, the median income has increased from below \$40,000 to almost \$52,500 in 2019. The proportion of households making between \$100,000 and \$149,999 has drastically increased from 5% in 2010 to 23% in 2019. Furthermore, the share of households making below \$35,000 has decreased from 36% to only 20%. The greatest share of households made between \$100,000 and \$149,999, followed closely by those making between \$35,000 and \$49,999.

City of Pine Lake Household Income, 2010 & 2019

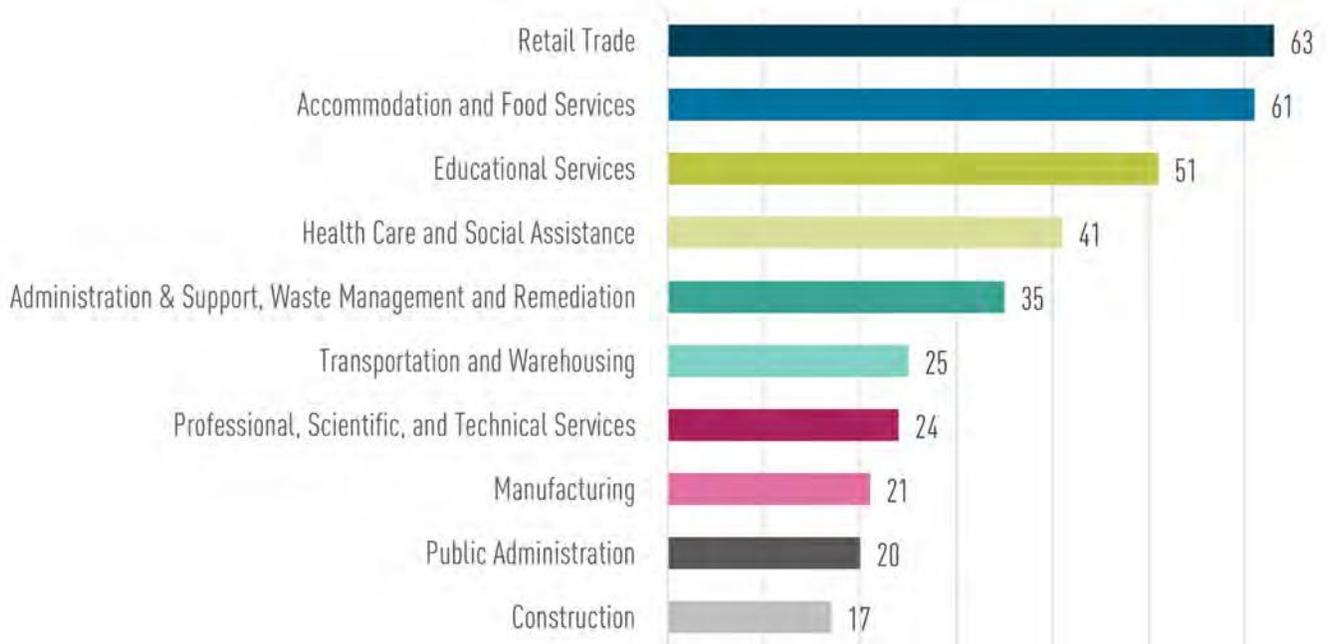
ACS 5-Year Estimates 2010 & 2019



EMPLOYMENT

What Jobs do Pine Lake Residents Do?

Census OnTheMap 2018



What Jobs Are Available in Pine Lake?

Census OnTheMap 2018



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CHAPTER 2

COMMUNITY INPUT



COMMUNITY VISION

Pine Lake is a strongly connected community where individuals are valued.

It elevates the arts, the environment, and civic participation. To sustain these values, Pine Lake will plan growth and maintain the environment while improving services, city finances, and quality of life for our residents.

COMMUNITY INPUT OPPORTUNITIES

The Pine Lake Comprehensive Plan Update process was guided by a Steering Committee comprised of citizens, local business owners, elected officials, and city staff. The Steering Committee met on multiple occasions, providing direction and feedback at key points in the process. Meetings were advertised through the city's website and through posted notices.



COMMUNITY FEEDBACK



One of the fundamental responsibilities of local government is planning – a word used to describe how a community shapes and guides growth and development. Updating the comprehensive plan offers communities the

Public Input Website

Between February and July, two surveys were provided through Pine Lake’s PublicInput webpage which included a series of questions covering a wide range of topics from natural and environmental resources to housing. Nearly 120 people responded in total – the majority of those respondents were >50 years old, white, female homeowners who have lived in Pine Lake for <=10 years. The most popular description of Pine Lake described the community as “a slice of heaven in the middle of DeKalb County” and positioned it as a “suburban nature preserve [and] open and accepting community with [a] cultural arts and an environmental focus” – over half (63%) of respondents rated their quality of life in Pine Lake as “High” with only 7% rating is as “Low.” However, several respondents also remarked on the racial homogeneity of its residents and elected officials. The ample natural resources, friendly active community, and committed elected officials were cited as Pine Lake’s top assets while fiscal sustainability, economic development, and community inclusion were listed as the most pressing challenges.

A virtual public meeting was held on April 28 to discuss the City of Pine Lake’s current and future

needs. In addition to soliciting the identification of the city’s assets and challenges, attendees were asked a series of questions covering the same wide range of topics included in the survey. Overall, attendees described Pine Lake as a small, quirky village, welcoming to artists and nature lovers alike. However, attendees also acknowledged the size of the community poses some challenges with regard to financial sustainability and the economic development of its commercial district.

Natural & Environmental Resources

Unsurprisingly, Pine Lake – the city’s namesake – was identified as the most significant natural and environmental resource. The wetlands surrounding the lake as well as Snapfinger Creek were also identified in equal measure and their importance in maintaining the lake’s water quality highlighted. However, the city’s tree canopy was also identified by several people as a significant resource that deserves continued municipal protection and a discussion of additional opportunities for urban agriculture within the city were discussed at the public meeting.

COMMUNITY FEEDBACK

Historic & Cultural Resources

Pine Lake and its associated Beach House, as well as the beach and surrounding wetlands, were identified as the most significant historic and cultural resource. However, the former church that currently houses the Police Station, Courthouse and Council Chambers and the Clubhouse was also identified and a desire to see it preserved and repurposed emphasized. The Art Wall, Monarch Garden, and Frances Manuel Ortega Memorial were mentioned by some respondents as unique elements that speak to the true character of Pine Lake.

Future Development

Rockbridge Road was identified as the primary area future development should be located, especially the area adjacent to the post office. Many respondents indicated a desire to see mixed-use development along this corridor and the addition of a variety of destination businesses. A desire to see vacant lots along Poplar Road developed was shared by some and denounced by others.

Economic Development

50% of respondents visit Pine Lake's Commercial District for government services – the other 50% are divided between Other (20%), Shopping (13%), Automobile Service and Repair (10%), and Restaurants (7%). Respondents identified business diversity, multi-modal access, and a cohesive appearance as the primary improvements that need to be made to

encourage resident use of the district. However, a number of respondents also indicated a need to support existing local businesses with regular city-sponsored activities within the district.

Transportation

The majority of respondents indicated Pine Lake's transportation system is adequate with one exception – 42% ranked their satisfaction with road conditions as "Below Average." Several areas throughout the area were identified as dangerous for pedestrians and/or bicyclists (e.g., Clubhouse Drive at Rockbridge Road and Dogwood Road and intersection of Beaver Road and Park Road). Finally, the addition of street calming measures along Park Drive and Lakeshore Drive were requested.

Housing

Respondents were ultimately split between the need for more affordable housing (48%), senior housing (51%), and mixed-income housing (50%) through the survey, though mixed-income housing was identified as the primary housing need during the public meeting. However, when asked to identify Pine Lake's most important housing need, a number of respondents indicated a desire to see upgrades to existing multi-family properties through code enforcement and tax incentives. A desire to see the construction of new, low-income housing as well as higher homeownership rates and lower property taxes was expressed by respondents.



CHAPTER 3

ISSUES, OPPORTUNITIES, & POLICIES



BACKGROUND

The City of Pine Lake was established as a rural “resort” community - a fishing and camping retreat for Atlanta’s working class - during the early 1930s. It was incorporated on December 27, 1937. According to 2019 ACS estimates, the City of Pine Lake included 386 households, comprised of 749 residents in a geography that covered 161 acres, or 0.25 square miles. Given the historic development patterns that would allow for the creation of lots as small as 2,000 square feet (20’ x 100’), the City has retained a compact, village-type feel. Though the majority of the residential area of the city lacks sidewalks, the grid-network of streets nonetheless creates a walkable network. This ties into a trail system that connects to the lake for which the community is named.

Common themes arise – throughout subsequent plan updates and numerous public meetings – that point back to the quality of life enjoyed by residents of the community. There is consensus that the physical form of the City coupled with the attendant environmental beauty create a strong sense of place. The community has attracted neighbors that share common interests in arts, culture and placemaking - preserving the unique and individualistic character that has drawn them there. However, the community is also quick to point out that the elements that make the community special, also result in challenges.

The City is geographically small, and for several years it has struggled with issues of annexation. Concerns are consistently voiced about whether annexation would change the dynamic of the community, though there is a desire to expand the commercial district (or at least commercial businesses) to provide greater services. Citizens voiced concerns that the current services do not match the needs of the community, nor do they generate sufficient revenue to alleviate a significant tax burden on residents.

The houses are small. Largely due to the legacy of the City’s history as a rural “resort” community, many residential units retain a cottage type feel. Though houses have been renovated and enlarged over time, the City does enforce maximum square footage restrictions for residential units, and does encourage the development of “tiny houses” that are compliant with building codes. However, concerns have been voiced about whether the small houses, along with average public schools, may discourage families with children from living in the community.

Nonetheless, this doesn’t necessarily make conversations about growth any easier. Previous Comprehensive Plans have identified the need for growth in the community. Whether this happened



BACKGROUND



through annexation or infill development, the growth hasn't really occurred. The City has completed updates to regulations for commercial and mixed use developments. The City has also been working with GDOT and DeKalb County to implement corridor improvements along Rockbridge Road. Within the next 5 years of this Comprehensive Plan Update, the City may experience greater opportunity for new development along Rockbridge Road that would fulfill some of the new retail and service uses desired by the community.

The City of Pine Lake may have to deal more directly with issues of annexation as the potential for new cities in DeKalb County encroach upon the existing city limits. There may be limited opportunities for the expansion of municipal boundaries in the future, should the incorporation of new cities and the expansion of existing cities take in surrounding neighborhoods and commercial centers. Expanded municipal boundaries would bring in additional opportunities for revenues and resources, but would also demand additional services. In addition to thinking about the practical implications of annexation, the City could also benefit from a thoughtful and deliberate approach to an engagement strategy for surrounding businesses and neighborhoods. The City's own citizens may be the best ambassadors

to the neighbors to build a greater sense of common purpose in this area.

One of the key services provided by the City is their police staff. Pine Lake still struggles with a reputation for aggressive policing – mostly a legacy from many years ago. The reality is that police department has made significant changes over the last two decades resulting in a greatly improved relationship with the community. Also, Pine Lake police carry out code enforcement functions within the City, and concerns have been expressed about equal and balanced enforcement.

There is a recognition for a greater need for diversity within the community, and building stronger relationships with adjacent neighborhoods. To build on their strengths and overcome their challenges, the community will need to embrace everything from policing to placemaking to ensure the success of their endeavors. Issues, opportunities and policies have been developed as a part of this Comprehensive Plan Update to address the strengths and challenges of the community, and provide a guide for decision-making in the next 5-years.

ISSUES

- Pine Lake struggles to be financially sustainable, requiring relatively high levels of property taxes in return for the services desired by the community.
- Limited commercial development within the city's boundaries provides limited property tax revenue to the city.
- The limited number of commercial parcels makes it difficult to provide the local businesses desired by residents.
- Pine Lake still struggles with a reputation for aggressive ticketing, though for the last twenty years the police department has made significant changes to address this concern and are committed to continually improving.
- Many residents with school age children choose options other than the local school system.

OPPORTUNITIES

- Preserve the environmental quality and natural environment that citizens enjoy and identify as a part of Pine Lake's identity.
- Apply commercial zoning and design standards to create a walkable commercial corridor along Rockbridge Road that reflects the character and identity of Pine Lake.
- Build relationships with local businesses along Rockbridge Road.
- Preserve the unique character of Pine Lake residential building stock, recognizing the elements of the city's urban design that attract and retain residents to live in the community.
- Promote placemaking as a tool to build on the artistic identity of Pine Lake as a cultural destination for Metro Atlanta

POLICIES

- The City of Pine Lake will preserve the residential character of the city while allowing compatible new single-family homes to infill on existing lots within the city limits consistent with the zoning ordinance.
- The City of Pine Lake will proactively encourage the development of commercial parcels to provide a balanced tax base serving the needs of the city consistent with the zoning ordinance.
- The City of Pine Lake will identify opportunities to expand city boundaries in a manner that appropriately fulfills the community's vision and desire for defining its boundaries and providing a stable tax base to serve current and future residents.
- The City of Pine Lake will preserve the environmental quality of its natural resources, including the lake, wetlands, tree canopy, existing vegetation, and wildlife habitat.
- The City of Pine Lake will manage the lake, beach, and other greenspaces not only as community amenities for the enjoyment of city residents, but also as critical environmental resources in need of protection, through a common understanding of purpose, use, and regulation.
- The City of Pine Lake will continue to cooperate with local, regional, and federal agencies and partners to seek collaborative solutions to common needs and achieve regional objectives, for the benefit of residents of our city, DeKalb County, and the regional community.
- The City of Pine Lake will continue relationship building with citizens, encouraging open dialogue that fosters honest and critical discussion of opportunities and challenges that the city will face in the next five years.



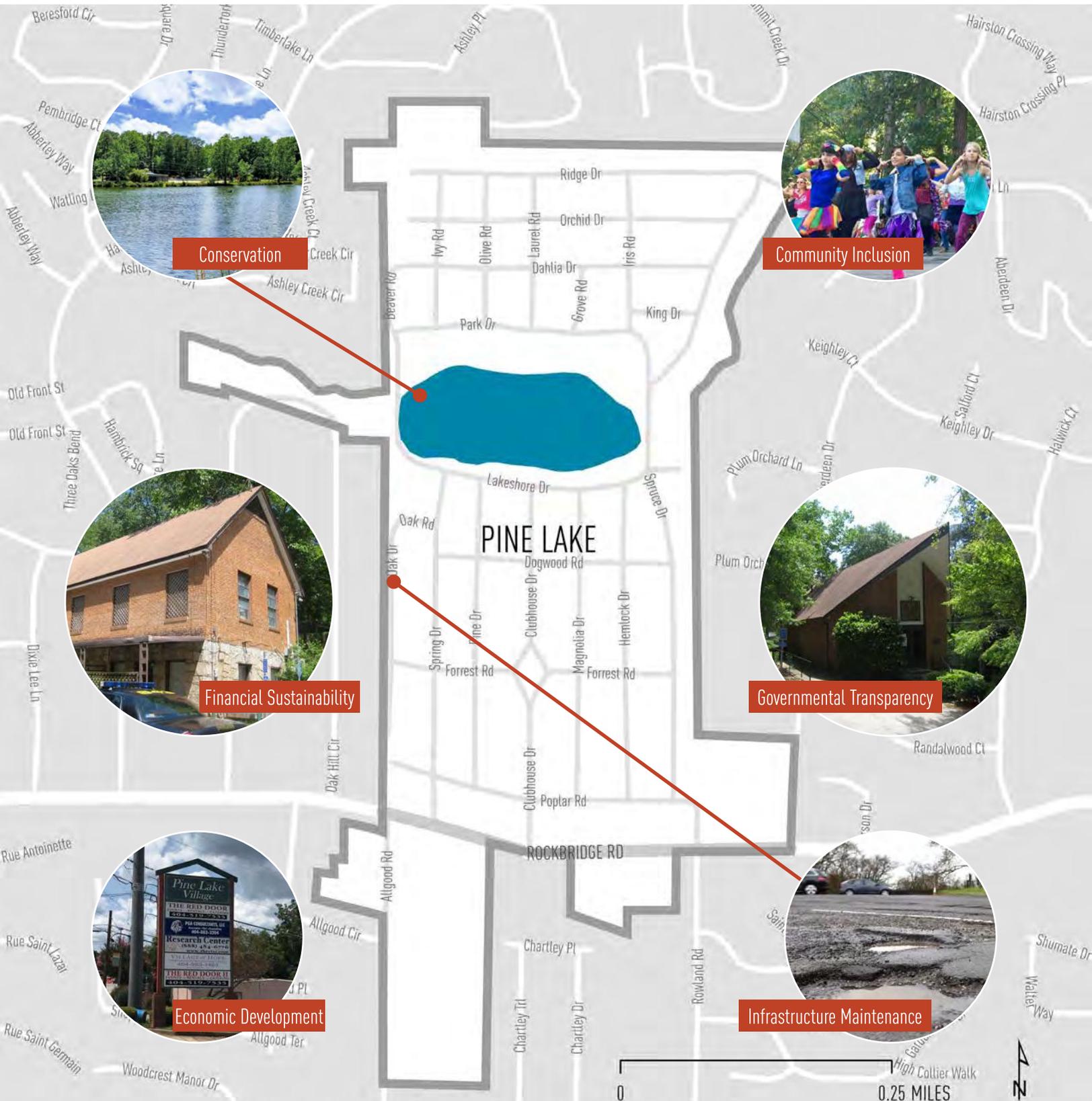
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CHAPTER 4

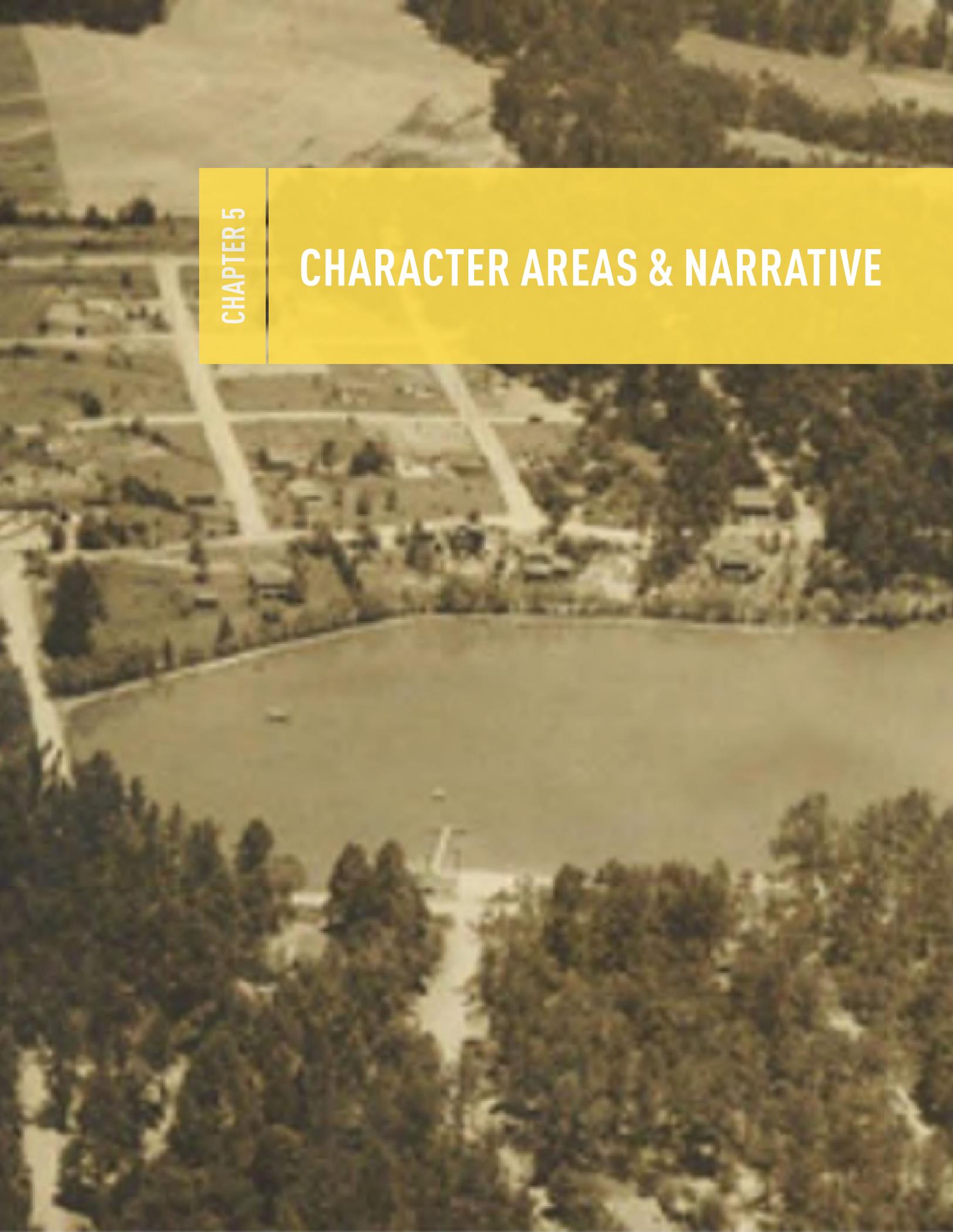
AREAS OF ATTENTION



COMMUNITY CONCERNS



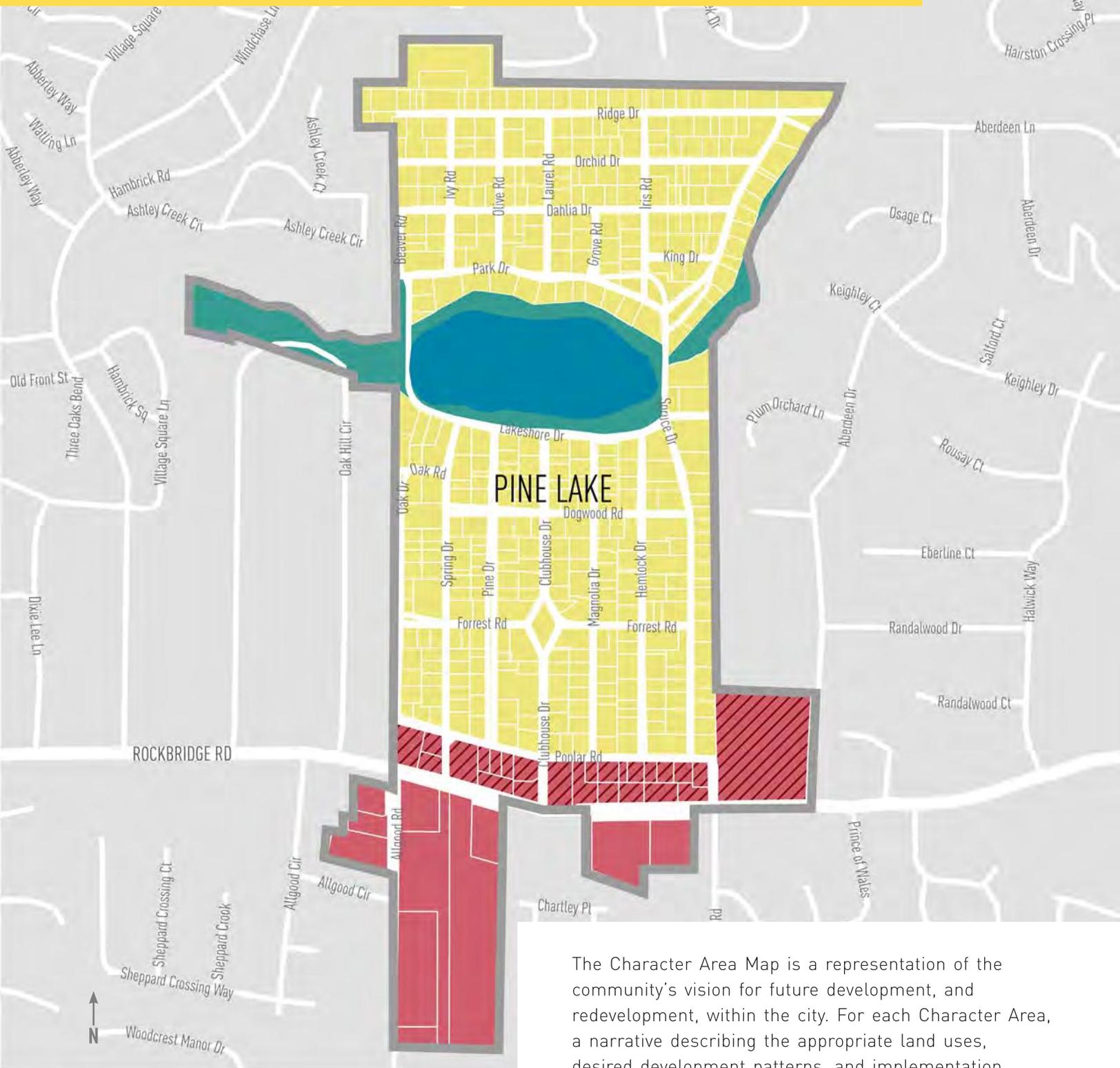
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An aerial photograph of a residential area. In the center, there is a large, calm pond. Surrounding the pond are numerous houses with dark roofs and light-colored walls. The area is interspersed with green trees. In the foreground, there is a dense line of trees. The overall scene is a typical suburban neighborhood.

CHAPTER 5

CHARACTER AREAS & NARRATIVE

CHARACTER AREA MAP



CHARACTER AREA

- Residential
- Water - Wetland
- Commercial Transitional Buffer

The Character Area Map is a representation of the community's vision for future development, and redevelopment, within the city. For each Character Area, a narrative describing the appropriate land uses, desired development patterns, and implementation strategies is included, as well as representative pictures of the type and style of development desired. It should be noted that the Character Area Map does not change the current zoning of any property but is intended to guide policy decisions for the next five years.

RESIDENTIAL

The City of Pine Lake was established as a rural “resort” community for Atlanta during the early 1930s, and incorporated on December 27, 1937. At that time, this area of DeKalb County was largely rural and land was sold in lots as small as 20 feet by 100 feet (2,000 square feet). Many of the lots were used for little more than the placement of tents. The closely placed small cottages that were initially constructed were vacation homes for Atlanta residents who would come out to swim, fish, and socialize. As the area became more suburban after World War II, conventional homes were constructed for full-time use, but Pine Lake maintained its rural “resort” character despite the development of larger homes and landscaped lawns.

The City has retained a residential village atmosphere and many homes have been renovated in recent years. According to 2019 ACS estimates, the City is comprised of 417 housing units, with almost 60% owner-occupied and about 32% renter occupied - most of the City is zoned for residential use only. During the Comprehensive Plan update, the character of the residential community was identified as one of the leading reasons that Pine Lake remains a desirable place to live. The legacy of its early 20th century “rural” resort roots has created a character that is unique among neighboring communities in central DeKalb.

DESIRED DEVELOPMENT PATTERNS & IMPLEMENTATION STRATEGIES

- Preserve existing single family homes.
- Encourage restoration of aging homes with historic character.
- Promote new single-family residential development with character that is compatible with existing development.
- Protect existing tree canopy and vegetation.
- Adhere to best practices for site development and stormwater management when constructing infill residential development.
- Utilize a balanced approach to code enforcement to maintain quality development and community character.
- Maintain existing community and recreation resources in a manner that is compatible with the residential character of the area.

PRIMARY LAND USES

- Single family housing development
- Limited institutional land uses, primarily existing community facilities, such as the Clubhouse, Beach House, and Police Station/Courthouse/Council Chambers
- Recreational uses, primarily existing facilities such as the public beach, tennis courts, playground, etc.
- Pocket parks, where appropriate
- Community art, where appropriate
- Gardens, for both personal and community use



COMMERCIAL

The Commercial Area of Pine Lake is intended to blend retail office and limited mixed-use development. This area is designed to accommodate stores that will provide goods and services to the local community and the neighborhoods that immediately surround Pine Lake. It is oriented toward neighborhood commercial uses. In areas where mixed-use development is determined to be appropriate, 25% of the project must be comprised of non-residential uses. Regulations within the commercial area provide additional development incentives for implementing environmentally sensitive site design measures, and emphasize protection of adjacent residential areas from noise, nuisance or light pollution. Design criteria include consideration for architectural controls, inclusion of greenspace and community gathering areas.



DESIRED DEVELOPMENT PATTERNS & IMPLEMENTATION STRATEGIES

- Encourage infill commercial development that meets the standards and requirements of Pine Lake’s zoning regulations.
- A mix of service, retail, and office uses that serve the City of Pine Lake and immediate adjacent neighborhoods
- Limited opportunities for general service and/ or commercial development that can meet the standards and requirements of Pine Lake’s Zoning regulations
- Limited opportunities for mixed use development that can meet the standards and requirements of Pine Lake’s zoning regulations, including requirements for non-residential development
- Environmentally sensitive site design, including parking standards that minimize impact on the natural environment
- Landscaping and vegetation requirements
- Transition of non-conforming uses over time

PRIMARY LAND USES

- Mix of Retail, Service and Office/ Professional Uses at a Neighborhood Scale
- Limited Mixed-Use (Residential with Service/ Retail Uses)
- Pocket Parks

TRANSITIONAL BUFFER

The Transitional Buffer Area between the Commercial and Residential Character Areas includes a mixture of neighborhood service uses with higher density residential development that could include townhomes, live-work units, and some single-family residential development. Height limitations allow for transition between the commercial and residential areas of Pine Lake while protecting the residential character of the city.

DESIRED DEVELOPMENT PATTERNS & IMPLEMENTATION STRATEGIES

- A mix of service and residential uses
- Environmentally sensitive site design
- Landscaping and vegetation requirements

PRIMARY LAND USES

- Neighborhood Scale Service and Professional Uses; Limited Neighborhood Scale Commercial Uses
- Higher Density Residential Uses, with a 2-story height limitation on multi-family or live/ work units
- Pocket Parks



WATER - WETLAND

The Lake is a landmark and focal point for many community events including the annual LakeFest, held each October. The City has made significant investments in ensuring the environmental quality of the lake and surrounding areas. An investigation in 2003 discovered that the primary source of lake contamination came from Snapfinger Creek, which feeds the lake. Water from the creek was diverted from entering the flume that feeds the lake. The lake has been clean since the diversion, leaving rainfall to maintain the water levels. The lake can become the cornerstone feature for attracting new businesses and residents to Pine Lake. Because of its significance to community identity, it is given its own character area.



DESIRED DEVELOPMENT PATTERNS & IMPLEMENTATION STRATEGIES

- Preserve water quality and ecological health of the Lake and sources of water that supply it.
- Ensure recreational access by residents of Pine Lake and individuals from outside of the community.
- Protect species habitat for animals that live in proximity to the Lake.
- Maintain the trail system that is located through the wetlands that are adjacent to the Lake.

PRIMARY LAND USES

- Recreation
- Wildlife Habitat



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CHAPTER 6

TRANSPORTATION



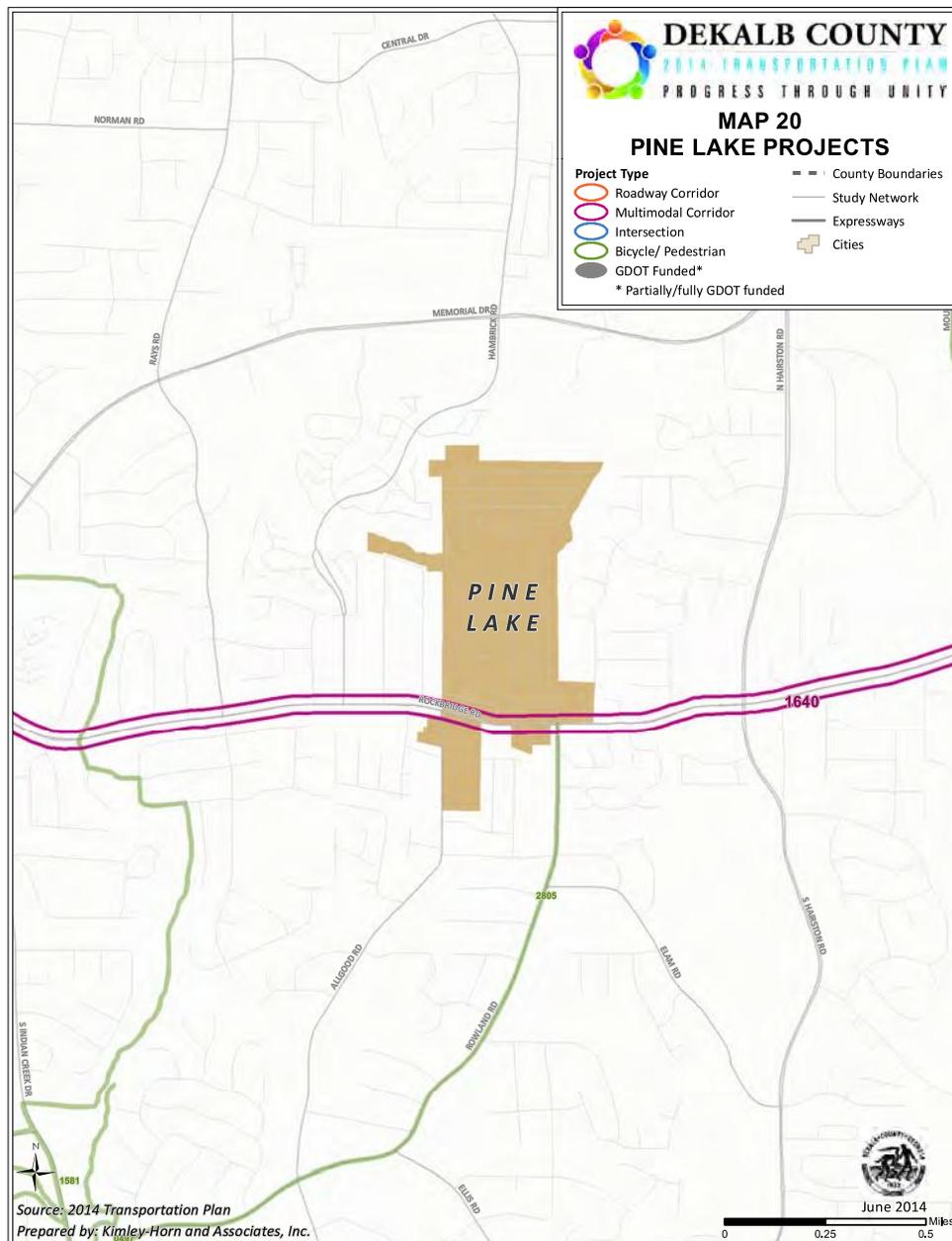
TRANSPORTATION PROJECTS

DeKalb County is jointly updating its comprehensive transportation and development plan under one process known as the DeKalb 2050 Unified Plan. Plan adoption is slated for early 2022. A more updated list of transportation projects affecting Pine Lake will be available once this unified plan is complete.

The 2014 DeKalb County Comprehensive Transportation Plan is the county's most recently adopted plan. It identifies priority transportation projects for the County and its cities. The City of Pine Lake does not have a list of projects because no projects are more than 20%

contained by the City. The multi-modal corridor project along Rockbridge Road (Project 1640) does fall partially within the City.

Project 1640 is the Rockbridge Road Multimodal Corridor Improvements – Phase I. This includes operational improvements, including a center turn lane, along Rockbridge Road. Plans also call for bicycle and pedestrian improvements. This project is programmed to run from Memorial Drive (SR 10) to Stone Mountain-Lithonia Road. Rockbridge Road improvements are currently under construction.



CHAPTER 7

BROADBAND

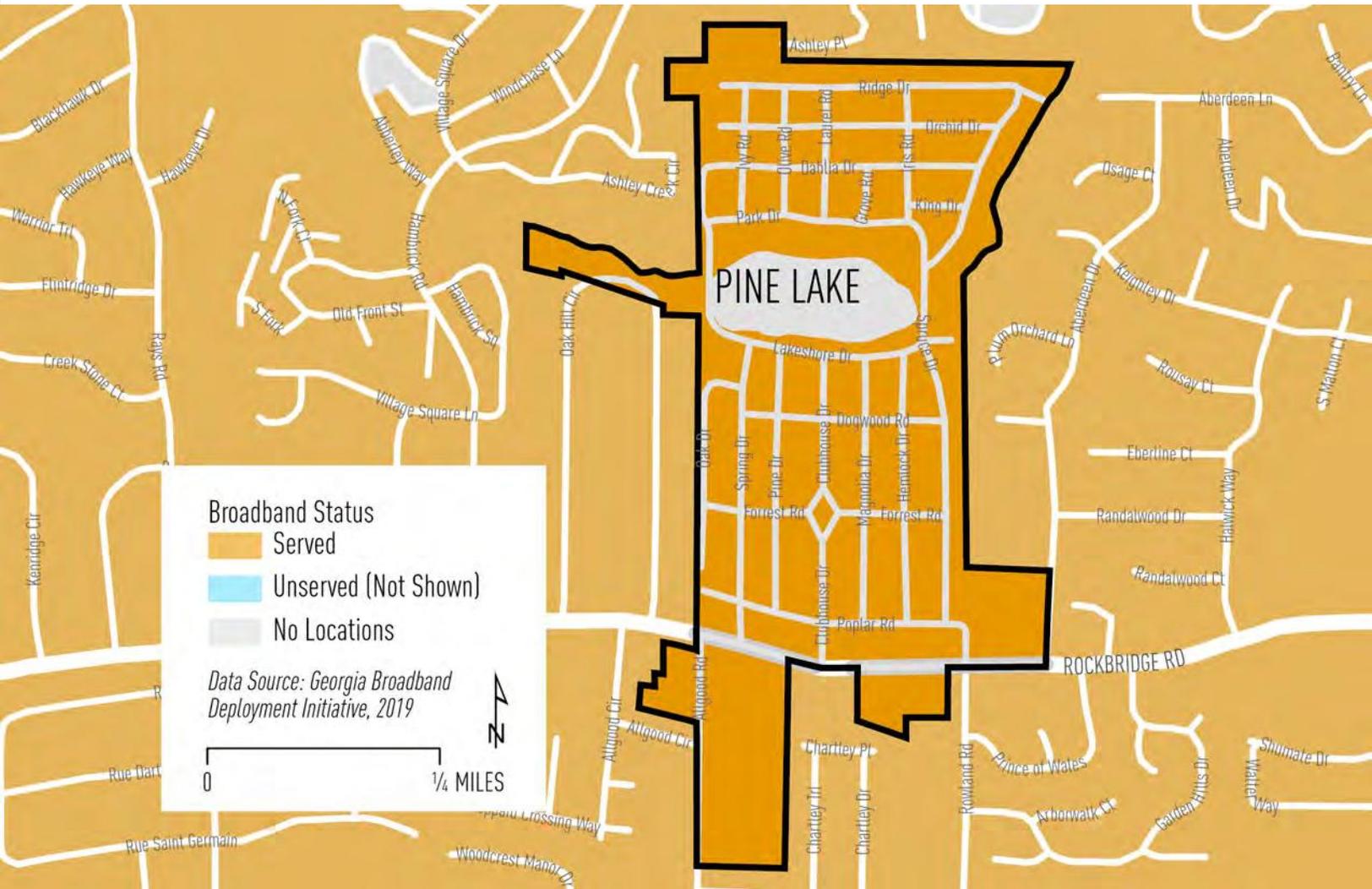


BROADBAND ACCESS

High-speed internet access is critical to education, businesses, and other aspects of daily life. The coronavirus pandemic stressed the need for more robust broadband connectivity for those who began working, schooling, and engaging with city processes in a virtual environment. Parts of the state of Georgia still struggle with broadband access. Specifically, 10% of the state does not receive high-speed internet services. Fortunately, 98% of DeKalb County has access to broadband according to 2019 data from the Federal Communications Commission (FCC) and the Georgia Broadband Center. Broadband serves the entire City of

Pine Lake, excluding the lake itself, and thus, this plan does not include an action plan for broadband service deployment.

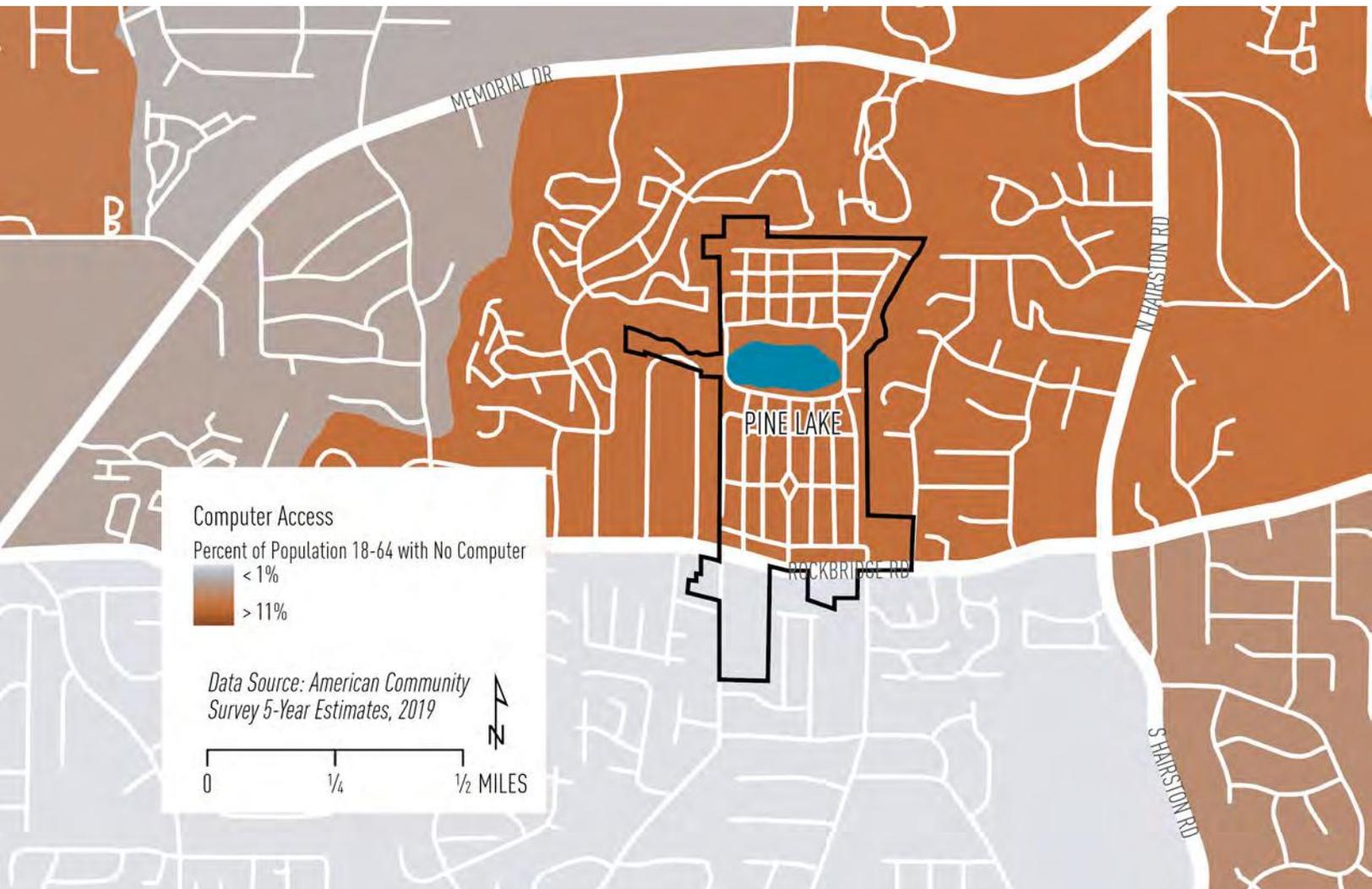
City officials should take necessary steps to achieve state certification as a Broadband Ready Community or designation of facilities and developments as Georgia Broadband Ready Community Sites. The Georgia Department of Community Affairs (DCA) provides more information on these certifications on its website: <https://broadband.georgia.gov/broadband-community-application-information>.



COMPUTER ACCESS

Despite its widespread broadband service, a significant portion of the population in and surrounding Pine Lake does not have access to necessary computers. Specifically, 8.1% of households in the census tract encompassing Pine Lake have no computer according to 2019 ACS estimates.

Since the onset of the pandemic, DeKalb County and its various partners provided necessary computers to fill this need for families with children. DeKalb programs that lend laptops include Virtual Career Academy, the Virtual Village platform, and the County library system.¹



1. Stone, Adam. "Q&A: How DeKalb County Is Trying to Bridge the Digital Divide." *StateTech*. March 29, 2021.

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CHAPTER 8

REPORT OF ACCOMPLISHMENTS



REPORT OF ACCOMPLISHMENTS 2016-2021

Project	Status	Notes
ECONOMIC DEVELOPMENT (ED)		
Implement the new commercial zoning regulations to develop businesses along Rockbridge Road.	COMPLETED	Adopted 2019.
Develop a long-term annexation plan for the City.	COMPLETED	Mapped possible annexation areas and prioritized areas.
Develop and implement a community arts/ public arts master plan for the city	COMPLETED	Established Municipal Arts Panel (MAP). Established local grant fund (between local gov't and businesses) that is awarded annually to local artists. Created public arts policy and designated two spaces for displaying public art. Created public art page on city website highlighting historical and current local art.
Support the development of community arts programming to support community economic development.	COMPLETED	Established Municipal Arts Panel (MAP). Established Rockbridge Opportunity Kick Starters (ROKS) with a primary goal to use the arts to support community economic development.
COMMUNITY FACILITIES AND SERVICES (CFS)		
Work with GDOT and DeKalb County to implement corridor improvements on Rockbridge Road (Project #1640).	UNDERWAY	To be completed Winter 2022. See CFS 01.
Work toward the goal of providing 24-hour police services through the local police department.	CANCELED	See CFS 02. Redefined in 2021 CWP.
Undertake Improvements to the tennis courts	CANCELED	Proposed crowdsourcing efforts did not occur.
Update and expand gateway and wayfinding signage throughout the community	UNDERWAY	See CFS 03.
Create a committee to explore the possibility of developing a charter school that could serve the Pine Lake community.	CANCELED	Lack of public interest for pursuing effort with no school facilities located within city limits, increased home schooling, and lack of interest from surrounding community and DeKalb County School System.
Explore the creation of additional community level committees to address issues such as development, arts and culture, and elder affairs	COMPLETED	Established Municipal Arts Panel (MAP), Stewards for Environmental Education and Design (SEED), Rockbridge Opportunity Kickstarter (ROKS), and Seniors and Law Enforcement Together (SALT).

CHAPTER 9

COMMUNITY WORK PROGRAM



COMMUNITY WORK PROGRAM 2022-2026

#	Project	2022	2023	2024	2025	2026	Responsible Party	Cost Estimate
ECONOMIC DEVELOPMENT (ED)								
ED 01	Organize annual clean up along Rockbridge Road with residents and business owners.		X	X	X	X	ROKS	Staff Time, \$500 for garbage bags and water and snacks for volunteers
ED 02	Create sense of place on Rockbridge Road including benches, display banners, mural, and "Pole Art" project.		X	X	X		ROKS, City Council	Staff Time, Donated Funds, General Fund
ED 03	Organize annual Community and Business Owners get-together, starting with BBQ in Poplar Park in 2021.	X	X	X	X	X	ROKS, Staff	Staff time, >\$1,500
ED 04	Increase participation of business owners joining or attending Rockbridge Opportunity Kick Starters (ROKS) meetings.		X	X	X	X	ROKS	Staff Time
COMMUNITY FACILITIES AND SERVICES (CFS)								
CFS 01	Work with GDOT and DeKalb County to implement corridor improvements on Rockbridge Road (Project #1640).	X	X				Staff, GDOT, DeKalb County	Funds have been allocated to this project, including a TE grant transferred from Pine Lake to DeKalb County
CFS 02	Increase Seniors and Law Enforcement Together (SALT) membership and expand activities.	X	X	X	X	X	City Council, Police Department	General Fund
CFS 03	Update and expand gateway and wayfinding signage throughout the community.		X	X			City Council	Capital Improvement Fund (\$20,000)
CFS 04	Develop new Poplar Park into a community gathering and event space.	X	X	X			ROKS, Volunteers, Staff, City Council	Capital Improvement Fund, Grant Funds, Donated Funds
CFS 05	Develop future service delivery and funding policies through analysis of City operating functions and budget.		X	X			City Council, Staff, Volunteers, possibly Consultants	City Council and Staff Time, Consultants (\$5,000 - \$10,000)
CFS 06	Follow-up on Community Conversations to develop a plan to strengthen the "One City, Many Voices," principles.		X	X	X	X	City Council, Staff, Volunteers	City Council and Staff Time, possible General Fund (\$5,000 - \$10,000)
CFS 07	Develop five-year capital community improvement plan.		X				City Council, Staff, possibly Consultants	Staff Time, Consultants (\$5,000 - \$10,000)
CFS 08	Begin implementation of five-year capital plan.			X	X	X	City Council, Staff, possibly Consultants	SPLOST Funds, Capital Improvement Funds, Storm Water Utility, Grant and Loan Funds
CFS 09	Complete dam maintenance and repair project.		X	X	X		City Council, Staff, Consultants.	Staff Time, Consultants (\$10,000). Construction covered by Stormwater Utility and Grant and Loan Funds.



Atlanta Regional Commission

9 September 2025

Bernard Kendrick
Public Works Director
City of Pine Lake
425 Allgood Road
Pine Lake, GA 30072

Cc:

Mr. Shahid Jamil, P.E., AECOM Project Manager

Re:

Inspection Report
August 2025
Pine Lake Dam [NID # N/A], Pine Lake, DeKalb County, Georgia

Dear Mr. Kendrick:

Attached please find a record of the inspection of Pine Lake Dam. AECOM completed this inspection on August 19, 2025, on behalf of the City of Pine Lake. AECOM found that Pine Lake Dam is not registered with Georgia Environmental Protection Division Safe Dams Program, the National Inventory of Dams, or the National Levee Database. Dam owners are responsible for understanding the risk that their structure may pose to the community. The most critical action the owner of Pine Lake Dam can take is becoming compliant with Georgia Safe Dams Program, including studying the dam to determine if there is a potential for life loss should the dam ever fail.

The principal observations of the inspection by AECOM are listed below.

- The dam is not registered in the Georgia Safe Dams inventory or the National Inventory of Dams, thus it does not have a hazard classification.
- The maximum storage of the reservoir is unknown.
- The vegetation on the upstream and downstream slopes is overgrown and prevents thorough inspection of the embankment for erosion, animal burrows, or other damage / dam safety hazards.
- The vault on the downstream side of the emergency spillway could not be opened.
- The functionality of the service spillway/Outlet Control Structure is unknown.
- The principal and emergency spillway outlet channels are fully vegetated with trees and bushes and could not be thoroughly inspected.
- The function / condition of various other elements in or around the dam are unknown at this time.

Sources of information for previous work on creek bank and dam embankment:

- 2011 Snapfinger Creek Water Quality and Habitat Improvements Construction Progress Report, accessed from the City of Pine Lake's website:
<https://pinelakega.sophicity.com/Assets/Files/2011%20Snapfinger%20Creek%20Water%20Quality%20Improvement%20Project%20with%20Headers-compressed.pdf>
- Pine Puddle Blogspot, Chronicles the 2011 streambed improvement project, by Melanie Hammet
<https://pinepuddle.blogspot.com/search?updated-max=2011-10-19T08:09:00-07:00&max-results=7>

The actions listed below are recommended for implementation:

- Study the drainage area and storage area to determine if the structure and watershed are of sufficient size to be registered with Georgia Safe Dams, as well as to determine the structure's hazard classification category. This will require a bathymetric survey, topographic survey as well as a Hydrologic and Hydraulic (H&H) analysis.

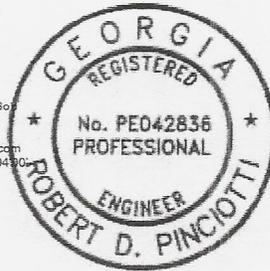
- Register the dam with Georgia Safe Dams, and subsequently the National Inventory of Dams, if appropriate.
- Investigate with an underwater camera mounted to a remotely operated vehicle (ROV) and /or dive inspection the Outlet Control Structure installed in 2011.
- Scope any pipe inlets or outlets from the lake for obstructions or damage.
- Clear the woody vegetation from the embankment slopes and to 15 feet beyond the dam toe.
- Establish and maintain turf grass cover on the upstream and downstream slope of the dam embankment and to 15 feet beyond the dam toe.
- Clear the woody vegetation from the principal / emergency spillway channel to the drainage channel downstream of the emergency spillway and allow to develop native upland or wetland vegetation, as appropriate.

Should you have any questions regarding this report or other matters, please do not hesitate to contact the undersigned.

Sincerely,
AECOM

**Pinciotti,
Bob**

Digitally signed by Pinciotti, Bob
DN: cn=Pinciotti, Bob,
ou=USGRM2,
email=Bob.pinciotti@aecom.com
Date: 2025.09.09 11:38:20 -04'00'



Bob Pinciotti, P.E.
Engineer of Record

Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

Location of Dam (County): DeKalb

Weather: Sunny, 70°F

Inspected by (Print Name): Clare Foster and Bob Pinciotti, PE

A. Crest (refer to glossary for description)

1. How would you describe the vegetation on the crest? (Check all that apply):

Recently Mowed Overgrown Good Cover Sparse Not Applicable

Other Corrective Action (describe):

2. Are there any trees or other inappropriate or excessive vegetation on the crest? Yes No

If yes, describe (type of vegetation, size, location, etc.)/Corrective Action:

3. Is there a paved road or driveway on the crest? Yes No

If yes, describe the condition (for example, good condition, numerous cracks, newly paved)/Corrective Action:

Asphalt path in good condition with minimal cracks from tree roots.

4. Are there any depressions, ruts or holes on the crest? Yes No

Other/Corrective Action:

5. Are there any cracks on the crest? Yes No

If yes, describe (length and width, location, direction of cracking, etc.)/Corrective Action:

6. Other observations on the crest/Corrective Action:

Crest path is well maintained with minimal intrusions from the vegetation present on the slopes.

B. Upstream Slope (refer to glossary for description)

1. What is the reservoir level today?

At Normal Pool Above Normal Pool Below Normal Pool Unknown
Feet ___ Feet ___

Observations: Stream staff gauge or water level marker not found during inspection. There is not a USGS Stream Gauge for Snapfinger Creek in the vicinity of Pine Lake. 2011 Snapfinger Creek Water Quality Improvement Project, accessed from the City of Pine Lake's website, does not show a stream gauge or water level marker installed as part of 2011 improvements. Plans from the dam slope repairs in 2021 show water's edge at Elevation 921.9 feet NAVD88. Crest Benchmark #1 Elevation 925.36 feet NAVD88.

2. How would you describe the vegetation on the upstream slope? (Check all that apply)

Recently Mowed Overgrown Good Cover Sparse

Other/Corrective Action: Remove woody vegetation from the upstream slope down to the waterline. Keep the slope free of trees and shrubs and, if necessary, armor with rock to prevent erosion of the upstream slope. In the current condition, it is not feasible to inspect the upstream slope. Remove trees and shrubs less than 8" in diameter, fill in the holes and compact the fill soil, and finally seed the area. If the trees and shrubs are greater than 8" in diameter, Georgia Safe Dams states that an Engineer of Record must be hired to determine the best way to safely remove the inappropriate vegetation and repair the dam. Appropriate vegetation such as grass should be planted and regularly mowed to allow for easy identification of problems with the dam.

3. Are there any trees or other inappropriate or excessive vegetation on the slope? Yes No

If yes, describe (type of vegetation, size, location, etc.)/Corrective Action:

Refer to corrective action above for woody vegetation.

Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

4. Are there any depressions, bulges, ruts or holes (such as animal burrows) on the slope? Yes No
 If yes, describe (type of vegetation, size, location, etc.)/Corrective Action: Not able to discern due to the presence of thick vegetative cover on the slope. As there is significant vegetation, its expected that deep roots have created holes and potential networks for animal burrows and erosion.
5. Are there any eroded areas on the slope (such as wave erosion along the shoreline)? Yes No
 If yes, describe (size of area, location, severity, etc.)/Corrective Action: Not able to discern if erosion is taking place due to the presence of thick vegetative cover on the slope.
6. Are there any cracks, sloughs or slides (vertical cliffs) on the slope? Yes No
 If yes, describe (length, width, height, location, etc.)/Corrective Action: Not able to discern due to the presence of thick vegetative cover on the slope.
7. Is there any type of slope protection along the shoreline (such as riprap)? Yes No
 If yes, describe what type and its condition (for example, riprap- adequate, inadequate, sparse)/Corrective Action: Not able to discern due to the presence of thick vegetative cover on the slope.
8. Other observations on the upstream slope/Corrective Action:
 Refer to corrective action above for woody vegetation.

C. Downstream Slope (refer to glossary for description)

1. How would you describe the vegetation on the downstream slope? (Check all that apply)
 Recently Mowed Overgrown Good Cover Sparse
 Other/Corrective Action:
2. Are there any trees or other inappropriate or excessive vegetation on the slope? Yes No
 If yes, describe (type of vegetation, size, location, etc.)/Corrective Action:
3. Are there any depressions, bulges, ruts or holes (such as animal burrows) on the slope? Yes No
 If yes, describe (size, location)/Corrective Action:
4. Are there any eroded areas on the slope (such as along abutment contacts)? Yes No
 If yes, describe (size of area, location, severity, etc.)/Corrective Action:
5. Are there any cracks, sloughs or slides (vertical cliffs) on the slope? Yes No
 If yes, describe (length, width, height, location, etc.)/Corrective Action:
6. Are there any wet areas or areas of hydrophilic (lush, water-loving) vegetation? Yes No
 If yes, describe (size of area, location, etc.)/Corrective Action:
7. Do any wet areas indicate seepage through the dam (such as rust-colored, stained water)? Yes No
 If yes, describe (new area of seepage, no change from past observations, size of area, location etc.)/Corrective Action:
8. Are there any leaks (flowing water) from the slope or beyond the toe of the dam? Yes No
 If yes, describe (location, rate of flow, turbidity of flow)/Corrective Action:

9. Other observations on the downstream slope/Corrective Actions:
 A grouted steel pipe with a smaller pipe and pipe plug was observed along the toe of slope, over Snapfinger Creek See Photo 25. The purpose of the pipe is unknown.

Remove woody vegetation from the downstream slope and within 10 feet of the downstream toe of slope. Keep the slope free of trees and shrubs and, if necessary, armor with rock to prevent erosion of the upstream slope. Areas of riprap armoring from 2021 repairs have experienced erosion from Snapfinger Creek. In the current condition, it is not feasible to fully inspect the downstream slope for animal burrows and depressions. Remove trees and shrubs less than 8" in diameter, fill in the holes and compact the fill

Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

soil, and finally seed the area. If the trees and shrubs are greater than 8" in diameter, Georgia Safe Dams states that an Engineer of Record must be hired to determine the best way to safely remove the inappropriate vegetation and repair the dam. Appropriate vegetation such as grass should be regularly mowed to allow for easy identification of problems with the dam.

D. Plunge Pool (refer to glossary for description)

1. Is there any type of erosion protection around the plunge pool (such as riprap)? Yes No
 If yes, describe the type of protection and its condition (for example, riprap adequate, riprap insufficient, overgrown with vegetation)/Corrective Action:

2. Is there any erosion and/or seeps around or going into the plunge pool? Yes No
 If yes, describe (size of area, location, severity, etc.) /Corrective Action:

3. Other observations on the downstream slope/Corrective Actions:

E. Principal and Emergency Spillways (refer to Glossary for description)

1. What types of spillways does the dam have (such as corrugated metal, concrete or siphon pipe; concrete or earth channel)?
 Principal Spillway: Ductile Iron Pipe
 Emergency Spillway: Concrete overtopping protection
 Other/Corrective Action: Investigate outlet control structure (ductile iron pipe) with a remotely operated camera for blockages or damage. Obtain access to the outlet control structure See Photo 23.

2. Has the emergency spillway activated (had flow) since the last inspection? Yes No
 If yes describe (date(s) of flow, reason for activation, depth of flow) /Corrective Action: There has not been a documented incident of flow in the emergency spillway.

3. For pipe spillways, is the intake obstructed in any way (such as with excessive debris)? Yes No
 If yes, describe (type of debris, reason for obstruction, etc.) / Corrective Action: Due to the location of the old pipe, it is recommended that further investigation be completed to verify if the pipe has been properly grouted See Photos 5 and 6..

The intake for the 2011 pipe spillway is underwater and could not be observed.

4. For pipe spillways, what is the condition of any trash racks (for example, adequate, inadequate, damaged)?
 The old outlet control structure has no trash rack See Photo 5 and 6. Recommend that further investigation be completed to verify if the pipe has been properly grouted

The trash rack around the 2011 outlet control structure pipe was submerged and could not be inspected. Recommend completing a remotely operated vehicle (ROV) camera inspection of the outlet control pipe and trash rack. See Photos 16, 17 and 20.

5. For pipe spillways, are there any visible cracks, separations, or holes in the pipe(s) (intake or outlet)? Yes No
 If yes, describe (location, width of crack or separation, etc.)/Corrective Action:

2011 Snapfinger Creek Water Quality Improvement Project, accessed from the City of Pine Lake's website, shows photos of the right training wall for the old outlet control structure damaged by construction activities and failed, see Photo 21. This old structure has reportedly been grouted and abandoned. The 2011 outlet control structure is buried. AECOM could not locate the outfall.

6. For pipe spillways, are there any apparent leaks in the pipe(s)? Yes No
 If yes, describe (location, rate of flow from leak, etc.)/Corrective Action: N/A

Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

7. For pipe spillways, how would you describe the overall condition of the pipe(s)? Check all that apply:

- Functioning Normally Not Functional
 Good Condition Old pipe Deteriorated/Damaged
 Adequate Inadequate

Corrective Action: The condition of the 2011 outlet control structure is unknown. Additional investigation (access to the vault and ROV pipe inspection) will be necessary.

8. For concrete or earth channel spillways, is the entrance or channel obstructed in any way? Yes No

If yes, describe (type of obstruction, location, etc.)/Corrective Action:
 N/A

9. For earth channel spillways, how would you describe the vegetation in the spillway? (Check all that apply):

- Recently Mowed Overgrown Good Cover Sparse

Other (describe)/Corrective Action:

The spillway inlet is overgrown with vegetation to the waters edge. The spillway channel redirects flow back to Snapfinger Creek and the wetlands surrounding the lake.

10. For earth channel spillways, are there any trees in the spillway? Yes No

If yes, describe (type, size, location, etc.)/Corrective Action:
 Remove large trees that obstruct flow in the spillway.

11. For earth channel spillways, are there any eroded areas in the spillway? Yes No

If yes, describe (size of area, location, severity, etc.)/Corrective Action:

Due to the dense vegetation in the spillway channel beyond the concrete apron, it was not possible to fully assess for erosion or animal burrows in the channel that could provide seepage pathways back to the reservoir.

12. For concrete channel spillways, are there any cracks or holes in the spillway? Yes No

If yes, describe (width of crack or hole, location, etc.)/Corrective Action:

13. For concrete channel spillways, are there any leaks or evidence of undermining (flow under concrete)? Yes No

If yes, describe (location, rate of flow from leak, indicators of undermining, etc.)/Corrective Action:
 N/A

14. For earth or concrete channel spillways, how would you describe the overall condition of the spillway? (Check all that apply):

- Functioning Normally Not Functional
 Good Condition Deteriorated/Damaged
 Adequate Inadequate

Corrective Action:

15. Other observations on the spillways/Corrective Action:

F. Instrumentation (refer to glossary for description)

1. Are there any toe drains at the downstream toe or any other seepage drains on the dam? Yes No

If yes, describe the condition (for example, clogged, free flowing, deteriorated, good condition)/Corrective Action:
 No toe drain outfalls were observed.

2. For drains, is an animal guard installed at the outlet of each drain? N/A Yes No

If no, which drains lack animal guards? /Corrective Action:

Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

3. For drains, measure the rate of flow from each drain and record below (use additional pages if necessary): N/A

Designation/ Location of Drain	Flow Rate	Flow Rate in GPM	Turbidity of Flow (clear, cloudy, muddy, etc.)

Notes:

- a. "GPM" indicates "gallons per minute"
- b. To convert from oz/sec, multiply by 0.4688
- c. To convert from mL/sec, multiply by 0.01585

4. Are there any piezometers on the dam? Yes No
 If yes, describe the condition (for example, good condition, damaged, etc.)/Corrective Action:
 N/A

5. For piezometers, does each piezometer have a cap with a lock? Yes No Not applicable
 If no, which piezometers need caps and/or locks (to prevent tampering)? /Corrective Action:
 N/A

6. For piezometers, are you able to measure depth to water in each piezometer? Yes No Not applicable
 If yes, record depth to water (in feet) in each piezometer, record on a separate page, and attach to this form.
 N/A

7. Are there any other monitoring devices on the dam? Yes No
 If yes, describe what type and the condition (for example, monitoring wells - good condition, damaged) /Corrective Action:
 N/A

8. Other observations on instrumentation/Corrective Action:
 Recommend a staff gauge be installed to monitor the pool elevation.

Embankment (Earth) Dam Inspection Form**Name of Dam:** Pine Lake Dam [ID: N/A]**Inspection Date:** August 19, 2025**G. Photographs**

At a minimum, photographs should be taken of the crest, upstream slope, downstream slope and any other notable features, including areas where corrective action is noted.

List of Photographs (be sure to date stamp the photos):

1. Crest, 8/19/2025
2. Crest, 8/19/2025
3. Crest, 8/19/2025
4. Crest, 8/19/2025
5. Outlet Control Structure, 8/19/2025
6. Outlet Control Structure, 8/19/2025
7. Upstream Slope, 8/19/2025
8. Downstream Slope/Snapfinger Creek Bank, 8/19/2025
9. Downstream Slope/Snapfinger Creek Bank, 8/19/2025
10. Downstream Slope/Snapfinger Creek Bank, 8/19/2025
11. Upstream Snapfinger Creek Box Culverts, 8/19/2025
12. Downstream Snapfinger Creek Box Culverts, 8/19/2025
13. Emergency Spillway, 8/19/2025
14. Emergency Spillway, 8/19/2025
15. Emergency Spillway, 8/19/2025
16. Outlet Control Structure, October 2011
17. Outlet Control Structure, October 2011
18. Lake Inlet, October 2011
19. Aerial Image, September 2011
20. Outlet Control Structures, October 2011
21. Outlet Control Structure, October 2011
22. Spillway Channel, 8/19/2025
23. Outlet Control Structure, 8/19/2025
24. Inlet Control Structure, 8/19/2025

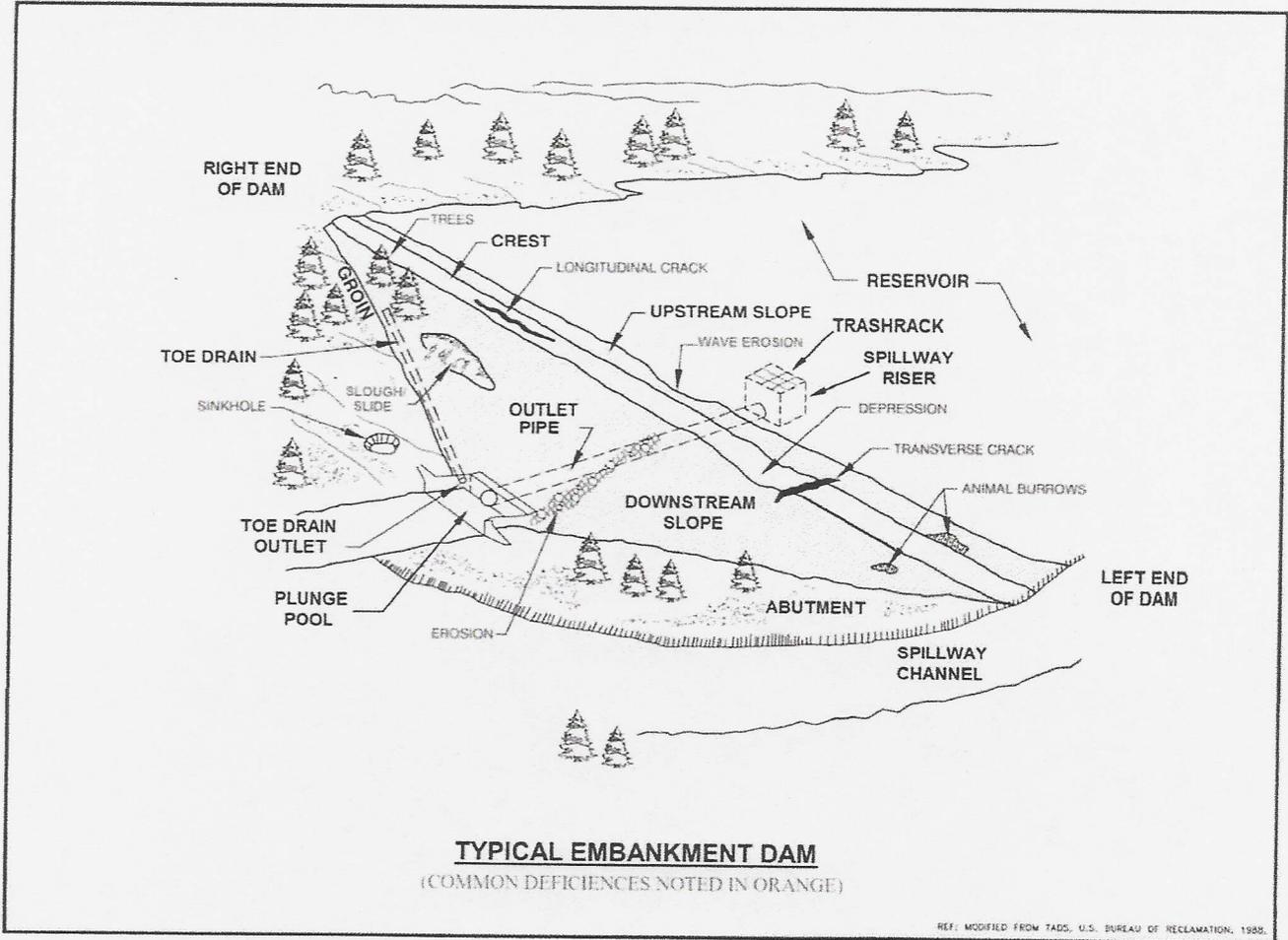
Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

H. Terminology

The graphic on the following page provides guidance for the terminology used for this form.

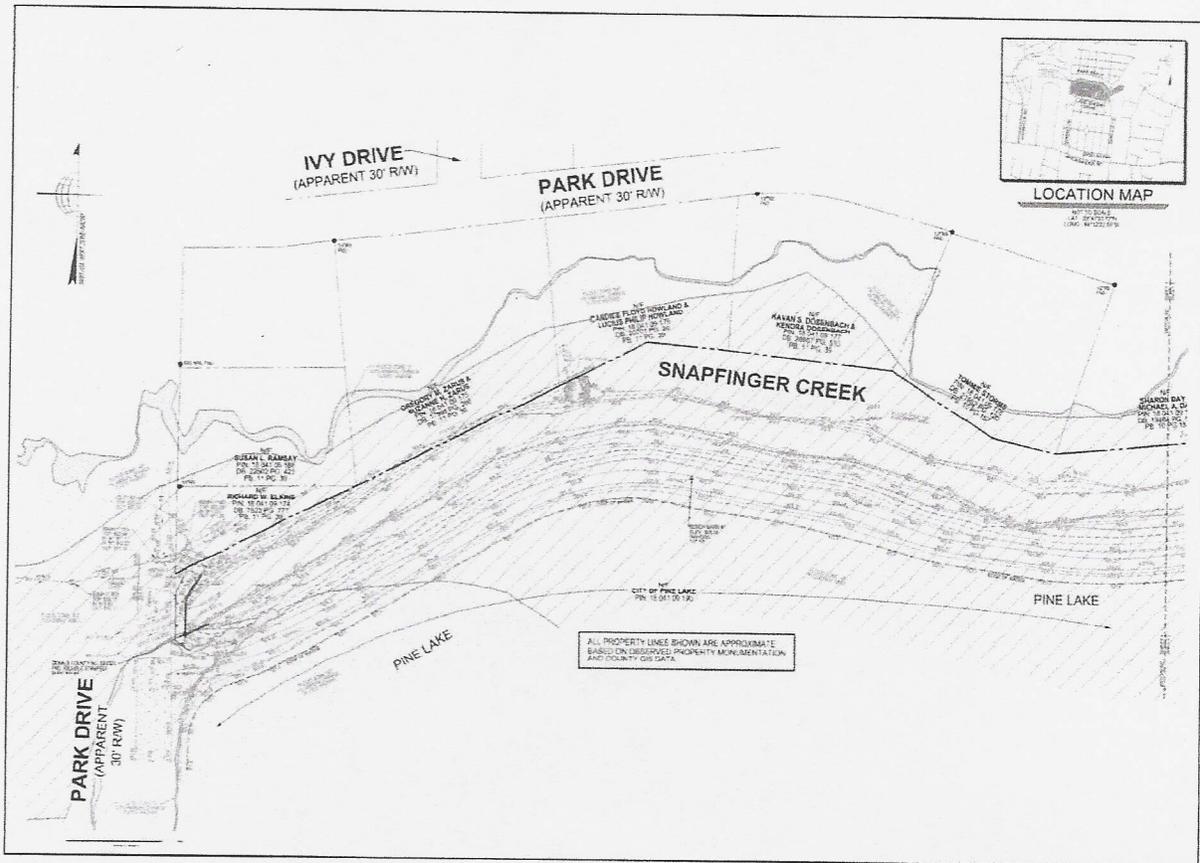


Embankment (Earth) Dam Inspection Form

Name of Dam: Pine Lake Dam [ID: N/A]

Inspection Date: August 19, 2025

Pine Lake Dam Overview Map





CITY OF PINE LAKE

459 Pine Dr., / P. O. Box 1325
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Pinelakega.net



This correspondence is provided in response to inquiries regarding the implementation of **Pine Lake Ordinance 2024-05, Registry and Regulation of Short-Term Rentals.**

Since adoption, staff has taken initial steps toward implementation, including, review of administrative requirements, and identification of enforcement and compliance considerations specific to the City's size and operational capacity. As with many regulatory ordinances, effective implementation requires a phased approach to ensure consistency, fairness, and legal compliance.

Key considerations currently being addressed include:

- Establishment and maintenance of a short-term rental registry;
- Verification of ownership, local contact requirements, and compliance with applicable safety standards;
- Coordination among Police, Code Enforcement, and Administrative functions;
- Development of clear, defensible procedures for complaint intake, monitoring, and enforcement; and
- Public communication to ensure owners and residents clearly understand ordinance requirements and expectations.

At this stage, staff is focused on ensuring the ordinance is implemented in a manner that is enforceable, sustainable, and aligned with available resources. Police and Code Compliance are actively reviewing software solutions capable of supporting a functional and reliable registry.

Staff remains committed to executing the intent of Ordinance 2024-05 while maintaining public safety, protecting neighborhood quality of life, and preserving administrative integrity. Updates will continue to be provided as implementation progresses.

Respectfully submitted,

Sarai Y'hudah-Green
Chief of Police

ORDINANCE NO. 2024-05

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF PINE LAKE TO AUTHORIZE, REGULATE AND LIMIT THE OPERATION OF RESIDENTIAL SHORT-TERM RENTALS WITHIN THE CITY OF PINE LAKE AS A SPECIAL USE IN THE R-1 DISTRICT AND THE COMMERCIAL DISTRICT TRANSITIONAL SUBAREA; AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINE LAKE TO LICENSE, REGULATE AND LIMIT THE OPERATION OF RESIDENTIAL SHORT-TERM RENTALS WITHIN THE CITY OF PINE LAKE IN THE R-1 DISTRICT AND THE COMMERCIAL DISTRICT TRANSITIONAL SUBAREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE OF THIS RESOLUTION, AND FOR OTHER PURPOSES.

WHEREAS, The City of Pine Lake ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents and businesses located within the corporate limits of the City and to provide for the public health, safety and welfare of residents, businesses and the community at large; and,

WHEREAS, the City is charged with promoting and preserving the environment and quality of life that are important and valuable assets of the City central to the City's identity, activities, economics and culture; and

WHEREAS, short-term rentals (STRs) may provide additional income to a property owner; and

WHEREAS, the City's land use and zoning ordinances do not allow the use of property in the R-1 zone to as STRs except as allowed under the definition of "family" for roommate or house share arrangements; and

WHEREAS, the City's land use and zoning ordinances allow bed and breakfasts in the Commercial Transitional zone and allow hotels and inns in the Village Commercial zone; and

WHEREAS, there are currently no hotels, motels, inns, lodges, rooming houses, bed and breakfasts, or other businesses by whatever name known located within the City compliant with the City's land use regulations and properly permitted for use as short term rentals; and

WHEREAS, the proliferation of short-term rentals in a community can exacerbate the existing shortage of affordable long-term housing; and

WHEREAS, a property regularly used as a short-term rental rather than a residence acts as a hotel and introduces a commercial use into an area where it may be incompatible; and

WHEREAS, according to the 2020 United States Decennial Census, there are 400 housing units and 429 households within the city limits; and

WHEREAS, the Mayor and City Council want to mitigate any negative impact caused by use and occupancy of short-term rentals on a community as small and densely populated as the City of Pine Lake and prevent the residential character of the City from being changed by the conversion of housing units into commercial, transient accommodations; and

WHEREAS, the market for and regulation of STRs continues to evolve rapidly and the Mayor and City Council desire to be able to respond to changing conditions by use of annual permits; and

WHEREAS, the Mayor and City Council seek to strengthen and foster community identity and preserve the residential character of the R zoning districts;

NOW THEREFORE, THE COUNCIL OF THE CITY OF PINE LAKE HEREBY ORDAINS AS FOLLOWS:

SECTION 1.

Article 5, Section 5-3 of the City of Pine Lake Zoning Code is amended by clarifying and revising the definition of “Accessory dwelling” as follows:

“Accessory dwelling: A secondary dwelling unit located on the same lot as the principal dwelling unit, the use of which is incidental to that of the principal building on the same lot. An accessory dwelling unit must be one of the following dwelling types:

- a. In-home accessory dwelling: Located within a principal single-family dwelling, including a unit above an attached garage.
- b. Garage accessory dwelling: Located above a detached garage.
- c. Outbuilding accessory dwelling: Located in an accessory building that is not a garage.”

SECTION 2.

Article 5, Section 5-3 of the City of Pine Lake Zoning Code is further amended by revising the definition of “Family” as follows:

“Family: One or more persons occupying a single dwelling or lodging unit such as a hotel room, provided that, unless all members are related by blood, marriage, civil union or adoption, no such family shall contain over four persons, with the following exceptions.

- In a single-family and duplex dwelling unit a maximum of two rooms may be occupied by a total of two or less individuals per room, who may also board with the family who may be compensated for accommodating the renter, for month or longer periods. The purpose of this provision is to allow a limited number of long-term roommates to share a dwelling rather than to permit transient or short-term lodging use.
- Accessory dwellings, as permitted under R Districts and other districts, are considered a separate dwelling, which are permitted to house no more than three persons unrelated by blood, marriage, civil union or adoption; and may not house boarders in addition to the family.
- Group homes meeting the definition of this ordinance are considered a "family"
- The term "family" shall not be construed to mean fraternity, sorority, club, student center, and similar uses, and is distinguished from persons occupying lodging in a hotel, inn or boarding/rooming house as herein defined.”

SECTION 3.

Said article and section is further amended by revising the definition of “Lodging” as follows:

“Lodging: Living quarters for a family which are rented, leased, or otherwise provided by the owner for a definite period of time, which includes hotels, inns, and rooming/boarding houses, and is not permitted in any R-district. This definition shall exclude the limited lodging permitted under the definition of "family" and shall exclude compliant “short-term rentals”. See Family.”

SECTION 4.

Said article and section is further amended by inserting the definitions of “Short-term rental”, “Short-term rental agent”, “Short-term rental guests”, “Short-term rental owner”, “Short-term rental license” and “Short-term rental special use permit” after the definition of “Self-storage” and before the definition of “Sidewalk arcade” as follows:

“Short-term rental shall mean the use of a single family or duplex residential dwelling or a legal accessory dwelling to a single family or duplex residential dwelling which, in exchange for compensation, accommodations are provided for lodging for a period not to exceed thirty (30) consecutive days. On any lot there shall be no more than two dwelling units available for short-term rental consisting of no more than the primary single family or duplex residential dwelling and one accessory dwelling.

Short-term rental agent shall mean a natural person designated by the owner on the short-term rental permit application and authorized by the owner to respond to questions, concerns or emergencies at the short-term rental property. Such a person shall be available to contact at all times.

Short-term rental guests shall mean renters, tourists, vacationers or any other natural person who, in exchange for compensation, occupies a short-term rental.

Short-term rental license shall mean the annual license issued or renewed by the City to the owner of a short-term rental pursuant to Chapter 38, Article VII of the Code of Ordinances of the City of Pine Lake.

Short-term rental owner shall mean the owner of record of the property and any person who, directly or indirectly, controls, is controlled by or under common control with the owner of record.

Short-term rental permit shall be the permit issued by the City to the owner of a short-term rental unit for the establishment and operation of that particular short-term rental.”

SECTION 5.

Article 8 of the City of Pine Lake Zoning Code is amended by inserting in the chart in Section 8-3 under “Lodging Uses” that “Short-term rentals” are allowed with a Special Use permit (SUP) in the Transitional Commercial District and are prohibited (X) in the Village Commercial District.

SECTION 6.

Article 11 of the City of Pine Lake Zoning Code is amended by inserting a new Section 11-11, "Special Use Permit for Short-term Rental", to read as follows:

"11-11. Special Use Permit for Short-Term Rental.

- A. Definitions: See Article 5, Section 5-3 of the City of Pine Lake Zoning Code.
- B. General provisions.

In addition to all other provisions applicable to special use permits, the following provisions shall apply to the establishment and operation of a short-term rental:

1. Permit required. No person shall rent, lease or otherwise exchange for compensation a short-term rental, as defined in this Code, without first obtaining a special use permit and a separate license from the city and complying with the regulations contained in this article and in Chapter 38, Article VII. No permit issued under this Section and Section 11-12 may be transferred, assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued. Each license is a limited, short-term license and subject to annual renewal. Such license shall be applied for only after receipt of a special use permit for a short-term rental.

2. Maximum capacity. Maximum capacity of a short-term rental shall be eight (8) guests.

3. Length of stay. The length of stay for any short-term rental guest shall not exceed thirty (30) consecutive days. At least a seven (7) day period must interrupt consecutive thirty (30) day short-term rental occupancy.

4. Lots. On any lot there shall be no more than two dwelling units available for short-term rental consisting of no more than the primary single family or duplex residential dwelling and one accessory dwelling to the single family or duplex residential dwelling. The special use permit will apply to the lot and to both dwellings on the lot if there are more than one.

5. Ownership. A short-term rental owner may only hold a permit applicable to one lot at any one time.

6. Residential character. The residential character and exterior appearance of a dwelling in which short-term rentals may be established shall not be altered.

7. Agent. The short-term rental agent shall occupy a dwelling within Dekalb, Gwinnett, Fulton, Cobb, Rockdale or Clayton County any time such rental is occupied by guests.

8. Zoning districts allowing short-term rentals. Short-term rentals shall be allowed only in an R-1 Single-family Residential District or in the Commercial (C) District Transitional Commercial Subarea, subject to the standards of this article and the approval of a special use permit.

9. Lodging tax and other taxes. Short-term rentals shall be subject to payment of hotel and lodging accommodations taxes as applied to other lodging facilities and to all other applicable taxes, licenses and fees.

10. Business and accounting records of the short-term rental must be maintained by the short-term rental property owner and the short-term rental agent for a minimum of five years and shall be made available to the city upon request to verify compliance with conditions of special use permit and short-term rental license.

11. A short-term rental owner holding a permit is not authorized to transfer the right to operate a short-term rental under any permit issued pursuant to this article to any other person or entity by lease, sale, agreement, contract or any other means.

12. No permit issued under this article may be used or shall have any legal effect at any location other than those identified on the application and for which such permit has been issued.

13. At any one time the number lots that can have a special use permit for short-term rentals in the City of Pine Lake shall not exceed 20. Once that number has been reached, no additional short term rental permits will be issued and new permits will only be available if an existing permit is revoked or lapses.

14. Nothing in this article shall be deemed to alter, affect, supersede or conflict with the requirements of any state or federal law or the City of Pine Lake Code of Ordinances.

15. Short-term rental agent.

- a. The owner of a short-term rental shall designate a short-term rental agent on the application for a short-term rental permit. A short-term rental owner may also serve as the short-term rental agent and may receive any notice from the city in addition to or in lieu of the agent.
- b. The duties of the short-term rental agent shall be as follows:
 - i. Be available at all times to address any problems arising from use of the short-term rental;
 - ii. Occupy a dwelling in DeKalb, Gwinnett, Fulton, Cobb, Rockdale or Clayton County at any time the short-term rental is occupied by guests;
 - iii. Post such natural person's name, dwelling address and emergency contact phone number in a readily visible location in the short-term rental;
 - iv. Receive and accept service of any notice of violation related to the use or occupancy of the short-term rental; and
 - v. Monitor the short-term rental for compliance with this Chapter.

16. The short-term rental owner shall submit any documentation required by O.C.G.A. § 50-36-1 and any other applicable state law, as well as any other information that this article requires the short-term rental owner or agent to provide to the City of Pine Lake as part of an application for a permit. The city manager or their designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this article.

17. The short-term rental owner shall attach the following exhibits to the application described in this section:

a. Written rules to be posted in the short-term rental, including:

- i. Acknowledgement that it shall be unlawful to violate ordinances of the City of Pine Lake;
- ii. Acknowledgement and agreement that violations of this article or ordinances of the city may result in immediate termination of the agreement and eviction from the short-term rental by the owner or agent, as well as the potential liability for payment of fines levied by the City; and
- iii. Information about dates, methods and procedures applicable to trash and garbage pick-up.

b. Evidence that the short-term rental permit owner has provided notification via certified United States mail to each adjacent property owner of record of their intent to secure a short-term rental permit. This notification shall include the physical address and mailing address of the unit to be used as a short-term rental and the name, physical address, mailing address, phone number and email address of the short-term rental agent.”

SECTION 7.

Article 11 of the City of Pine Lake Zoning Code is further amended by inserting a new Section 11-12, “Short-term Rental Regulations”, to read as follows:

“Section 11-12. - Short-term rental regulations.

A. The owner of a short-term rental shall not be entitled to place any sign on the premises. A legible copy of the short-term rental permit shall be posted within the short-term rental and include the following information:

1. Name, physical address, mailing address, phone number and email address of the short-term rental agent;
2. Short-term rental unit license number;
3. Maximum occupancy of the short-term rental; and
4. The written rules submitted with the application for the special use permit.

B. The short-term rental owner shall notify the City of Pine Lake in writing of any change in rental agent within ten (10) business days of such change.

- C. The Pine Lake Police Department may notify the owner and/or agent of a short-term rental of all instances in which behavior of the rental guest or the conduct of the short-term rental agent or owner results in a citation for a code violation or other legal infraction. The Pine Lake Police Department may maintain a record of all violations of city code occurring at or relating to a short-term rental.

- C. The city may notify the owner and/or agent of failure to comply with this article. For such noncompliance the city may revoke any existing permit and reject all short-term rental permit applications for that particular short-term rental or submitted by the owner of that property for a period of twelve (12) consecutive months. Each day a short-term rental is out of compliance with this ordinance shall be deemed a separate violation.

- D. The special use permit will lapse if no short-term rental license is received for the lot within twelve (12) months of permit issuance or if the licensed dwelling is not used as a short-term rental within twelve (12) months of permit issuance.

- E. Except as provided herein, any person violating the provisions of the City Code shall be punished as provided by Section 1-9 of the City of Pine Lake Code of Ordinances. With respect to violations that are continuous with respect to time, each day the violation continues shall be deemed a separate offense.

- F. A person aggrieved by a decision of the city manager of the City of Pine Lake to revoke, suspend or deny a short-term rental permit may appeal the decision in writing to the Mayor and City Council. An appeal must be filed within thirty (30) calendar days following the adverse action and shall contain a concise and complete statement of the reasons for the appeal. The Mayor and City Council shall consider and respond to the appeal in writing within thirty (30) calendar days of receipt. The decision of the Mayor and City Council may be appealed to the Superior Court of DeKalb County. Except as otherwise provided in this section, Article 14 of the Zoning Code of the City of Pine Lake shall apply.”

SECTION 8.

Article 14 of the City of Pine Lake Zoning Code is amended by inserting a new Section 14-7 regarding appeals to read as follows:

“14-7. Authority to approve form and accept service.

The city manager shall have the authority to approve or issue any form or certificate necessary to perfect an appeal and is designated and authorized to accept of any such petition for review. Service of a petition for review may be made by service on the city manager.”

SECTION 9.

Chapter 38 of the Code of Ordinances of the City of Pine Lake is amended by adding a new Article VII titled “Short-term Rental License” and including the following:

“38-100.

- A. Definitions in Article 5, Section 5-3 of the City of Pine Lake Zoning Code are applicable in this article. For purposes of this article, “licensee” shall mean the short-term rental owner.
- B. Before the processing or renewal of a short-term rental license shall commence all outstanding and past due fees, property taxes, and other bills and lawful assessments from the city or DeKalb County pertaining to the subject property must be paid in full or on a payment plan.
- C. Applicants for a short-term rental license shall submit an application for a short-term rental license to the city manager. The application shall be accompanied by a non-refundable application fee in the amount of \$100.00. Such application shall include:
 - 1. Physical address of the short-term rental;
 - 2. Name, physical address and, if different, mailing address, phone number and email address of the short-term rental owner;
 - 3. Name, physical address and, if different, mailing address, phone number and email address of the short-term rental agent, which shall constitute such natural person’s 24-hour contact information;
 - 4. Short-term rental owner and agent’s signed acknowledgement that they have reviewed this Chapter and understands its requirements;
 - 5. Short-term rental owner and agent’s agreement to use best efforts to assure that use of the short-term rental will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
 - 6. Any documentation required by O.C.G.A. § 50-36-1 and any other applicable state law; and
 - 7. Any other information that this article requires the short-term rental owner or agent to provide to the City of Pine Lake as part of an application for a license. The city manager or their designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this article.
- D. The short-term rental owner applying for the license shall attach the following exhibits to the application described in this section:
 - 1. Written rules posted in the short-term rental, including, but not limited to:
 - a. Acknowledgement that it shall be unlawful to violate ordinances of the City of Pine Lake;
 - b. Acknowledgement and agreement that violations of this article may result in immediate termination of the agreement and eviction from the short-term rental by

the owner or agent, as well as the potential liability for payment of fines levied by the City; and

- c. Information about dates, methods and procedures applicable to trash and garbage pick-up.

2. Evidence that the short-term rental permit owner or agent has provided notification via certified United States mail to each adjacent property owner of their intent to secure a short-term rental license. This notification shall include the physical address and, if different, the mailing address of the unit to be used as a short-term rental and the name, physical address, mailing address, phone number and email address of the short-term rental owner and agent.

E. Each license is a limited, short-term license subject to annual renewal. Such license shall be applied for only after the property owner has received a special use permit for operation of the short-term rental.

F. No license issued under this article may be transferred, assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it has been issued. A license holder is not authorized to transfer the right to operate a short-term rental under any license issued pursuant to this article to any other person or entity by lease, sale, agreement, contract or any other means.

G. On any lot there shall be no more than two dwelling units available for short-term rental consisting of no more than the primary single family or duplex residential dwelling and one accessory dwelling to such single family or duplex residential dwelling. The short-term rental license will apply to the dwellings identified in the license application and may be granted for both dwellings on the lot if there are more than one.

H. A short-term rental owner may only hold a license applicable to one lot at any one time.

I. At any one time the number of licensed short-term rental units in the City of Pine Lake shall not exceed 20 dwelling units/5% of the residential housing units in the City of Pine Lake according to the most recent United States Decennial Census. Where two short-term rentals are licensed on one lot, they shall each count as one. Once the prescribed limit has been reached, no additional short term rental licenses will be issued, and new licenses will only be available if an existing license is revoked or lapses.

Section 38-101. - Short-term rental agent.

A. The owner of a short-term rental shall designate a short-term rental agent on the application for a short-term rental license. A short-term rental owner may also serve as the short-term rental agent. A short-term rental owner may also serve as the short-term rental agent and may receive any notice from the city in addition to or in lieu of the agent.

B. The duties of the short-term rental agent shall be as follows:

- i. Be available at all times to address any problems arising from use of the short-term rental;
- ii. Occupy a dwelling with DeKalb, Gwinnett, Fulton, Cobb, Clayton or Rockdale County at any time the short-term rental is occupied by guests;

- iii. Post such natural person's name and emergency contact phone number in a readily visible location in the short-term rental unit;
- iv. Receive and accept service of any notice of violation related to the use or occupancy of the short-term rental; and
- v. Monitor the short-term rental for compliance with this article.

Section 38-102. - Grant or denial of application.

Review of an application shall be conducted by the city manager in accordance with due process principles and shall be granted unless the applicant fails to meet the conditions, regulations and requirements of this article or federal or state law or local ordinance related to operation of a short-term rental, or otherwise fails to demonstrate the ability to comply with local, state and federal law through operation of the proposed short-term rental. Any material false statement or misinformation provided in the application shall be grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Section 38-103. Annual license renewal.

Each short-term rental license shall be for the calendar year unless otherwise specifically provided. The license shall be due and payable annually within 30 days of January 1st of each year and shall, if not paid by May 1st of each year, be subject to a penalty of ten percent of the tax or fee due. For any new short-term rental operating in the city before July of any year, the license shall be delinquent if not obtained immediately upon beginning business and a penalty imposed of \$250.00 if not paid within ninety days from the date business is commenced. Any license not renewed prior to May 1st shall be suspended and may be revoked by the city manager.

Section 38-104. Grounds for suspension, revocation, nonrenewal, or lapse.

A. Any license that has been issued by the city may be suspended, revoked or denied renewal for due cause as hereinafter defined. "Due cause," for purposes of this section shall include, but not be limited to:

1. Conviction (to include a plea of guilty or nolo contendere) by local, state or federal authorities of the short-term rental owner or agent for any felony, or any misdemeanor involving moral turpitude, or any law, regulation or ordinance involving tax law violations;
2. Any violation of this article by the short-term rental owner or agent;
3. Material falsification of any fact given in application for a license issued under this article or bearing upon the licensee's qualification therefor, or any act which may be construed as a subterfuge in an effort to circumvent any of the qualifications for a license under this article;
4. The licensed short-term rental owner or agent fails to properly account for, file, report and/or maintain any records and/or remit or pay any renewal license fee imposed, sales taxes, or excise taxes required under the city ordinances, state law or federal law; or

5. Conduct of the licensed business in such a manner as to require excessive police monitoring or response to preserve the public order and secure compliance with federal, state and local laws and ordinances, including in section 38-106(c) below.

B. With respect to this section, it shall be presumed that the act was done with the knowledge or consent of the owner or agent; provided, however, that such presumption may be rebutted only by evidence which precludes every other reasonable hypothesis save that such owner and agent did not know, assist or aide in such occurrence, or in the exercise of due diligence could not have discovered or prevented such activity.

C. The license shall be considered to be null and void, and to have lapsed if the licensed dwelling is not used as a short-term rental within twelve (12) months of license issuance.

Sec. 38-105. - Notice of hearing; hearing; appeal.

A. Action to suspend, revoke, or reject renewal shall be commenced by the city manager making written recommendation to the mayor and city council and giving written notice to the licensee, either by certified mail, return receipt requested, or by personal service upon licensee or such licensee's rental agent at the licensed location, stating the grounds therefor, and the date, time and place such matter will be heard by the mayor and city council. Notice shall be served at least ten business days prior to the date of the hearing. Included in the notice shall be an advisement of the licensee's right to be heard before the council. Any licensee requiring subpoenas to compel the attendance of city witnesses or documents at the hearing shall file a written request with the city clerk at least five business days prior to the hearing. Hearings may be continued for good cause only.

B. Hearings shall only be as formal as necessary to preserve order and shall be compatible with the principles of justice. The city attorney or their designee shall present the city's case and shall bear the burden of proving by a preponderance of the evidence that due cause exists to suspend, revoke or probate the license. The licensee may be represented by legal counsel, may confront and cross-examine witnesses, and shall have the right to call witnesses and present evidence in their behalf. A hearing record shall be maintained by the city; however, either party may arrange for transcription by a court reporter at their sole expense. Hearings shall be presided over by the mayor who shall preserve order and rule upon all matters of evidence. Irrelevant, immaterial and unduly repetitious evidence shall be excluded.

C. All final decisions to suspend, revoke, or place a licensee on probation shall be made by the mayor and city council, in writing, with the reasons therefore stated. Notice of a final decision shall be given the licensee within three business days following the date of the hearing.

D. Appeals from an action by the mayor and city council to revoke, suspend or probate a license pursuant to this chapter shall be in accordance with state law to the Superior Court of DeKalb County.

Section 38-106 - Short-term rental regulations.

A. The owner of a short-term rental shall not be entitled to place any sign on the premises. A legible copy of the short-term rental license shall be posted within the unit and include the following information:

1. Name, physical and mailing address, phone number and email address of the short-term rental owner or agent;
2. Short-term rental unit license number; and
3. Maximum occupancy of the short-term rental.

B. The short-term rental owner shall notify the city manager of any change in rental agent within ten (10) business days of such change.

C. The Pine Lake Police Department may notify the owner and agent of a short-term rental of all instances in which behavior of the rental guest(s) or the conduct of the short-term rental agent results in a citation for a code violation or other legal infraction. The Pine Lake Police Department may maintain a record of all violations of city code occurring at or relating to a short-term rental. When a short-term rental has accumulated three (3) violations for the same within a twelve-month period, the city may revoke any existing license and reject all applications for that particular short-term rental and the short-term rental owner for a period of twelve (12) consecutive months. Short-term rental owners or agents shall be afforded an opportunity to appeal revocation of the license to Mayor and City Council. Each day a short-term rental is out of compliance with this ordinance shall be deemed a separate violation.

D. Except as provided herein, any person violating the provisions of the Code shall be punished as provided by Section 1-9 of the City of Pine Lake Code of Ordinances. With respect to violations that are continuous with respect to time, each day the violation continues shall be deemed a separate offense.”

SECTION 9.

To the extent any portion of this ordinance is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

SECTION 10.

All city ordinances and rules inconsistent with this ordinance are hereby repealed.

SECTION 11.

This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Pine Lake.

SO ORDAINED this _____ day of _____, 2024.

Brandy Hall, Mayor

ATTEST:

APPROVED AS TO FORM:

ChaQuias M. Thornton, City Manager and
Acting City Clerk

Susan Moore, City Attorney

Senate Bill 562

By: Senators Jackson of the 41st, Butler of the 55th, Parent of the 42nd, Davenport of the 44th, Anderson of the 43rd and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Pine Lake, approved April 4, 1991
2 (Ga. L. 1991, p. 3935), as amended, so as to restate the city's charter; to change the corporate
3 limits of such city; to transfer powers from the mayor to the city manager and vest additional
4 powers in the city manager; to provide for the mayor to vote in case of a tie; to provide for
5 appointment and removal of department directors; to provide for elections; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to provide a new charter for the City of Pine Lake, approved April 4, 1991 (Ga. L.
10 1991, p. 3935) as amended, is amended by striking the charter in its entirety and inserting in
11 lieu thereof the following:

12 "ARTICLE I.
13 INCORPORATION AND POWERS

14 Section 1.10.
15 Incorporation.

16 The City of Pine Lake in DeKalb County is reincorporated by the enactment of this charter
17 and is constituted and declared a body politic and corporate under the name of the 'City of
18 Pine Lake.' References in this charter to 'the city' or 'this city' refer to the City of Pine Lake.
19 The city shall have perpetual existence.

20 Section 1.11.
21 Corporate boundaries.

22 (a) The boundaries of this city shall be those existing on the effective date of the adoption
23 of this charter with such alterations as may be made from time to time by local law or in
24 the manner provided by general state law. The boundaries of this city at all times shall be
25 shown on a map, a written description, or any combination thereof, to be retained
26 permanently in the office of the city clerk of the city and to be designated, as the case may
27 be: 'Official Map or Description of the Corporate Limits of the City of Pine Lake, Georgia.'
28 Photographic, typed or other copies of such map or description certified by the mayor shall
29 be admitted as evidence in all courts and shall have the same force and effect as the original
30 map or description.

31 (b) In addition to all other territory included within the corporate limits of said city, the
32 corporate limits shall specifically include the following described property:

33 (1) All that tract or parcel of land lying and being in Land Lot 15 of the 18th District of
34 DeKalb County, Georgia, known as 4599 Rockbridge Road, under the street numbering

35 system in effect on the effective date of this Act, and being more particularly described
36 according to ALTA/ACSM Survey for Mimms Properties, United Americans Bank, N.A.
37 and Chicago Title Insurance Company prepare by Integrated Science Engineering,
38 dated May 22, 2001, as follows:

39 Beginning at a 1 inch open topped pipe found on the southerly right of way line of
40 Rockbridge Road (variable r/w), a distance of 577.6 feet westerly from the center line
41 of Rowland Road (variable r/w); running thence south 01 degree 27 minutes 14 seconds
42 west a distance of 299.92 feet to a 1 inch open topped pipe found; running thence
43 north 88 degree 34 minutes 41 seconds west a distance of 412.57 feet to a 1/2 inch iron
44 pin found; running thence north 01 degree 50 minutes 24 seconds east a distance
45 of 312.99 feet to an iron pin set on the southerly right-of-way line of Rockbridge Road;
46 running thence along said southerly right of way line of Rockbridge Road, and
47 following the curvature thereof, an arc distance of 315.39 feet, said arc being subtended
48 by a chord bearing south 81 degree 38 minutes 01 seconds east and having a chord
49 distance of 312.65 feet, to an iron pin set; running thence north 01 degree 34 minutes 12
50 seconds east a distance of 25.00 feet to a 1/2 inch iron pin found; funning thence south
51 88 degrees 25 minutes 48 seconds east a distance of 100.03 feet to a 1 inch open top
52 pipe found at the point of beginning.

53 (2) All that tract or parcel of land lying and being in Land Lot 15 of the 18th District of
54 DeKalb County, Georgia, known as 4687 Rockbridge Road, under the street numbering
55 system in effect on the effective date of this Act, being more particularly described as
56 follows:

57 To find the true point of beginning commence at the point which would be formed at
58 the intersection of the southerly right of way line of Rockbridge Road (100 foot right
59 of way) with the easterly right of way line of Rowland Road (70 foot right of way), if
60 said right of way lines were extended to form a point; running thence in a northeasterly
61 direction along the extended southerly right of way line of Rockbridge Road North 88°

62 54' 29" East a distance of 48.87 feet to a point marked by an iron pin located on the
63 southerly right of way line of Rockbridge Road, said point hereinafter referred to as the
64 TRUE POINT OF BEGINNING; running thence from the TRUE POINT OF
65 BEGINNING as thus established and along the southerly right of way line of
66 Rockbridge Road North 88° 54' 29" East a distance of 470.21 feet to a point marked by
67 an iron pin located on the southerly right of way line of Rockbridge Road; thence
68 leaving said southerly right of way line of Rockbridge Road and running South 01° 05'
69 31" East a distance of 240.39 feet to a point marked by an iron pin; thence South 88°
70 59' 49" West a distance of 519.46 feet to a point marked by an iron pin located on the
71 easterly right of way line of Rowland Road; thence along the easterly right of way line
72 of Rowland Road North 01° 00' 00" West a distance of 204.25 feet to a point marked
73 by an iron pin located on the easterly right of way line of Rowland Road; thence
74 northeasterly along the metered right of way line of the intersection of Rowland Road
75 and Rockbridge Road North 53° 04' 19" East a distance of 60.35 feet to a point being
76 the TRUE POINT OF BEGINNING, as per boundary and topographic survey for
77 C.F.C. Properties, a division of Cumberland Builders Inc., dated June 18, 1984,
78 prepared by Henry E. Harper, Georgia Registered Land Surveyor No. 1321.

79 Section 1.12.

80 Municipal powers.

81 (a) This city shall have all powers possible for a municipality to have under the present or
82 future Constitution and laws of this state as fully and completely as though they were
83 specifically enumerated in this charter. This city shall have all the powers of
84 self-government not otherwise prohibited by this charter or by general law.

85 (b) The powers of this city shall be construed liberally in favor of the city. The specific
86 mention or failure to mention particular powers shall not be construed as limiting in any

87 way the powers of this city. Said powers shall include, but are not limited to, the
88 following:

89 (1) Air and water pollution. To regulate the emission of smoke or other exhaust which
90 pollutes the air and to prevent the pollution of natural streams which flow within the
91 corporate limits of the city;

92 (2) Animal regulations. To regulate and license or to prohibit the keeping or running at
93 large of animals and fowl, and to provide for the impoundment of same if in violation of
94 any ordinance or lawful order; to provide for the disposition by sale, gift or humane
95 destruction of animals and fowl when not redeemed as provided by ordinance; and to
96 provide punishment for violation of ordinances enacted under this paragraph;

97 (3) Appropriations and expenditures. To make appropriations for the support of the
98 government of the city; to authorize the expenditure of money for any purposes
99 authorized by this charter and for any purpose for which a municipality is authorized by
100 the laws of the State of Georgia; and to provide for the payment of expenses of the city;

101 (4) Building regulation. To regulate and to license the erection and construction of
102 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
103 and heating and air conditioning codes; and to regulate all housing and building trades;

104 (5) Business regulation and taxation. To levy and to provide for the collection of license
105 fees and taxes on privileges, occupations, trades and professions; to license and regulate
106 the same; to provide for the manner and method of payment of such licenses and taxes;
107 and to revoke such licenses after due process for failure to pay any city taxes or fees;

108 (6) Condemnation. To condemn property, inside or outside the corporate limits of the
109 city, for present or future use and for any corporate purpose deemed necessary by the
110 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such
111 other applicable laws as are or may hereafter be enacted;

112 (7) Contracts. To enter into contracts and agreements with other governmental entities
113 and with private persons, firms and corporations;

114 (8) Emergencies. To establish procedures for determining and proclaiming that an
115 emergency situation exists, inside or outside, the city, and to make and carry out all
116 reasonable provisions deemed necessary to deal with or meet such an emergency for the
117 protection, safety, health or well-being of the citizens of the city;

118 (9) Fire regulations. To fix and establish fire limits and from time to time to extend,
119 enlarge or restrict the same; to prescribe fire safety regulations not inconsistent with
120 general law, relating to both fire prevention and detection and to fire fighting; and to
121 prescribe penalties and punishment for violations thereof;

122 (10) Garbage fees. To levy, fix, assess and collect a garbage, refuse and trash collection
123 and disposal, and other sanitary service charge, tax or fee for such services as may be
124 necessary in the operation of the city from all individuals, firms and corporations residing
125 in or doing business within the city benefiting from such services; to enforce the payment
126 of such charges, taxes or fees; and to provide for the manner and method of collecting
127 such service charges;

128 (11) General health, safety and welfare. To define, regulate and prohibit any act,
129 practice, conduct or use of property which is detrimental to health, sanitation, cleanliness,
130 welfare and safety of the inhabitants of the city, and to provide for the enforcement of
131 such standards;

132 (12) Gifts. To accept or refuse gifts, donations, bequests or grants from any source for
133 any purpose related to powers and duties of the city and the general welfare of its
134 citizens, on such terms and conditions as the donor or grantor may impose;

135 (13) Health and sanitation. To prescribe standards of health and sanitation within the
136 city and to provide for the enforcement of such standards;

137 (14) Jail sentences. To provide that persons given jail sentences in the municipal court
138 may work out such sentences in any public works or on the streets, roads, drains and
139 squares in the city; to provide for commitment of such persons to any jail;

140 (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control
141 over all traffic, including parking, upon or across the streets, roads, alleys and walkways
142 of the city;

143 (16) Municipal agencies and delegation of power. To create, alter or abolish
144 departments, boards, offices, commissions and agencies of the city, and to confer upon
145 such agencies the necessary and appropriate authority for carrying out all the powers
146 conferred upon or delegated to the same;

147 (17) Municipal debts. To appropriate and borrow money for the payment of debts of the
148 city and to issue bonds for the purpose of raising revenue to carry out any project,
149 program or venture authorized by this charter or the laws of the State of Georgia;

150 (18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
151 otherwise any real, personal or mixed property, in fee simple or lesser interest, inside or
152 outside the property limits of the city;

153 (19) Municipal property protection. To provide for the preservation and protection of
154 property and equipment of the city and the administration and use of same by the public;
155 and to prescribe penalties and punishment for violations thereof;

156 (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell and dispose
157 of public utilities including, but not limited to, a system of waterworks, sewers and
158 drains, sewage disposal, gas works, electric light plants, transportation facilities, public
159 airports, and any other public utility; and to fix the taxes, charges, rates, fares, fees,
160 assessments, regulations and penalties therefor; and to provide for the withdrawal of
161 service for refusal or failure to pay the same; and to authorize the extension of water,
162 sewerage, electrical distribution systems and all necessary appurtenances by which said
163 utilities distributed, inside and outside the corporate limits of the city; and to provide
164 utility services to persons, firms and corporations inside and outside the corporate limits
165 of the city;

- 166 (21) Nuisances. To define a nuisance and provide for its abatement whether on public
167 or private property and to prescribe penalties and punishments for maintaining a
168 nuisance;
- 169 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
170 the authority of this charter and the laws of the State of Georgia;
- 171 (23) Planning and zoning. To provide comprehensive city planning for development by
172 zoning and to provide subdivision regulation and the like as the city council deems
173 necessary and reasonable to ensure a safe, healthy and aesthetically pleasing community;
- 174 (24) Police and fire protection. To exercise the power of arrest through duly appointed
175 police officers and to establish, operate or contract for a police and a fire fighting agency;
- 176 (25) Public hazards; removal. To provide for the destruction and removal of any
177 building or other structure which is or may become dangerous or detrimental to the
178 public;
- 179 (26) Public improvements. To provide for the acquisition, construction, building,
180 operation and maintenance of public ways, parks, playgrounds, recreational facilities,
181 cemeteries, markets and market houses, public buildings, libraries, public housing,
182 airports, hospitals, terminals, docks, parking facilities or charitable, cultural, educational,
183 recreational, conservation, sport, curative, corrective, detentive, penal and medical
184 institutions, agencies and facilities; to provide any other public improvements, inside or
185 outside the corporate limits of the city; to regulate the use of public improvements; and,
186 for such purposes, property may be acquired by condemnation under Title 22 of the
187 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 188 (27) Public peace. To provide for the prevention and punishment of drunkenness, riots
189 and public disturbances;
- 190 (28) Public transportation. To organize and operate such public transportation systems
191 as are deemed beneficial;

192 (29) Public utilities and services. To grant franchises or make contracts for public
193 utilities and public services; and to prescribe the rates, fares, regulations and the standards
194 and conditions of service applicable to the service to be provided by the franchise grantee
195 or contractor, insofar as they are not in conflict with valid regulations of the public
196 service commission;

197 (30) Regulation of roadside areas. To prohibit or regulate and control the erection,
198 removal and maintenance of signs, billboards, trees, shrubs, fences, buildings and any and
199 all other structures or obstructions upon or adjacent to the rights of way of streets and
200 roads or within view thereof, inside or abutting the corporate limits of the city and to
201 prescribe penalties and punishment for violation of such ordinances;

202 (31) Retirement. To provide and maintain a retirement plan for officers and employees
203 of the city;

204 (32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade
205 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
206 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
207 walkways within the corporate limits of the city; to negotiate and execute leases over,
208 through, under, or across any city property or the right of way of any streets, roads, alleys
209 and walkways or portion thereof within the corporate limits of the city for bridges,
210 passageways or any other purpose or use between buildings on opposite sides of the
211 streets and for other bridges, overpasses and underpasses for private use at such location,
212 and to charge a rental therefor in such manner as may be provided by ordinance; to
213 authorize and control the construction of bridges, overpasses and underpasses within the
214 corporate limits of the city; to grant franchises and rights of way throughout the streets
215 and roads, and over the bridges and viaducts for the use of public utilities and for private
216 use; and to require real estate owners to repair and maintain in a safe condition the
217 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

- 218 (33) Sewer fees. To levy a fee, charge or sewer tax as necessary to assure ensure the
219 acquiring, constructing, equipping, operating, maintaining and extending of a sewage
220 disposal plant and sewerage system; to levy on those to whom sewers and sewerage
221 systems are made available a sewer service fee, charge or tax for the availability or use
222 of the sewers; to provide for the manner and method of collecting such service charges
223 and for enforcing payment of the same; and to impose and collect a sewer connection fee
224 or fees to those connected with the system;
- 225 (34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish
226 and refuse and to regulate the collection and disposal of garbage, rubbish and refuse by
227 others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper
228 and other recyclable materials and to provide for the sale of such items;
- 229 (35) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops;
230 the manufacture, sale or transportation of intoxicating liquors; to regulate the use and sale
231 of firearms; to regulate the transportation, storage and use of combustible, explosive and
232 inflammable materials, the use of lighting and heating equipment, and any other business
233 or situation which may be dangerous to persons or property; to regulate and control the
234 conduct of peddlers and itinerant traders, theatrical performances, exhibitions and shows
235 of any kind, by taxation or otherwise; and to license, tax, regulate or prohibit professional
236 fortunetelling, palmistry, adult bookstores, and massage parlors;
- 237 (36) Special assessments. To levy and provide for the collection of special assessments
238 to cover the costs for any public improvement;
- 239 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation
240 and collection of taxes on all property subject to taxation;
- 241 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
242 future by law;
- 243 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
244 number of such vehicles; to require the operators thereof to be licensed; to require public

245 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
246 regulate the parking of such vehicles;

247 (40) Cultural programs. The power to establish arts and cultural programs for the
248 citizens of Pine Lake and to provide for the funding thereof;

249 (41) Urban redevelopment. To organize and operate an urban redevelopment program;
250 and

251 (42) Other powers. To exercise and enjoy all other powers, functions, rights, privileges
252 and immunities necessary or desirable to promote or protect the safety, health, peace,
253 security, good order, comfort, convenience or general welfare of the city and its
254 inhabitants; to exercise all implied powers necessary to carry into execution all powers
255 granted in this charter as fully and completely as if such powers were fully stated herein;
256 and to exercise all powers now or in the future authorized to be exercised by other
257 municipal governments under other laws of the State of Georgia; and no listing of
258 particular powers in this charter shall be held to be exclusive of others, nor restrictive of
259 general words and phrases granting powers, but shall be held to be in addition to such
260 powers unless expressly prohibited by municipalities under the Constitution or applicable
261 laws of the State of Georgia.

262 Section 1.13.
263 Exercise of powers.

264 All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or
265 employees shall be carried into execution as provided by this charter. If this charter makes
266 no provision, such shall be carried into execution as provided by ordinance or as provided
267 by pertinent laws of the State of Georgia.

268

ARTICLE II.

269

GOVERNMENT STRUCTURE

270

Section 2.10.

271

City council creation; composition; number; election.

272 The legislative authority of the government of this city, except as otherwise specifically

273 provided in this charter, shall be vested in a city council to be composed of a mayor and five

274 councilmembers. The mayor and councilmembers shall be elected in the manner provided

275 by this charter and general state law. The city council established shall in all respects be a

276 successor to and continuation of the governing authority under prior law.

277

Section 2.11.

278

City council terms and qualifications for office.

279 The mayor and city councilmembers shall serve for terms of four years and until their

280 respective successors are elected and qualified. No person shall be eligible to serve as mayor

281 or councilmember unless he or she shall have been a resident of this city for the period of 12

282 continuous months immediately prior to the date of the election in which he or she seeks to

283 qualify; each such person shall continue to reside within the city during said period of service

284 and shall be registered and qualified to vote in municipal elections in this city.

285 Section 2.12.

286 Vacancy; filling of vacancies; suspensions.

287 (a) The office of mayor or councilmember shall become vacant upon the incumbent's
288 death, resignation, forfeiture of office or removal from office in any manner authorized by
289 this charter or the Constitution or general laws of the State of Georgia.

290 (b) A vacancy in the office of mayor or councilmember shall be filled for the remainder
291 of the unexpired term, if any, by appointment of a majority of the remaining members of
292 the city council if less than 12 months remain in the unexpired term, otherwise, by an
293 election as provided for in Section 5 of this charter and Chapter 2 of Title 21 of the
294 O.C.G.A., the 'Georgia Election Code,' or such other laws as are or may hereafter be
295 enacted.

296 (c) Upon the suspension from office of mayor or councilmember in any manner authorized
297 by the general laws of the State of Georgia, the city council or those remaining shall
298 appoint a successor for the duration of the suspension. If the suspension becomes
299 permanent, then the office shall become vacant and shall be filled for the remainder of the
300 unexpired term, if any, as provided for in this charter.

301 Section 2.13.

302 Compensation and expenses.

303 The mayor and councilmembers shall receive compensation and expenses for their services
304 as provided by ordinance.

Section 2.14.

Conflicts of interest; holding other offices.

- 307 (a) No elected official, appointed officer, or employee of the city or any agency or political
308 entity to which this charter applies shall knowingly:
- 309 (1) Engage in any business or transaction, or have a financial or other personal interest,
310 direct or indirect, which is incompatible with the proper discharge of his or her official
311 duties or which would tend to impair the independence of his or her judgment or action
312 in the performance of his or her official duties;
- 313 (2) Engage in or accept private employment, or render services for private interests when
314 such employment or service is incompatible with the proper discharge of his or her
315 official duties or would tend to impair the independence of his or her judgment or action
316 in the performance of his or her official duties;
- 317 (3) Disclose confidential information concerning the property, government or affairs of
318 the governmental body by which he or she is engaged without proper legal authorization
319 or use such information to advance the financial or other private interest of himself or
320 herself or others;
- 321 (4) Accept any valuable gift, whether in the form of service, loan, thing or promise, from
322 any person, firm or corporation to which his or her knowledge is interested, directly or
323 indirectly, in any manner whatsoever, in business dealings with the governmental body
324 by which he or she is engaged; provided, however, that an elected official who is a
325 candidate for public office may accept campaign contributions and services in connection
326 with any such campaign;
- 327 (5) Represent other private interests in any action or proceeding against this city or any
328 portion of its government; and
- 329 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
330 any business or entity in which he or she has financial interest.

331 (b) Any elected official, appointed officer or employee who has any private financial
332 interest, directly or indirectly, in any contract or matter pending before or within any
333 department of the city shall disclose such private interest to the city council. The mayor
334 or any councilmember who has a private interest in any matter pending before the city
335 council shall disclose such private interest and such disclosure shall be entered on the
336 records of the city council, and the mayor or such councilmember shall disqualify himself
337 or herself from participating in any decision or vote relating thereto. Any elected official,
338 appointed officer, or employee of any agency or political entity to which this charter
339 applies who shall have any private financial interest, directly or indirectly, in any contract
340 or matter pending before or within such entity shall disclose such private interest to the
341 governing body of such agency or entity.

342 (c) No elected official, appointed officer, or employee of the city or any agency or entity
343 to which this charter applies shall use property owned by such governmental entity for
344 personal benefit, convenience or profit except in accordance with policies promulgated by
345 the city council or the governing body of such agency or entity.

346 (d) Any violation of this section which occurs with the knowledge, express or implied, of
347 a party to a contract or sale shall render said contract or sale voidable at the option of the
348 city council.

349 (e) Except where authorized by law, neither the mayor nor any councilmember shall hold
350 any other elective or compensated appointive office in the city or otherwise be employed
351 by said government or any agency thereof during the term for which he or she was elected.
352 No former mayor and no former councilmember shall hold any compensated appointive
353 office in the city until one year after the expiration of the term for which he or she was
354 elected.

355 (f) No appointed officer and no employee of the city shall continue in such employment
356 upon qualifying as a candidate for nomination or election to any public office if such
357 continued employment is incompatible with running for such public office.

358 (g)(1) Any city officer or employee who knowingly conceals such financial interest or
359 knowingly violates any of the requirements of this section shall be guilty of malfeasance
360 in office or position and shall be deemed to have forfeited his or her office or position.

361 (2) Any officer or employee of the city who shall forfeit his or her office or position as
362 described in paragraph (1) of this subsection, shall be ineligible for appointment or
363 election to or employment in a position in the city government for a period of three years
364 thereafter.

365

366

Section 2.15.

367

Inquiries and investigations.

368 The city council may make inquiries and investigations into the affairs of the city and the
369 conduct of any department, office or agency thereof, and for this purpose may subpoena
370 witnesses, administer oaths, take testimony and require the production of evidence. Any
371 person who fails or refuses to obey a lawful order issued in the exercise of these powers by
372 the city council shall be punished as provided by ordinance.

373

Section 2.16.

374

General power and authority.

375 Except as otherwise provided by the charter, the city council shall be vested with all the
376 powers of government of this city as provided by Article I of this charter.

377 Section 2.17.

378 Eminent domain.

379 The city council is empowered to acquire, construct, operate and maintain public ways,
380 parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
381 sewers, drains, sewage treatment, water works, electrical systems, gas systems, airports,
382 hospitals and charitable, educational, recreational, sport, curative, corrective, detention, penal
383 and medical institutions, agencies and facilities, and any other public improvements inside
384 or outside the city, and to regulate the use thereof, and for such purposes, property may be
385 condemned under procedures established under general law applicable now or as provided
386 in the future.

387 Section 2.18.

388 Organizational meeting.

389 The city council shall hold an organizational meeting on the first Tuesday at the first regular
390 meeting after January 1 following a regular election each year. The meeting shall be called
391 to order by the city clerk and the oath of office shall be administered to the newly elected
392 members as follows:

393 'I do swear or affirm that I will faithfully perform the duties of (council member)(mayor)
394 for the City of Pine Lake during my term of office; that I am not the holder of any
395 unaccounted for public money due the State of Georgia or any political subdivision or
396 authority thereof; that I am not the holder of any office of trust under the government of
397 the United States or any other state or any foreign state which I may, by the laws of the
398 State of Georgia, be prohibited from holding; that I am otherwise qualified to hold the
399 office to which I have been elected according to the constitution and laws of Georgia; that
400 I will support the Constitution of the United States and of the State of Georgia; that I am

401 a resident of the City of Pine Lake; and I will enforce the charter and ordinances of the City
402 of Pine Lake to the best of my skill and ability.'

403 Section 2.19.

404 Regular and special meetings.

405 (a) The city council shall hold regular meetings at such times and places as prescribed by
406 ordinance.

407 (b) Special meetings of the city council may be held on call of the mayor or three members
408 of the city council not including the mayor. Notice of such special meetings shall be served
409 on all other members personally, or by telephone personally, at least 48 hours in advance
410 of the meeting. Such notice to councilmembers shall not be required if the mayor and all
411 councilmembers are present when the special meeting is called. Such notice of any special
412 meeting may be waived by a councilmember in writing before or after such a meeting and
413 attendance at the meeting shall also constitute a waiver of notice on any business transacted
414 in such councilmember's presence. Only the business stated in the call may be transacted
415 at the special meeting.

416 (c) All meetings of the city council shall be public to the extent required by law and notice
417 to the public of special meetings shall be made fully as is reasonably possible two days
418 prior to such meetings.

419 Section 2.20.

420 Procedures.

421 (a) The city council shall adopt its rules of procedure and order of business consistent with
422 the provisions of this charter and shall provide for keeping a journal of its proceedings,
423 which shall be a public record.

424 (b) All committees and committee chairpersons and officers of the city council shall be
425 appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have
426 the power to appoint new members to any committee at any time.

427 Section 2.21.

428 Quorum; voting.

429 (a) Except as otherwise provided in subsection (b) of this section, three councilmembers,
430 not including the mayor, shall constitute a quorum and shall be authorized to transact the
431 business of the city council. Voting on the adoption of ordinances shall be by voice vote
432 and the vote shall be recorded in the journal, but the mayor or any member of the city
433 council shall have the right to request a roll call vote and such vote shall be recorded in the
434 journal. Except as otherwise provided in this charter, the affirmative vote of three
435 councilmembers shall be required for the adoption of any ordinance, resolution or motion.
436 (b) In the event vacancies in office result in less than a quorum of councilmembers holding
437 office, then the remaining councilmembers in office shall constitute a quorum and shall be
438 authorized to transact business of the city council. A vote of a majority of the remaining
439 councilmembers shall be required for the adoption of any ordinance, resolution or motion.

440 Section 2.22.

441 Ordinance form; procedures.

442 (a) Every proposed ordinance should be introduced in writing and in the form required for
443 final adoption. No ordinance shall contain a subject which is not expressed in its title. The
444 enacting clause shall be 'The Council of the City of Pine Lake hereby ordains...' and every
445 ordinance shall so begin.

446 (b) An ordinance may be introduced by any councilmember and be read at a regular or
447 special meeting of the city council. Ordinances shall be considered and adopted or rejected
448 by the city council in accordance with the rules which it shall establish; provided, however,
449 that an ordinance shall not be adopted the same day it is introduced, except for emergency
450 ordinances provided in Section 2.24 of this charter. Upon introduction of any ordinance,
451 the clerk shall as soon as possible distribute a copy to the mayor and to each
452 councilmember and shall file a reasonable number of copies in the office of the clerk and
453 at such other public places as the city council may designate.

454 (c) The reading of the preamble to an ordinance shall be sufficient to meet the
455 requirements of a 'read' or 'reading.' By affirmative vote of a majority of the city council,
456 a reading of the ordinance in its entirety shall be required.

457 Section 2.23.
458 Action requiring an ordinance or resolution.

459 Permanent acts of the city council which have the force and effect of law shall be enacted by
460 ordinance. Acts of a temporary nature may be enacted by resolution.

461 Section 2.24.
462 Emergencies.

463 To meet a public emergency affecting life, health, property or public peace, the city council
464 may convene on call of the mayor or three councilmembers and promptly adopt an
465 emergency ordinance, but such ordinance may not levy taxes; grant, renew or extend a
466 franchise; regulate the rate charged by any public utility for its services; or authorize the
467 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
468 shall be introduced in the form prescribed for ordinances generally, except that it shall be

469 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
470 a declaration stating that an emergency exists, and describing the emergency in clear and
471 specific terms. An emergency ordinance may be adopted, with or without amendment, or
472 rejected at the meeting at which it is introduced, but the affirmative vote of at least three
473 councilmembers shall be required for adoption. It shall become effective upon adoption or
474 at such later time as it may specify. Every emergency ordinance shall automatically stand
475 repealed 30 days following the date upon which it was adopted, but this shall not prevent
476 reenactment of the ordinance in the manner specified in this section if the emergency
477 continues to exist. An emergency ordinance shall also be repealed by adoption of a repealing
478 ordinance in the same manner specified in this section for adoption of emergency ordinances.

479

Section 2.25.

480

Codes of technical regulations.

481 (a) The city council may adopt any standard code of technical regulations by reference
482 thereto in an adopting ordinance. The procedure and requirements governing such
483 adopting ordinance shall be as prescribed for ordinances generally except that:

484 (1) The requirements of subsection (b) of Section 2.22 of this charter for distribution and
485 filing of copies of the ordinance shall be construed to include copies of any code of
486 technical regulations, as well as the adopting ordinance; and

487 (2) A copy of each adopted code of technical regulations, as well as the adopting
488 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.26 of
489 this charter.

490 (b) Copies of any adopted code of technical regulations shall be made available by the city
491 clerk for review, for distribution or for purchase at a reasonable price.

492 Section 2.26.

493 Signing; authenticating; recording; codification; printing.

494 (a) The city clerk shall authenticate by his or her signature and record in full in a properly
495 indexed book kept for that purpose, all ordinances adopted by the council.

496 (b) The city council shall provide for the preparation of a general codification of all the
497 ordinances of the city having the force and effect of law. The general codification shall be
498 adopted by the city council by ordinance and shall be published promptly, together with
499 all amendments thereto and such codes of technical regulations and other rules and
500 regulations as the city council may specify. This compilation shall be known and cited
501 officially as 'The Code of the City of Pine Lake, Georgia.' Copies of the code shall be
502 furnished to all officers, departments and agencies of the city, and made available for
503 purchase by the public at a reasonable price as fixed by the city council.

504 (c) The city council shall cause each ordinance and each amendment to this charter to be
505 printed promptly following its adoption, and the printed ordinances and charter
506 amendments shall be made available for review by the public without cost and for purchase
507 by the public at reasonable prices to be fixed by the city council. Following publication
508 of the first code under this charter and at all times thereafter, the ordinances and charter
509 amendments shall be printed in substantially the same style as the code then in effect and
510 shall be suitable in form for incorporation within the code. The city council shall make
511 such further arrangements as deemed desirable with reproduction and distribution of any
512 changes in or additions to codes of technical regulations and other rules and regulations
513 included in the code.

514 Section 2.27.

515 City manager; appointment; qualifications; compensation; removal.

516 The mayor shall appoint a city manager, subject to confirmation by the city council. The
517 mayor and city council shall fix the city manager's compensation. The city manager shall
518 be appointed solely on the basis of that person's administrative, executive, and professional
519 qualifications. Except as otherwise provided by this charter or by law, the city manager shall
520 not be subject to termination or removal by the mayor or the city council acting alone, but
521 only upon a majority vote of the mayor and city council at a regularly scheduled meeting.

522 Section 2.28.

523 Powers and duties of the city manager.

524 The city manager shall be the chief administrative and executive officer of the city. The city
525 manager shall report to the mayor and be responsible to the city council for the
526 administration of all city affairs placed in the city manager's charge by or under this charter.

527 As the chief executive and administrative officer, the city manager shall:

528 (1) Appoint and, when the city manager deems it necessary for the good of the city,
529 suspend or remove any city employee and administrative officers the city manager
530 appoints, except as otherwise provided by law or personnel ordinances adopted pursuant
531 to this charter. The city manager shall authorize any administrative officer who is subject
532 to the city manager's direction and supervision to exercise these powers with respect to
533 subordinates in that officer's department, office, or agency;

534 (2) Direct and supervise the administration and operation of all departments, offices, and
535 agencies of the city, except as otherwise provided by this charter or by law;

536 (3) Shall serve as the director of administration; or delegate such responsibility to any
537 administrative officer under the city manager's supervision;

- 538 (4) Attend all city council meetings, except for closed meetings held for the purposes of
539 deliberating on the appointment, discipline, or removal of the city manager or held for the
540 purpose of receiving legal advice regarding the city manager, and have the right to take
541 part in discussion, but the city manager may not vote;
- 542 (5) Perform the general duties of treasurer, accountant, and fiscal officer;
- 543 (6) See that all laws, provisions of this charter, and acts of the city council, subject to
544 enforcement by the city manager or by officers subject to the city manager's direction and
545 supervision, are faithfully executed;
- 546 (7) Prepare and submit to the city council a recommended operating budget and
547 recommended capital budget;
- 548 (8) Submit to the city council and make available to the public, at least annually, a
549 statement covering the financial condition of the city and a report on the administrative
550 activities of the city as of the end of each fiscal year;
- 551 (9) Make such other reports as the city council may require concerning the operations
552 of the city departments, offices, and agencies subject to the city manager's direction and
553 supervision;
- 554 (10) Keep the city council advised as to the financial condition and future needs of the
555 city, and make such recommendations to the city council concerning the affairs of the city
556 as the city manager deems desirable;
- 557 (11) Provide council with an organizational chart that identifies all directors and the
558 departments of city government that have been legally activated;
- 559 (12) Be responsible for the administration of court service operations, maintenance of
560 municipal court records and collection of fines as established by ordinance and state law;
561 and
- 562 (13) Perform other such duties as are specified in this charter or as may be required by
563 the city council.

564 Section 2.29.

565 Acting city manager.

566 By letter filed with the city clerk, the city manager shall designate, subject to the approval
567 of council, a qualified city administrative officer to exercise the powers and perform the
568 duties of city manager during the city manager's temporary absence of 30 days or less.
569 During such absence, the city council may revoke such designation at any time and appoint
570 another officer of the city to serve until the city manager shall return. In the case of
571 permanent absence or removal of the city manager, the city council shall have the authority
572 to appoint or to designate an acting city manager and to affix the acting city manager's
573 compensation. The acting city manager shall be appointed or designated solely on the basis
574 of that person's administrative, executive, and professional qualifications.

575 Section 2.30.

576 Council's interference with administration.

577 Except for the purpose of inquiries and investigations under Section 2.15 of this charter, the
578 city council or its members shall deal with city officers and employees who are subject to the
579 direction and supervision of the city manager solely through the city manager, and neither
580 the city council nor its members shall give orders to any such officer or employee, either
581 publicly or privately.

582 Section 2.31.
583 Powers and duties of mayor.

584 The mayor shall:

- 585 (1) Preside at meetings of mayor and council and have the right to take part in the
586 deliberations of the city council, but shall not vote on any question except in the case of
587 a tie;
- 588 (2) Serve as head of the city for the purpose of service of process and for ceremonial
589 purposes and be the official spokesperson for the city and the chief advocate of policy.
- 590 (3) Have power to administer oaths and to take affidavits;
- 591 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
592 ordinances, and other instruments executed by the city which by law are required to be
593 in writing;
- 594 (5) Have veto power pursuant to Section 2.33 of this charter;
- 595 (6) Call special meetings of the city council as provided for in subsection (b) of
596 Section 2.19 of this charter;
- 597 (7) Sign all checks for the payment of approved money owed by the city;
- 598 (8) Approve or disapprove ordinances as provided in Section 2.33 of this charter;
- 599 (9) Perform such other duties as may be required by law, this charter, or ordinance.

600 Section 2.32.
601 Limitation on terms of service.

602 No mayor elected and qualified for two terms shall be eligible to serve as mayor for the
603 succeeding term.

604 Section 2.33.

605 Submission of ordinances to the mayor; veto power.

606 (a) Every ordinance adopted by the city council shall be presented by the city clerk to the
607 mayor.

608 (b) The mayor shall within ten days of receipt of an ordinance return it to the city clerk
609 with or without his or her approval, or with his or her disapproval. If the ordinance is
610 neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar
611 day after its adoption; if the ordinance is disapproved, the mayor shall submit to the city
612 council through the city clerk a written statement of his or her reasons for the veto. The
613 city clerk shall record upon the ordinance the date of its delivery to and receipt from the
614 mayor.

615 (c) Ordinances vetoed by the mayor shall be presented by the city clerk to the city council
616 at its next regular meeting and shall become law if the city council then or at its next
617 regular meeting adopts the ordinance by an affirmative vote of a supermajority of those
618 present and voting. For purposes of overriding a veto by the mayor, the mayor shall not
619 vote in the case of a tie.

620 (d) The mayor may disapprove or reduce any item or items of appropriation in any
621 ordinance. The approved part or parts of ordinance making appropriations shall become
622 law, and the part or parts disapproved shall not become law unless subsequently passed by
623 the city council over the mayor's veto as provided herein. The reduced part or parts shall
624 be presented to city council as though disapproved and shall become law unless overridden
625 by the council as provided in subsection (c) of this section.

626 Section 2.34.

627 Mayor pro tempore; selection; duties.

628 By a majority vote of all its member, the city council shall elect a councilmember to serve
629 as mayor pro tempore who shall serve at the pleasure of the council. Such election shall
630 occur at the first organizational meeting after each regular election. When the mayor pro
631 tempore is temporarily serving as mayor and is presiding at meetings of the city council, the
632 mayor pro tempore shall retain the right to vote as a member of the city council. During the
633 absence of the mayor for any cause, the mayor pro tempore of the city council shall be
634 clothed with all the rights and privileges of the mayor so long as such absence shall continue.
635 The mayor pro tempore shall sign all contracts and ordinances for which the mayor has a
636 disqualifying financial interest as provided in Section 2.14 of this charter.

637 ARTICLE III.

638 ADMINISTRATIVE AFFAIRS

639 Section 3.10.

640 Administrative and service departments.

641 (a) Except as otherwise provided in this charter, the city council by ordinance shall
642 prescribe the functions or duties and establish, abolish, or alter all nonelective offices as
643 necessary for proper administration of the affairs and government of the city.

644 (b) Except as otherwise provided by this charter or by law, the directors of departments
645 and other appointed officers of the city shall be appointed solely on the basis of their
646 respective administrative and professional qualifications.

647 (c) All appointed officers and directors of departments shall receive such compensation
648 as prescribed by the budget adopted by the city council.

649 (d) There shall be a director of each department. Each director shall be subject to the
650 direction and supervision of the city manager and shall be responsible for the
651 administration, the affairs, and the operation of the director's department. The city manager
652 may serve as director of a department. An individual may serve as director of more than
653 one department.

654 (e) All directors under the supervision of the city manager shall be recommended by the
655 city manager for appointment by the city council and may be suspended or terminated by
656 the city manager. The director involved may appeal to the city council within five calendar
657 days of the suspension or termination. After a hearing, the council may override the city
658 manager's action by the affirmative vote of a majority of councilmembers present and
659 voting. In the event of a tie, the mayor may vote to break the tie. The following
660 administrative officers shall not be considered 'directors' whom the city manager may
661 suspend or remove under this section: city attorney, city manager and city clerk; the
662 foregoing administrative officers shall only be subject to removal as otherwise allowed
663 under this charter or by law. Acting directors may serve until a quorum of the city council
664 affirmatively requests a permanent director to be appointed, subject to regular city council
665 approval. All other appointed directors shall be employees at will unless otherwise provide
666 by law or ordinance.

667 Section 3.11.

668 Boards, commissions and authorities.

669 (a) The city council shall create by ordinance or resolution such boards, commissions and
670 authorities to fulfill any investigative, quasi-judicial or quasi-legislative function the city
671 council deems necessary, and shall by ordinance or resolution establish the composition,
672 period of existence duties and powers thereof.

673 (b) All members of boards, commissions and authorities of the city shall be appointed by
674 the city council for such terms of office and in such manner as shall be provided by
675 ordinance or resolution, except where other appointing authority, terms of office or manner
676 of appointment is prescribed by this charter or by law.

677 (c) The city council, by ordinance or resolution, may provide for the compensation and
678 reimbursement for actual and necessary expenses of the members of any board,
679 commission or authority.

680 (d) Except as otherwise provided by charter, by ordinance or by other law, no member of
681 any board, commission or authority shall hold any elective office in the city.

682 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the
683 unexpired term in the manner prescribed for the original appointment, except as otherwise
684 provided by this charter, by ordinance or by other law.

685 (f) No member of a board, commission or authority shall assume office until such member
686 has executed and filed with the clerk of the city an oath obligating to perform faithfully and
687 impartially the duties of his or her office, such oath to be prescribed by ordinance and
688 administered by the mayor.

689 (g) Any member of a board, commission or authority may be removed from office for
690 cause by an affirmative vote of three members of the city council.

691 (h) Except as otherwise provided by this charter or by law, each board, commission or
692 authority of the city shall elect one of its members as chairperson and one member as
693 vice-chairperson, and may elect as its secretary one of its members or may appoint as
694 secretary an employee of the city. Each board, commission or authority of the city
695 government may establish such bylaws, rules and regulations, not inconsistent with this
696 charter, an ordinance of the city, or law, as it deems appropriate and necessary for the
697 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules and
698 regulations shall be filed with the clerk of the city.

699 Section 3.12.

700 City attorney.

701 The city council shall appoint a city attorney, subject to confirmation by city council,
702 together with such assistant city attorneys as may be authorized, and shall provide for the
703 payment of such attorney or attorneys for services rendered to the city. The city attorney
704 shall be responsible for representing and defending the city in all litigation in which the city
705 is a party; may be the prosecuting officer in the municipal court; shall attend the meetings
706 of the council as directed; shall advise the city council, mayor, city manager and other
707 officers and employees of the city concerning legal aspects of the city's affairs; and shall
708 perform such other duties as may be required of him or her by virtue of such person position
709 as city attorney. Except as otherwise provided by this charter or by law, the city attorney
710 shall be subject to termination or removal by a majority vote of the city council at a regularly
711 scheduled meeting. The city manager, as chief executive officer of the city, shall use the
712 city's administrative resources to identify candidates and to present recommendations to the
713 city council as to appointment of a city attorney. The recommendation of the manager is
714 subject to confirmation by the city council. The city attorney shall be responsible for
715 reviewing and approving all contracts, pursuant to related ordinances. The city attorney shall
716 provide legal advice to the mayor, city council, city manager, chief of police and the city
717 clerk upon request of the mayor or city manager except on issues germane to investigations
718 of the mayor, whereby authority is given to the mayor pro tempore.

719 Section 3.13.

720 City clerk.

721 The city council shall appoint a city clerk who shall not be a member of the city council. The
722 city clerk shall be the custodian of the official city seal; maintain city council records

723 required by this charter; and perform such other duties as may be required by the city council
724 and as are imposed upon that officer by state law. Except as otherwise provided in this
725 charter or by law, the city clerk shall not be subject to termination or removal by the mayor
726 or the city council acting alone, but only upon the majority vote of the mayor and a
727 concurring majority of the city council sitting at a regularly scheduled meeting of the city
728 council. In the event that an appointment is not made to the city clerk position, the city
729 manager shall serve as city clerk.

730

Section 3.14.

731

Administrative affairs.

732 (a) The mayor shall acknowledge the city manager's recommendation of an auditor and
733 such recommendation shall be subject to confirmation by the city council. The auditor
734 shall be responsible for auditing and annual revenues and expenditures pursuant to state
735 and federal law such recommendation shall be subject to confirmation by the city council.
736 The auditor shall be responsible for auditing and annual revenues and expenditures
737 pursuant to state and federal law.

738 (b) The city manager shall solicit bids and proposals for city auditing service once every
739 three years and shall review those bids and make a recommendation to the mayor and
740 council for the purposes of the appointment of the city auditor.

741 (c) The city manager shall solicit bids and proposals for legal services by a qualified
742 municipal attorney at least once every five years and shall review those bids and make a
743 recommendation to the mayor and council for the purpose of the appointment of the city
744 attorney.

745 Section 3.15.

746 Chief of police.

747 The city council shall appoint a chief of police by majority vote of the council. The chief of
748 police and officers under his or her command shall be responsible for the direct enforcement
749 of all city ordinances and laws as defined by the city charter and the State of Georgia. The
750 chief of police shall also perform the duties of city marshal to levy all executions in favor of
751 the city for taxes, fines, assessments or other pecuniary demands and to advertise and sell
752 property levied on, real or personal, for the satisfaction of taxes, assessments or fines in
753 accordance with the laws of the State of Georgia governing sheriff's sales. The chief of
754 police shall have the authority which now vests in the sheriffs of this state to place purchasers
755 of said property in possession.

756 Section 3.16.

757 Position classification and pay plans.

758 The city manager shall be responsible for the preparation of a position classification and pay
759 plan which shall be submitted to the city council for approval. Such plan may apply to all
760 employees of the city and any of its agencies, departments, boards, commissions or
761 authorities. When a pay plan has been adopted, the city council shall not increase or decrease
762 the salary range applicable to any position except by amendment of such pay plan. For
763 purposes of this section, all elected and appointed city officials are not city employees.

764 Section 3.18.

765 Personnel policies.

766 The city council shall adopt rules and regulations consistent with this charter concerning:

- 767 (1) Hours of work, vacation, sick leave and other leaves of absence, overtime pay and
768 the order and manner in which layoffs shall be effected;
769 (2) Such dismissal hearings as due process may require; and
770 (3) Such other personnel policies and notices as may be necessary to provide for the
771 adequate and systematic handling of personnel affairs.

772 ARTICLE IV.
773 JUDICIAL BRANCH

774 Section 4.10.
775 Creation; name.

776 There shall be a court to be known as the Municipal Court of the City of Pine Lake, Georgia.

777 Section 4.11.
778 Judges.

- 779 (a) The municipal court shall be presided over by a chief judge and such part-time,
780 full-time or stand-by judges as shall be provided by ordinance. The method of selection
781 and terms of such judges shall be provided for by ordinance.
- 782 (b) No person shall be qualified or eligible to serve as a judge on the municipal court
783 unless he or she shall have attained the age of 21 years and shall be a member of the State
784 Bar of Georgia. All judges shall be appointed by the city council.
- 785 (c) Compensation of the judges shall be fixed by ordinance.
- 786 (d) Judges may be removed for cause by a vote of three members of the city council.
- 787 (e) Before assuming office, each judge shall take an oath, given by the mayor, that he or
788 he will honestly and faithfully discharge the duties of his or her office to the best of his or

789 her ability and without fear, favor or partiality. The oath shall be entered upon the minutes
790 of the city council journal required by Section 2.20 of this charter.

791 Section 4.12.
792 Convening of court.

793 The municipal court shall be convened at regular intervals as provided by ordinance.

794 Section 4.13.
795 Jurisdiction; powers.

796 (a) The municipal court shall try and punish violations of this charter, all city ordinances
797 and such other violations as provided by law.

798 (b) The municipal court shall have authority to punish those in its presence for contempt,
799 provided that such punishment shall not exceed a fine of \$200.00 or ten days in jail.

800 (c) The municipal court may fix punishment for offenses within its sole jurisdiction not
801 exceeding a fine of \$1,000.00 or imprisonment for six months or both such fine and
802 imprisonment or may fix punishment by fine, imprisonment or alternative sentencing as
803 now or hereafter provided by law and may impose any punishment up to the maximums
804 specified by general law for offenses with its concurrent jurisdiction. The jailer of DeKalb
805 County is required to receive all such prisoners delivered to him or her by the municipal
806 court.

807 (d) The municipal court shall have authority to establish a schedule of fees to defray the
808 cost of operation and shall be entitled to reimbursement of the actual cost of meals,
809 transportation and caretaking of prisoners bound over to superior courts for violations of
810 state law.

- 811 (e) The municipal court shall have authority to establish bail and recognizances to ensure
812 the presence of those charged with violations before said court and shall have discretionary
813 authority to accept cash or personal or real property as surety for the appearance of persons
814 charged with violations. When any person shall give bail for appearance and shall fail to
815 appear at the time fixed for trial, such person's bond shall be forfeited by the judge
816 presiding at such time, and an execution issued thereon by serving the defendant and the
817 defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi. In
818 the event that cash or property is accepted in lieu of bond for security for the appearance
819 of a defendant at trial and if such defendant fails to appear at the time and place fixed for
820 trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or
821 the property so deposited shall have lien against it for the value forfeited, which lien shall
822 be enforceable in the same manner and to the same extent as a lien for city property taxes.
- 823 (f) The municipal court shall have the same authority as superior courts to compel the
824 production of evidence in the possession of any party; to enforce obedience to its orders,
825 judgments and sentences; and to administer such oaths as are necessary.
- 826 (g) The municipal court shall have the authority to bind prisoners over to the appropriate
827 court when it appears by probable cause that state law has been violated.
- 828 (h) Each judge of the municipal court may compel the presence of all parties necessary to
829 a proper disposal of each case by the issuance of summonses, subpoenas and warrants
830 which may be served as executed by any officer as authorized by this charter or by law.
- 831 (i) Each judge of the municipal court shall be authorized to issue warrants for the arrest
832 of persons charged with offenses against any ordinance of the city, and each judge of the
833 municipal court shall have the same authority as a magistrate of the state to issue warrants
834 for offenses against state laws committed within the city.
- 835 (j) The municipal court is specifically vested with all the jurisdiction and powers
836 throughout the geographic area of this city granted by law to municipal courts and

837 particularly by such laws as authorize the abatement of nuisances and prosecution of traffic
838 violations.

839 (k) The chief municipal court judge shall perform such other duties as required for proper
840 administration of the municipal court.

841 Section 4.14.

842 Appeal.

843 The right of certiorari or appeal from the decision and judgment of the municipal court shall
844 exist in all criminal cases and ordinance violation cases, and such certiorari shall be obtained
845 under the sanction of a judge of the superior court of DeKalb County, under the laws of the
846 State of Georgia regulating the granting and issuance of writs of certiorari or appeals from
847 municipal courts.

848 Section 4.15.

849 Rules for court.

850 With the approval of the city council, the judge shall have full power and authority to make
851 reasonable rules and regulations necessary and proper to secure the efficient and successful
852 administration of the municipal court; provided, however, that the city council may adopt in
853 part or in toto the rules and regulations applicable to superior courts. The rules and
854 regulations made or adopted shall be filed with the city clerk, shall be available for public
855 inspection, and, upon request, shall be furnished to all defendants in municipal court
856 proceedings at least 48 hours prior to said proceedings.

857 ARTICLE V.
858 ELECTIONS AND REMOVAL

859 Section 5.10.
860 Applicability of general law.

861 All primaries and elections shall be held and conducted in accordance with the Constitution
862 and general laws of the State of Georgia.

863 Section 5.11.
864 Election of the city council and mayor.

865 (a) There shall be a municipal general election on the first Tuesday next following the first
866 Monday in November.

867 (b) There shall be elected the mayor and two councilmembers at one election and at every
868 other election thereafter. The remaining city council seats shall be filled at the election
869 alternating with the first election so that a continuing body is created as provided for in the
870 initial election held under this charter pursuant to Section 7.12 of this charter.

871 Section 5.12.
872 Nonpartisan elections.

873
874 Political parties shall not conduct primaries for city offices and all names of candidates for
875 city offices shall be listed without party designations.

876 Section 5.13.

877 Election by plurality.

878 The person receiving a plurality of the votes cast for any city office shall be elected.

879 Section 5.14.

880 Special elections; vacancies.

881 In the event that the office of mayor or councilmember shall become vacant, the city council
882 or those remaining shall order a special election to fill the balance of the unexpired term of
883 such official; provided, however, that if such vacancy occurs within 12 months of the
884 expiration of the term of that office, the city council or those remaining shall appoint a
885 successor for the remainder of the term. In all other respects, the special election shall be
886 held and conducted in accordance with applicable general state law as now or hereafter
887 amended.

888 Section 5.15.

889 Other provisions.

890 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
891 such rules and regulations it deems appropriate to fulfill any options and duties under general
892 state law.

893 Section 5.16.

894 Removal of officers.

895 (a) The mayor, councilmembers or other appointed officers provided for in this charter
896 shall be removed from office for any one or more of the following causes:

897 (1) Incompetence, misfeasance or malfeasance in office;

898 (2) Conviction of a crime involving moral turpitude;

899 (3) Failure at any time to possess any of the qualifications of office as provided by this
900 charter or by law;

901 (4) Knowingly violating any express prohibition of this charter;

902 (5) Abandonment of office or neglect to perform the duties thereof;

903 (6) Failure for any other cause to perform the duties of office as required by this charter
904 or by state law.

905 (b)(1) Following a charge against an elected official upon one or more of the grounds
906 listed in subparagraph (a) of this section, the elected official shall be notified of the
907 charges in writing. The city council, without participation by any charged member, shall
908 appoint a committee consisting of five citizens who are not elected officials to conduct
909 an investigation of the charges and said commission shall issue a report of its findings to
910 the mayor and city council within ten days of its appointment. The elected official
911 charged shall have a right to a public hearing before the city council to be held within ten
912 days of receipt by the mayor and city council of the report from the citizens committee.
913 The charged elected official shall have the right of counsel, the right to examine
914 witnesses, and the power to subpoena persons or physical evidence. Any elected officer
915 sought to be removed from office as herein provided shall have the right of appeal from
916 the decision of the city council to the Superior Court of DeKalb County. Such appeal
917 shall be governed by the same rules as govern appeals to the superior court from the
918 probate court; or

919 (2) By petition of recall by the electors of the City of Pine Lake, as provided for by the
920 laws of the State of Georgia.

921 (c) Any mayor or councilmember of the city who shall forfeit his or her office as described
922 in paragraphs (a) and (b) of this section shall be ineligible for appointment or election for
923 any office in the city government.

924 ARTICLE VI.

925 FINANCE

926 Section 6.10.

927 Property tax.

928 The city council may assess, levy and collect an ad valorem tax on all real and personal
929 property within the corporate limits of the city that is subject to such taxation by the state and
930 county. This tax is for the purpose of raising revenues to defray the costs of operating the
931 city government, of providing governmental services, for the repayment of principal and
932 interest on general obligations, and for any other public purpose as determined by the city
933 council in its discretion.

934 Section 6.11.

935 Millage rate; due dates; payment methods.

936 The city council by ordinance shall establish a millage rate for the city property tax, a due
937 date, and the time period within which these taxes must be paid. The city council by
938 ordinance may provide for the payment of these taxes by installments or in one lump sum,
939 as well as authorize the voluntary payment of taxes prior to the time when due.

940 Section 6.12.

941 Occupation and business taxes.

942 The city council by ordinance shall have the power to levy such occupation or business taxes
943 as are not denied by law. Such taxes may be levied on both individuals and corporations who
944 transact business in this city or who practice or offer to practice any profession or calling to
945 the extent such persons have a constitutionally sufficient nexus to this city to be so taxed.
946 The city council may classify businesses, occupations, professions or callings for the purpose
947 of such taxation in any way which may be lawful and may compel the payment of such taxes
948 as provided in Section 6.18 of this charter.

949 Section 6.13.

950 Licenses; permits; fees.

951 The city council by ordinance shall have the power to require any individual or corporation
952 who transacts business in this city or who practices or offers to practice any profession or
953 calling therein to obtain a license or permit for such activity from the city and pay a
954 reasonable fee for such license or permit where such activities are not now regulated by
955 general law in such a way as to preclude city regulations. Such fees may reflect the total cost
956 to the city of regulating the activity, and if unpaid, shall be collected as provided in
957 Section 6.18 of this charter. The city council by ordinance may establish reasonable
958 requirements for obtaining or keeping such licenses as the public health, safety and welfare
959 necessitate.

960 Section 6.14.

961 Franchises.

962 The city council shall have the power to grant franchises for the use of this city's streets and
963 alleys for the purposes of railroads, street railways, telephone companies, electric companies,
964 cable television companies, gas companies, transportation companies and other similar
965 organizations. The city council shall determine the duration, terms, whether the same shall
966 be exclusive or nonexclusive, and the consideration of such franchises; provided, however,
967 that no franchise shall be granted for a period in excess of 35 years and no franchise shall be
968 granted unless the city receives just and adequate compensation therefor. The city council
969 may provide by ordinance for the registration within a reasonable time of all franchises
970 previously granted.

971 Section 6.15.

972 Service charges.

973 The city council by ordinance shall have the power to assess and collect fees, charges, and
974 tolls for sewers, sanitary and health services, or any other services provided or made
975 available inside and outside the corporate limits of the city for the total cost to the city of
976 providing or making available such services. If unpaid, such charges shall be collected as
977 provided in Section 6.18 of this charter.

978 Section 6.16.

979 Special assessments.

980 The city council by ordinance shall have the power to assess, charge, and collect the cost of
981 constructing, reconstructing, widening or improving any public way, street, sidewalk,

982 curbing, gutters, sewers or other utility mains and appurtenances from the abutting property
983 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be
984 collected as provided in Section 6.18 of this charter.

985 Section 6.17.

986 Construction; other taxes.

987 This city shall be empowered to levy any other tax allowed now or hereafter by law, and the
988 specific mention of any right, power or authority in this article shall not be construed as
989 limiting in any way the general powers of this city to govern its local affairs.

990 Section 6.18.

991 Collection of delinquent taxes.

992 The city council by ordinance may provide generally for the collection of delinquent taxes,
993 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by
994 whatever reasonable means as are not precluded by law. This shall include providing for the
995 dates when the taxes or fees are due, late penalties or interest, issuance and execution of fi.
996 fas., creation and priority of liens, making delinquent taxes and fees personal debts of the
997 persons required to pay the taxes or fees imposed, revoking city licenses for failure to pay
998 any city taxes or fees, and providing for the assignment or transfer of tax executions.

999 Section 6.19.

1000 Borrowing.

1001 The city council shall have the power to issue bonds for the purpose of raising revenue to
1002 carry out any project, program or venture authorized under this charter or the laws of the

1003 state. Such bonding authority shall be exercised in accordance with the laws governing bond
1004 issuance by municipalities in effect at the time said issue is undertaken.

1005 Section 6.20.

1006 Revenue bonds.

1007 Revenue bonds may be issued by the city council as state law now or hereafter provides.
1008 Such bonds are to be paid out of any revenue produced by the project, program or venture
1009 for which they were issued.

1010 Section 6.21.

1011 Loans.

1012

1013 The city may obtain short-term loans and must repay such loans not later than December 31
1014 of each year, unless otherwise provided by law.

1015 Section 6.22.

1016 Accounting and budgeting.

1017 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the
1018 budget year and the year for financial accounting and reporting of each and every office,
1019 department, agency and activity of the city government.

1020 Section 6.23.

1021 Budget ordinance.

1022 The city council shall provide an ordinance on the procedures and requirements for the
1023 preparation and execution of an annual operating budget, a capital improvement program,
1024 and a capital budget, including requirements as to the scope content, and form of such
1025 budgets and programs.

1026 Section 6.24.

1027 Operating budget.

1028 On or before a date fixed by the city council but not later than 45 days prior to the beginning
1029 of each fiscal year, the city manager shall submit to the mayor and city council a proposed
1030 operating budget for the ensuing fiscal year. The budget shall be accompanied by a message
1031 from the city manager containing a statement of the general fiscal policies of the city, the
1032 important features of the budget, explanations of major changes recommended for the next
1033 fiscal year, a general summary of the budget, and such other comments and information as
1034 the city manager may deem pertinent. The operating budget, the capital improvement
1035 budget, the budget message, and all supporting documents shall be filed in the office of the
1036 city clerk and shall be open to public inspection.

1037 Section 6.25.

1038 Action by city council on budget.

1039 (a) The city council may amend the operating budget proposed by the city manager;
1040 provided, however, that the budget as finally amended and adopted must provide all
1041 expenditures required by state law or by other provisions of this charter and for all debt

1042 service requirements for the ensuing fiscal year. The total appropriations from any fund
1043 shall not exceed the estimated fund balance, reserves, and revenues.

1044 (b) The city council by resolution shall adopt the final operating, budget for the ensuing
1045 fiscal year not later than December 27 of each year. If the city council fails to adopt the
1046 budget by said date, the amounts appropriated for operation for the then current fiscal year
1047 shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all
1048 items prorated accordingly, until such time as the city council adopts a budget for the
1049 ensuing fiscal year. Adoption of the budget shall take the form of an appropriations
1050 resolution setting out the estimated revenues in detail by sources and making
1051 appropriations according to fund and by organizational unit, purpose or activity as set out
1052 in the budget preparation ordinance adopted pursuant to Section 6.23 of this charter.

1053 (c) The amount set out in the adopted operating budget or each organizational unit shall
1054 constitute the annual appropriation for such, and no expenditure shall be made or
1055 encumbrance created in excess of the otherwise unencumbered balance of the
1056 appropriations or allotments thereof to which it is chargeable.

1057 Section 6.26.

1058 Levy of taxes.

1059 Following adoption of the operating budget, the city council shall levy by ordinance such
1060 taxes as are necessary. The taxes and tax rates set by such ordinance shall be such that
1061 reasonable estimates of revenues from such levy shall at least be sufficient, together with
1062 other anticipated revenues, fund balances and applicable reserves, to equal the total amount
1063 appropriated for each of the several funds set forth in the annual operating budget for
1064 defraying the expense of the general government of this city.

1065 Section 6.27.
1066 Changes in appropriations.

1067 The city council by resolution may make changes in the appropriations contained in the
1068 current operating budget at any regular meeting or special or emergency meeting called for
1069 such purposes, but any additional appropriations may be made only from an existing
1070 unexpended surplus.

1071 Section 6.28.
1072 Capital improvements budget.

1073 (a) On or before a date fixed by the city council but not later than 45 days prior to the
1074 beginning of each fiscal year, the city manager shall submit to the mayor and city council
1075 a proposed capital improvement budget with recommendations as to the means of financing
1076 the improvements proposed for the ensuing fiscal year. The city council shall have the
1077 power to accept, with or without amendments, or reject the proposed program and proposed
1078 means of financing. The city council shall not authorize an expenditure for the
1079 construction of any building, structure, work or improvement unless the appropriations for
1080 such project are included in the capital improvement budget, except to meet a public
1081 emergency as provided in Section 2.24 of this charter.

1082 (b) The city council by resolution shall adopt the final operating budget for the ensuing
1083 fiscal year not later than December 27 of each year. If the city council fails to adopt the
1084 budget by said date, the amounts appropriated for operation for the then current fiscal years
1085 shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all
1086 items prorated accordingly, until such time as the city council adopts a budget for the
1087 ensuing fiscal year. Adoption of the budget shall take the form of an appropriations
1088 resolution setting out the estimated revenues in detail by sources and making

1089 appropriations according to fund and by organizational unit, purpose or activity as set out
1090 in the budget preparation ordinance adopted pursuant of Section 6.23 of this charter.

1091 Section 6.29.

1092 Independent audits.

1093 There shall be an annual independent audit of all city accounts, funds, and financial
1094 transactions by a certified public accountant selected by the city council. The audit shall be
1095 conducted according to generally accepted accounting principles. Any audit of any funds by
1096 the state or federal government may be accepted as satisfying the requirements of this
1097 charter. Copies of all audit reports shall be available at printing costs to the public.

1098 Section 6.30.

1099 Contracting procedures.

1100 No contract with the city shall be binding on the city unless:

1101 (1) It is in writing;

1102 (2) It is drawn or submitted and reviewed by the city attorney and, as a matter of course,
1103 is signed by the city attorney to indicate such drafting or review; and

1104 (3) It is made or authorized by the city council and such approval is entered in the city
1105 council journal of proceedings pursuant to Section 2.21 of this charter.

1106 Section 6.31.

1107 Centralized purchasing.

1108 The city council shall by ordinance or resolution prescribe the procedures for a system of
1109 centralized purchasing for the city.

1110 Section 6.32.

1111 Sale of city property.

1112 (a) The city council may sell and convey any real or personal property owned or held by
1113 the city for governmental or other purposes as not or hereafter provided by law.

1114 (b) The city council may quitclaim any rights it may have in property not needed for public
1115 purposes upon report by the mayor and adoption of a resolution, both finding that the
1116 property is not needed for public or other purposes and that the interest of the city has no
1117 readily ascertainable monetary value.

1118 (c) Whenever in opening, extending or widening any street, avenue, alley or public place
1119 of the city a small parcel or tract of land is cut off or separated by such work from a larger
1120 tract or boundary of land owned by the city, the city council may authorize the mayor to
1121 execute and deliver in the name of the city a deed conveying said cut-off or separated
1122 parcel or tract of land to an abutting or adjoining property owner or owners in exchange for
1123 rights of way of said street, avenue, alley or public place when such exchange is deemed
1124 to be in the best interest of the city. All deeds and conveyances heretofore and hereafter
1125 so executed and delivered shall convey all title and interest the city has in such property,
1126 notwithstanding the fact that no public sale after advertisement was or is hereafter made.

1127 ARTICLE VII.
1128 GENERAL PROVISIONS

1129 Section 7.10.
1130 Bonds for officials.

1131 The officers and employees of this city, both elected and appointed, shall execute such surety
1132 or fidelity bonds in such amounts and upon such terms and conditions as the city council
1133 shall from time to time require by ordinance or as may be provided by law.

1134 Section 7.11.
1135 Rules and regulations.

1136 All ordinances, resolutions, rules and regulations now in force in the city not inconsistent
1137 with this charter are declared valid and of full effect and force until amended or repealed by
1138 the city council.

1139 Section 7.12.
1140 First election under this charter; future elections.

1141 The first municipal election under this charter shall be held on November 4, 2025, at which
1142 time the positions held by Augusta Woods and Jean Bordeaux and one council seat
1143 previously held by Mayor Brandy Hall shall be filled. Such council seats are designated
1144 council Posts 3, 4 and 5, respectively. The positions presently held by Brandy Hall, Jeff
1145 Goldberg and Thomas Torrent shall be designated mayor and council Posts 1 and 2,
1146 respectively, and shall be retained by them until the regular election date in 2027 unless
1147 vacated by them pursuant to provisions of Article 5 of this charter. All persons giving notice

1148 of candidacy for a city council seat shall designate the council post being sought. All council
1149 posts are held 'at large' and represent all residents of Pine Lake. All registered voters of Pine
1150 Lake shall be able to elect candidates of their choice for all city council posts regardless of
1151 where they live within the city.

1152 Section 7.13.

1153 Charter language on other general matters.

1154 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
1155 contracts and legal or administrative proceedings shall continue and any such ongoing work
1156 or cases shall be completed by such city agencies, personnel or offices as may be provided
1157 by the city council.

1158 Section 7.14.

1159 Definitions and construction.

1160 (a) Section captions in this charter are informative only and shall not be considered as a
1161 part thereof.

1162 (b) The word 'shall' is mandatory and the word 'may' is permissive.

1163 (c) The singular shall include the plural, the masculine shall include the feminine, and vice
1164 versa.

1165 Section 7.15.

1166 Severability.

1167 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be
1168 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect

1169 or impair other parts of this charter unless it clearly appears that such other parts are wholly
1170 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the
1171 legislative intent in enacting this charter that each article, section, subsection, paragraph,
1172 sentence or part thereof be enacted separately and independent of each other."

1173

SECTION 2.

1174 All laws and parts of laws in conflict with this Act are repealed.