



ALAN HALLMAN
MAYOR

MIKE RAST
ALDERMAN AT LARGE

TRAVIS HORSLEY
COUNCILMAN AT LARGE

MARK ADAMS
COUNCILMAN WARD I

CHLOE ALEXANDER
COUNCILMAN WARD II

Mayor and Council Regular Meeting

Join in person at 700 Doug Davis Drive, Hapeville, GA 30354

Or, visit the City's Website for live stream at

<https://hapevillega.civicclerk.com/Web/Player.aspx?id=336&key=-1&mod=-1&mk=-1&nov=0>

July 13, 2021 6:00 PM

Agenda

1. CALL TO ORDER:

2. ROLL CALL:

Alan Hallman
Mike Rast
Travis Horsley
Mark Adams
Chloe Alexander

3. WELCOME:

4. PLEDGE OF ALLEGIANCE:

5. INVOCATION:

6. PRESENTATION(S):

6.I. Proclamation Recognizing Chapman Drug Company 100th Year of Business

Supporting Document(s):

1. Chapman Drugs 100th Year Proclamation

7. PUBLIC HEARING:

7.I. Consideration of an amendment to the Code of Ordinances, Chapter 11 (Business licensing and regulations), Article 11 (Commercial solicitations and transient merchants), Section 11-11-2 (Definition), and Section 11-11-3 (Regulations and licensing of mobile food vendors); Chapter 93 (Zoning), Article 1 (Title, definitions and application of regulations), Section 93-1-2 (Definitions), and Section 93-2-27 (Food truck courts and food trucks, special provisions) to amend and update the regulations for mobile food vendors and food truck courts. 1st Reading

Background:

At the City Council meeting on May 18, 2021, the City Council discussed the food truck ordinance and requested staff provide a draft revised food truck ordinance to clarify food truck, food truck courts and mobile food vendors. The Planning Commission considered this item on June 15, 2021, and recommended approval with the following change:

1. Add the following language to Section 93-2-27(c)9: Food trucks may not violate any parking ordinances or rules. In addition, the Planning Commission recommended the City Planner consult

with someone in the food truck industry to review the proposed ordinance. Staff supports their recommendations.

Staff Comments:

Applicant Comments:

Public Comments:

Supporting Document(s):

1. Ordinance - Text Amendment Food Truck Court - Mobile Food Vendor (02788505xA0B3B)
2. Planners Report Proposed Food Truck Revisions June 9
3. Legal Adv - 07-13-2021_Mobile Food Trucks

8. QUESTIONS ON AGENDA ITEM(S):

The public is encouraged to communicate their questions, concerns, and suggestions during Public Comments. The Council does listen to your concerns and will have Staff follow-up on any questions you raise. Any and all comments should be addressed to the Governing Body, not to the general public and delivered in a civil manner in keeping with common courtesy and decorum.

9. CONSENT AGENDA:

9.I. Mayor and Council Meeting Drafted Minutes for June 22, 2021.

9.II. Approval of Executive Session Minutes.

9.III. Consideration and Action on Ordinance to Repeal City Mask Mandate.

Background:

With the availability of the COVID-19 vaccine, the increase in the number of vaccinated residents, and the decrease in the number of cases of COVID-19, City staff recommends that Mayor and Council consider the adoption of the attached ordinance that states the local option face covering requirement shall be repealed.

Supporting Document(s):

1. Ordinance - Local Option Face Covering Requirement

9.IV. Consideration and Action on Ordinance to Recognize Juneteenth as a City Holiday of the City of Hapeville.

Background:

Juneteenth became a federally recognized holiday on June 17, 2021. The Mayor and Council wish to declare Juneteenth as a city-wide holiday celebrating and commemorating the end of slavery in the United States. City staff recommends approval of this ordinance.

Supporting Document(s):

1. Ordinance -Juneteenth
2. EXHIBIT 'A' - City Holidays

9.V. Consideration And Action on Chargin' Hearts Foundation Inc. Request to Use Jess Lucas Park on October 23, 2021 For Their "Laps For Chatt" Event

Background:

Chargin' Hearts Foundation, Inc. is requesting to use Jess Lucas Park on October 23rd from 9AM-12PM for their annual charity walk to raise funds for the organization. They will have a DJ and family-oriented fun such as hula hooping, gymnastics, raffles, and cake walks. Approximately 75-100 people will attend the event.

Supporting Document(s):

1. Online Form Submittal_ Event Request Form Redacted

10. OLD BUSINESS: None

11. NEW BUSINESS:

11.I. Discussion on Procedures and Guidelines for Revocation of Occupational Tax Certificates.

Background:

Previously, Mayor and Council along with City staff discussed having procedures and defined guidelines in place regulating occupational tax certificates, including procedures to revoke or suspend certificates. City staff would like recommendations and comments from the Mayor and Council regarding the attached draft ordinance.

Supporting Document(s):

1. ORDINANCE-Revocation of Occupational Tax Certificate DRAFT

11.II. Consideration and Action for a Alcohol Beverage License Application for the Sonesta Select Atlanta Airport

Background:

Sonesta Select Atlanta Airport has completed all of the necessary steps in the alcohol license application process, and therefore, they are requesting approval from Mayor and Council. All departmental reports have been received, advertising has been completed, and staff has no questions or major concerns with this application. City Manager and Staff recommends approval.

Supporting Document(s):

1. SKM_C65821070913370_Redacted
2. Alcohol beverage License App Inspection Redacted

11.III. Consideration and Action on Updated Costs and Timelines for Redevelopment of Printmaker Studio, 748 Virginia Avenue.

Background:

At the January 2021 City Council work session, Mayor and Council approved an agreement with Source Urbanism, LLC to complete final design and construction documents for the renovation and construction of an addition at 748 Virginia Avenue and approved a budget to use TPD funds for the renovations and addition. The project budget at the time was up to \$1.4 million for the construction and up to \$300,000 for environmental remediation.

The project is moving to the construction phase. Supply line issues, and labor and material shortages, have significantly impacted cost. Kentec Associates has updated costs and timelines for project construction and completion. Attached in your packets, are updated project costs, from \$1.457M to \$1.875M, and updated timelines and cashflow / milestone schedules. The City plans to use Tourism Product Development Funds for the project.

Regarding Tourism Product Development, with the sizeable Hotel Motel Tax the City receives and the positive and strengthening recovery of the Atlanta Airport travel market, a mix of multiyear and smaller projects can be accommodated. The rebuilding of the Academy Theater, completed in 2018 was the last major project. The retask and rebuild of 748 Virginia is slated as our current major project.

Supporting Document(s):

1. 2021_07_07_748 VA AVE PRINTMAKERS
2. Preliminary Cost Budget - 2021-07-07 for city council
3. Preliminary Cost Budget - 2021-07-07 cash flow
4. 748 VA Ave - Cost Increase Questions
5. Printmaker Studio milestone schedule

12. CITY MANAGER REPORT:

13. PUBLIC COMMENTS:

Members of the public wishing to speak shall sign in with the City Clerk prior to the start of the meeting. Time limitations for Registered Comments are three (3) minutes per person. The total Registered Comment session shall not last more than fifteen (15) minutes unless extended by Council. Each member of the public, who fails to sign up with the City Clerk prior to the start of the meeting, wishing to address Mayor and Council shall have a total of two (2) minutes. The entire general comment session for Unregistered Comments shall not last more than ten (10) minutes unless extended by Council.

14. MAYOR AND COUNCIL COMMENTS:

15. EXECUTIVE SESSION: *When Executive Session is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).*

16. ADJOURN:

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.



**PROCLAMATION RECOGNIZING
CHAPMAN DRUG COMPANY 100TH YEAR OF BUSINESS**

WHEREAS: For 100 years, Chapman Drug Company has provided Hapeville Citizens with exceptional healthcare medicine and gracious community service. Chapman Drug Company has the distinction of being the oldest continuous family operated business in the city; and

WHEREAS: Chapman Drug Company is an independent pharmacy that maintains a "hometown" feel while investing in technology, continued education, and staff training to guarantee the most advanced pharmacy services; and

WHEREAS: In the summer of 1921, Raburn Rufus Chapman, Sr. purchased the existing "Citizen's Pharmacy" and promptly renamed it Chapman Drug Company. Shortly after, Dr. Arnall was hired to be the local pharmacist. Raburn Chapman would apprentice under Dr. Arnall for over five years until he passed the state's apothecary exam; and

WHEREAS: Over the years, Chapman Drug Company has employed hundreds of local teenagers to operate the soda fountain or to make deliveries. With eight of those "soda jerks" later becoming pharmacists; and

WHEREAS: The Chapman Family has been blessed to have five pharmacists in the family, four generations of owners, three generations of pharmacist owners, and 100 years of service to our profession and community; and

THEREFORE, BE IT RESOLVED that the members of this City Council formally do hereby recognize Chapman Drug Company for being a key contributor to the economic stimulus in our City and providing medical needs to the community of Hapeville. We salute the hard work and wish you continued success.

By: _____
Alan Hallman, Mayor

Attest: _____
Sharee N. Steed, City Clerk

DRAFT

1 **STATE OF GEORGIA**
2 **CITY OF HAPEVILLE**

3
4 **ORDINANCE NO. _____**

5
6 **AN ORDINANCE TO AMEND CHAPTER 11 (“BUSINESS LICENSING AND**
7 **REGULATIONS”), ARTICLE 11 (“COMMERCIAL SOLICITATIONS AND**
8 **TRANSIENT MERCHANTS”), SECTION 11-11-2 (“DEFINITIONS”) AND SECTION 11-**
9 **11-3 (“REGULATIONS AND LICENSING OF MOBILE FOOD VENDORS”); CHAPTER**
10 **93 (“ZONING”), ARTICLE 1 (“TITLE, DEFINITIONS AND APPLICATION OF**
11 **REGULATIONS”), SECTION 93-1-2 (“DEFINITIONS”) AND SECTION 93-2-27 (“FOOD**
12 **TRUCK COURTS AND FOOD TRUCKS, SPECIAL PROVISIONS”) OF THE CODE OF**
13 **ORDINANCES, CITY OF HAPEVILLE, GEORGIA; TO PROVIDE FOR**
14 **SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN**
15 **EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

16
17 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
18 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
19 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,
20

21 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
22 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
23 the legislative body of the City; and,
24

25 **WHEREAS**, amendments to any of the provisions of the City’s Code may be made by
26 amending such provisions by specific reference to the section number of the City’s Code; and,
27

28 **WHEREAS**, existing ordinances, resolutions, rules and regulations of the City and its
29 agencies now lawfully in effect not inconsistent with the provisions of the City’s charter shall
30 remain effective until they have been repealed, modified or amended; and,
31

32 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
33 by ordinance; and,
34

35 **WHEREAS**, the procedures required for amending the City’s zoning ordinance have been
36 satisfied, including, but not limited to, notice and public hearings; and,
37

38 **WHEREAS**, the governing authority of the City finds it desirable to amend and update the
39 regulations for mobile food vendors and food truck courts.
40

41 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
42 **THE CITY OF HAPEVILLE, GEORGIA THAT:**
43

44 **Section One.** The definition for “mobile food vendor” in Chapter 11 (Business Licensing
45 and Regulations), Article 11 (Commercial Solicitations and Transient Merchants), Section 11-11-

DRAFT

2 (Definitions) of the City Code of Ordinances is hereby stricken in its entirety and replaced with the following language:

Mobile food vendor shall mean a retail food establishment that reports to and operates from a commissary and is readily moveable, and is a motorized wheeled vehicle or a towed wheeled vehicle designed and equipped to serve food.

Section Two. Chapter 11 (Business Licensing and Regulations), Article 11 (Commercial Solicitations and Transient Merchants), Section 11-11-3 (Regulation and licensing of mobile food vendors) of the City Code of Ordinances is hereby stricken in its entirety and replaced with the following language:

- (a) It shall be unlawful for any person to sell, or offer for sale, food of any type from a mobile food vendor without a permit first having been granted under this section.
- (b) An application for a permit hereunder shall be submitted to the city clerk or his or her designee setting forth all information required hereunder and in compliance with this ordinance. The city clerk or his or her designee shall develop a form application for the purpose of compliance with this article. The application shall be accompanied by an executed indemnity agreement indemnifying and releasing the city, its agents, employees and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever arising in connection with the activities of the mobile food vendor pursuant to the permit issued hereunder. Mobile food vendor permits shall be active for:
 - (1) First time mobile food vendors may obtain one (1) complimentary mobile food permit per fiscal year (July 1-June 30) valid for one (1) day. Subsequent operation within the City limits require either a 90-day or a 3-day consecutive permit, as described below.
 - (2) Mobile food vendors may obtain a 90-day permit commencing on the day of issuance and are subject to locations designated and approved on the application;
 - (3) Mobile food vendors that plan to locate in the public right of way or operate as an ancillary use may obtain a 3-day consecutive permit and are subject to locations designated and approved on the application.
- (c) The following information shall be provided with each application for a mobile food vendor permit, along with an application fee of \$100.00 for a 90-day permit or \$50.00 for a three consecutive day permit, and an executed release and indemnification agreement provided by the city:
 - (1) Name of the mobile food vendor;
 - (2) Make, model and license plate number of vending unit;
 - (3) Owner's contact information;
 - (4) Operator's contact information;
 - (5) Copy of approved permit from the county health department and fire safety certificate of inspection;

DRAFT

- 87 (6) List of operating locations and times including map detailing the position of the
88 vehicle, and current zoning in said locations;
- 89 (7) Lease or rental agreements between property owners and mobile food vendors;
- 90 (8) Signatures from property owners indicating consent for the use of their property;
91 and
- 92 (9) Signature of applicant indicating agreement to the listed requirements.
- 93 (d) A waiver of the application fee may be requested at the time of application by the applicant
94 if:
- 95 (1) The event is a 501(c) non-profit event and proof is submitted thereof; or
- 96 (2) The event is a city-sponsored event as determined by the city manager. However,
97 all mobile food vendors must fill out an application form, execute an
98 indemnification agreement, and provided the city with all necessary
99 documentation required by the city.
- 100 (e) Mobile food vendors may conduct business or operate in the public right-of-way, only if
101 parking in the right-of way is legally allowed and it does not impede the flow of traffic.
102 A determination of traffic impediment shall be made by the city police department.
103 Mobile food vendors must be located in a lot that can safely be accessible by patrons.
104 Mobile food vendors cannot be parked on sidewalks, be located within any required
105 setback, any sight distance triangle, or required buffer. Access aisles sufficient to provide
106 emergency access to any food truck shall be provided. Parking on public, city-owned
107 grass areas is permissible with prior approval from the city manager at the time of
108 application.
- 109 (f) A mobile food vendor shall not be allowed to park overnight on any public or private
110 property.
- 111 (g) A mobile food vendor may operate on city-owned property, if:
- 112 (1) The mobile food vendor has received permission to do so from the city manager;
113 and
- 114 (2) Has indicated the appropriate city-owned location, date, and times of use on the
115 application.
- 116 (3) At no time shall a mobile food vendor be allowed to park overnight on any city-
117 owned property.
- 118 (4) The mobile food vendor has met all requirements for the City sponsored food
119 truck ordinance (see below).
- 120 (h) A mobile food vendor shall maintain a \$1,000,000.00 liability insurance policy. Proof of
121 current liability insurance, issued by an insurance company licensed to do business in the
122 state, protecting the mobile food vendor, the public and the city from all claims for
123 damage to property and bodily injury, including death, which may arise from operation
124 under or in connection with the permit, shall be provided to the city as part of its permit
125 application. If the mobile food vendor does not have insurance, the mobile food vendor
126 may be under the umbrella of an existing business with the business' permission to do so.
127 Such arrangement documentation shall be included with the application to the city.
- 128 (i) A mobile food vendor shall not make sounds or announcements to call attention to the
129 mobile food vehicle either while traveling on the public rights-of-way or when stationary.
130 At all times said mobile food vendor shall be in compliance with the city's noise
131 ordinance.

DRAFT

- (j) The permit under which a mobile food vendor is operating must be firmly attached and visible on the mobile food vendor at all times.
- (k) Any driver of a mobile food vendor motorized vehicle must possess a valid Georgia driver's license.
- (l) Mobile food vendors shall not be located within 30 feet of any street intersection or pedestrian crosswalk or 15 feet of any driveway.
- (m) A mobile food vendor shall not sell or offer to sell any goods, foods, products, or services between the hours of 10:00 p.m. to 7:00 a.m., unless otherwise approved and extended by the city manager.
- (n) Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.
- (o) No sale or offer for sale of ice cream, frozen milk, frozen dairy or ice confection products shall be made from a mobile food vendor unless each side of the vehicle is marked, in letters and numbers at least three inches in height, with the name and address of the mobile food vendor licensee.
- (p) Mobile food vendors shall comply with all state, federal and local health and safety regulations and requirements and shall obtain and maintain any and all license and permits required by any other health organization or governmental organization having jurisdiction over this subject matter.
- (q) The following safety regulations shall apply to any and all vehicles operating under this article or used for mobile retail food establishments:
 - (1) Every vehicle shall be equipped with a reverse gear signal alarm with a sound distinguishable from the surrounding noise level.
 - (2) Every vehicle shall be equipped with two rear-vision mirrors, one at each side, firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear, along both sides of the vehicle.

Section Three. The following definition in Chapter 93 (Zoning), Article 1 (Title, Definitions and Application of Regulations), Section 93-1-2 (Definitions) of the City Code of Ordinances is hereby stricken in its entirety and replaced with the following definitions:

Food truck. A motorized vehicle or trailer drawn by a motorized vehicle used to prepare and sell food to the public directly from the vehicle or trailer. Food trucks are mobile food vendors and shall follow all requirements of section 11-11-3.

Food truck court. An area designated on a site for hosting food trucks, subject to the requirements of section 93-28-12 and the mobile food vendor requirements of section 11-11-3.

Food truck court operator. The property owner or responsible party established to operate and rent food truck court spaces on a site.

Food truck vendor. Any person or entity that prepares and sells food from a food truck in a designated food truck court or that otherwise operates a food truck in accordance with the requirements of section 11-11-3.

DRAFT

Mobile food vendor. A retail food establishment that reports to and operates from a commissary, is readily moveable, and is a motorized wheeled vehicle or a towed wheeled vehicle designed and equipped to serve food.

Section Four. Chapter 93 (Zoning), Article 2 (General Provisions) of the City Code of Ordinances is hereby amended and Section 93-2-27 (Food Truck Courts and Food Trucks, special provisions) is hereby created with the following definitions:

The following standards shall control the development and manner of operation of the following uses within the City of Hapeville:

- a) Food Truck Court as a primary use located on private property.
 - 1) Food truck courts may be established as a primary use in undeveloped lots or free-standing commercial parking lots provided the property is not zoned or used as residential, the lot is paved where food trucks and parked vehicles are located, and that there are no unoccupied buildings present on the parcel.
 - 2) Food truck courts operating as a primary use shall require a special use permit. The special use permit application must include a site plan designating food truck locations, parking, amenities, and is subject to approval by City Staff.
 - 3) Food truck court operators must obtain an occupational tax permit.
 - 4) Food truck court operators must provide the City with emergency contact information.
 - 5) Operators of food truck courts shall enter into rental agreements with any food truck vendor, which shall include the specific space being leased. Copies of said contracts shall be furnished upon request to the code enforcement officer.
 - 6) No vehicles or food trucks shall be permitted to park overnight in the food truck court. The operators will be responsible for the removal of any unauthorized vehicles.
 - 7) There shall be no more than six (6) food trucks per acre.
 - 8) Food truck courts operating as a primary use must provide a minimum of four parking spaces for customer use per food truck in addition to any parking necessary for the use of the food trucks themselves. All spaces must be paved and striped.
 - 9) Food truck courts shall have dedicated on-site amenities for the patrons, including but not limited to on-site customer restrooms, customer seating, adequate lighting, trash receptacles, and clear pathways for patrons separate from parking and circulation. Food truck court operators shall be responsible for all maintenance of on-site amenities and property.
 - 10) Any accessory structures, such as pavilions, wooden gazebos, or pergolas may be provided by the food truck court operator subject to Design Review Committee approval. Other than dining umbrellas, which must be removed at the end of the business day, temporary canopies are not permitted.
 - 11) Food truck courts must adhere to all requirements of the sign ordinance. No LED strip lighting shall be used in conjunction with any food truck court.
 - 12) No food truck shall be left unattended or unsecured at any time.

DRAFT

219 13) All food trucks shall have valid mobile food vendor permits from the city per the
220 requirements of section 11-11-3. Operators of food truck courts shall retain a copy of each
221 food truck's mobile food vendor permit, to be furnished upon request to the code
222 enforcement officer.

223 14) No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be
224 provided by the food truck court operator for customers to dispose of food wrappers, food
225 utensils, paper products, cans, bottles, food and other such waste. The food truck court
226 operator shall be responsible for removing all trash, litter and refuse from the site at the
227 end of each business day.

228 15) No loudspeakers shall be used for announcements or hawking of products in conjunction
229 with any food truck court.

230 16) A minimum distance of 100 feet shall be maintained between any food truck and the
231 entrance to any restaurant.

232 17) No food truck in a food truck court shall be located within any required setback, any sight
233 distance triangle or required buffer. Access aisles sufficient to provide emergency access
234 to any food truck shall be provided.

235 18) Sales of articles other than food and non-alcoholic beverages shall be prohibited.

236 19) Food truck courts may operate between 7am and 10pm, 7 days per week.
237

238 b) Food Truck Courts as an accessory use located on private property.

239 1) Food truck courts are allowed as an accessory use when there is an excess of parking in
240 addition to the minimum site parking requirements.

241 2) Food truck courts operating as an accessory use shall require a special use permit. The
242 special use permit application must include a site plan designating food truck locations,
243 parking, amenities, and is subject to approval by City Staff.

244 3) The accessory food truck court may not block access to the existing uses on the site.

245 4) Food truck court operators must obtain an occupational tax permit.

246 5) Food truck court operators must provide the City with emergency contact information.

247 6) Operators of food truck courts shall enter into rental agreements with any food truck
248 vendor, which shall include the specific space being leased. Copies of said contracts shall
249 be furnished upon request to the code enforcement officer.

250 7) No vehicles or food trucks shall be permitted to park overnight in the food truck court. The
251 operators will be responsible for the removal of any unauthorized vehicles.

252 8) No food truck shall be left unattended or unsecured at any time.

253 9) All food trucks shall have valid mobile food vendor permits from the city per the
254 requirements of section 11-11-3. Operators of food truck courts shall retain a copy of each
255 food truck's mobile food vendor permit, to be furnished upon request to the code
256 enforcement officer.

257 10) There shall be no more than three (3) food trucks per acre.

258 11) Food truck courts operating as an accessory use must provide a minimum of four (4)

DRAFT

parking spaces for customer use per food truck in addition to any parking necessary for the use of the food trucks themselves. All spaces must be paved and striped.

12) Food trucks located in an accessory food truck court must be located a minimum of 100 feet from any restaurant entrance.

13) Food truck courts shall have dedicated on-site amenities for the patrons, including but not limited to on-site customer restrooms available to the public during operating hours, customer seating, adequate lighting, trash receptacles, and clear pathways for patrons separate from parking and circulation. Food truck court operators shall be responsible for all maintenance of on-site amenities and property.

14) Any accessory structures, such as pavilions, wooden gazebos, or pergolas may be provided by the food truck court operator subject to Design Review Committee approval. Other than dining umbrellas, which must be removed at the end of the business day, temporary canopies are not permitted.

15) No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be provided by the food truck court operator for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. The food truck court operator shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.

16) Food truck courts must adhere to all requirements of the sign ordinance. No LED strip lighting shall be used in conjunction with any food truck court.

17) No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck court.

18) No food truck in a food truck court shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.

19) Sales of articles other than food & non-alcoholic beverages shall be prohibited.

20) Food truck courts may operate between 7am and 10pm, 7 days per week.

c) Food Truck Court or Food Trucks located on public property.

1) Food trucks may be allowed to operate on a City-sponsored food truck court, City property, or in the public right-of way subject to the following conditions:

2) The City may establish a food truck court on public property. Any food truck vendor desirous to operate in a City food truck court must operate under an agreement for the space with the City.

3) All food trucks shall have valid mobile food vendor permits from the city per the requirements of section 11-11-3. Operators of food trucks shall retain a copy of its mobile food vendor permit, to be furnished upon request to the code enforcement officer.

4) Food trucks may locate on City property or public right of way provided the food trucks operators provide locations, dates, and times for their proposed operations. The City Manager must approve all locations, dates, and times for food truck operations.

DRAFT

- 5) Food trucks are not permitted to operate in the right of way in residential districts unless approved by special permission by the City Manager. Food trucks operating under special permission in the right of way in residential areas are restricted to 4 hours, 1 day per month.
 - 6) No vehicles or food trucks shall be permitted to park overnight on City property or in the public right of way. Unauthorized vehicles may be ticketed or impounded at the owner's expense.
 - 7) No food truck shall be left unattended or unsecured at any time. Unauthorized or unattended food trucks may be ticketed or impounded at the owner's expense.
 - 8) Food trucks located in City-sponsored food truck courts may operate between 7am and 10pm, 7 days per week.
 - 9) Food trucks located in the public right of way may operate up to six hours per day, and up to three days per week and between the hours of 7am and 10pm. Food trucks may not violate any parking ordinances or rules.
 - 10) Food trucks located in the public right of way may not reduce shared parking requirements for surrounding properties or impede traffic.
 - 11) Food trucks located in the public right of way must be located a minimum of 100 feet from any restaurant entrance.
 - 12) Access to food trucks may not hinder or impede pedestrian traffic.
 - 13) No food truck in a City sponsored food truck court or public right of way shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.
 - 14) Sales of articles other than food & non-alcoholic beverages shall be prohibited.
- d) Food Trucks as an ancillary use.
- 1) Food trucks operating as an ancillary use may locate on a site for limited periods or special events.
 - 2) A host business or property owner may allow for a food truck to operate ancillary to an existing business for limited periods or special events.
 - 3) If the food truck shares a parking lot with other tenants or property owners, and the minimum parking requirements for all users are greater than the number of spaces provided in the lot, the hosting entity shall obtain written consent from each tenant or property owner prior to operating a food truck court. This consent will be made available to the city upon request. Lack of written consent will constitute of violation of this Code and the food trucks will be required to leave the premises immediately.
 - 4) All food trucks shall have valid mobile food vendor permits from the city per the requirements of section 11-11-3. Operators of food truck courts shall retain a copy of each food truck's mobile food vendor permit, to be furnished upon request to the code enforcement officer.
 - 5) Ancillary food truck may operate up to six hours per day, and up to three days per week.
 - 6) Up to two food trucks are allowed as an ancillary use per acre

DRAFT

- 7) No vehicles or food trucks shall be permitted to park overnight in the food truck court. The operators will be responsible for the removal of any unauthorized vehicles.
- 8) No food truck shall be left unattended or unsecured at any time.
- 9) Food trucks must be located a minimum of 100 feet from any restaurant entrance.
- 10) No food truck in a food truck court shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.
- 11) Sales of articles other than food & non-alcoholic beverages shall be prohibited.
- 12) No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be provided by the host of the food truck vendor for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. The host of the food truck vendor shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
- 13) Food truck must adhere to all requirements of the sign ordinance. No LED strip lighting shall be used in conjunction with any food truck.
- 14) No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck.
- 15) The host or food truck vendor may provide limited seating to customers of the food truck vendor(s). Canopies for the protection of customers from the elements may also be provided by the property owner. Such canopies shall be temporary, shall not exceed an area of 144 square feet, and shall be removed at the conclusion of business each day.

Section Five. Codification and Certify. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the City.

Section Six. Severability.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of

DRAFT

the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Seven. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Eight. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2021.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

Sharee Steed, City Clerk

APPROVED BY:

Priya M. Patel, City Attorney



**DEPARTMENT OF PLANNING AND ZONING
PLANNER'S REPORT**

DATE: June 9, 2021
TO: Tim Young
FROM: Lynn Patterson
RE: Food Truck Ordinance Revision

BACKGROUND

At the City Council meeting on May 18, 2021 the City Council discussed the food truck ordinance and requested staff provide a draft revised food truck ordinance to clarify food trucks, food truck courts and mobile food vendors.

The City Manager, City Planner, and City Attorney reviewed the current food truck ordinance and mobile food vendor sections of the City Code and are proposing the following modifications based upon four food truck scenarios.

1. Food Truck Court as a primary use. This scenario entails a vacant or undeveloped lot used solely as a food truck court.
2. Food Truck Court as an accessory use. This scenario may entail the use of a portion of a site for food trucks in addition to an alternate primary use.
3. Food Trucks located in a City-sponsored food truck court or in the public right-of-way. This scenario allows food trucks to locate in City lots designated as food truck courts, public parking lots or parking spaces / within the City's right-of-way.
4. Food Trucks as an ancillary use. This scenario allows for a property to have a food truck on-site for limited periods or special events.

Draft language was presented to the City Council on June 8 and the following revisions are proposed, eliminating the restriction of Food Truck Courts from the Arts District and allowing it in all commercial and mixed use locations.

PROPOSED ORDINANCE

Sec. 11-11-2. - Definitions.

Mobile food vendor shall mean a retail food establishment that reports to and operates from a commissary and is readily moveable, and is a motorized wheeled vehicle or a towed wheeled vehicle designed and equipped to serve food.

Sec. 11-11-3 Regulation and licensing of mobile food vendors.

(a) It shall be unlawful for any person to sell, or offer for sale, food of any type from a mobile food vendor without a permit first having been granted under this section.

(b) An application for a permit hereunder shall be submitted to the city clerk or his or her designee setting forth all information required hereunder and in compliance with this ordinance. The city clerk or his or her designee shall develop a form application for the purpose of compliance with this article. The application shall be accompanied by an executed indemnity agreement indemnifying and releasing the city, its agents, employees and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever arising in connection with the activities of the mobile food vendor pursuant to the permit issued hereunder. Mobile food vendor permits shall be active for:

(1) First time food truck vendors may obtain 1 complimentary mobile food permit per fiscal year (July 1-June 30) valid for 1 day. Subsequent operation within the City limits require either a 90 day or a 3 day consecutive permit.

(2) Food truck court vendors may obtain a 90 day permit commencing on the day of issuance and are subject to locations designated and approved on the application;

(3) Food truck vendors that plan to locate in the public right of way or operate as an ancillary use may obtain a three consecutive day permit and are subject to locations designated and approved on the application.

(c) The following information shall be provided with each application for a mobile food vendor permit, along with an application fee of \$100.00 for a 90-day permit or \$50.00 for a three consecutive day permit, and an executed release and indemnification agreement provided by the city:

(1) Name of the mobile food vendor;

(2) Make, model and license plate number of vending unit;

(3) Owner's contact information;

(4) Operator's contact information;

(5) Copy of approved permit from the county health department and fire safety certificate of inspection;

(6) List of operating locations and times including map detailing the position of the vehicle, and current zoning in said locations;

(7) Lease or rental agreements between property owners and mobile food vendors;

(8) Signatures from property owners indicating consent for the use of their property; and

(9) Signature of applicant indicating agreement to the listed requirements.

(d) A waiver of the application fee may be requested at the time of application by the applicant if:

(1) The event is a 501(c) non-profit event and proof is submitted thereof; or

(2) The event is a city-sponsored event as determined by the city manager. However, all mobile food vendors must fill out an application form, execute an indemnification agreement, and provided the city with all necessary documentation required by the city.

(e) Mobile food vendors may conduct business or operate in the public right-of-way, only if parking in the right-of way is legally allowed and it does not impede the flow of traffic. A determination of traffic impediment shall be made by the city police department. Mobile food vendors must be located in a lot that can safely be accessible by patrons. Mobile food vendors cannot be parked on sidewalks, be located within any required setback, any sight distance triangle, or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided. Parking on public, city-owned grass areas is permissible with prior approval from the city manager at the time of application.

- (f) A mobile food vendor shall not be allowed to park overnight on any public or private property.
- (g) A mobile food vendor may operate on city-owned property, if:
 - (1) The mobile food vendor has received permission to do so from the city manager; and
 - (2) Has indicated the appropriate city-owned location, date, and times of use on the application.
 - (3) At no time shall a mobile food vendor be allowed to park overnight on any city-owned property.
 - (4) met all requirements for the City sponsored food truck ordinance. (see below)
- (h) A mobile food vendor shall maintain a \$1,000,000.00 liability insurance policy. Proof of current liability insurance, issued by an insurance company licensed to do business in the state, protecting the mobile food vendor, the public and the city from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit, shall be provided to the city as part of its permit application. If the mobile food vendor does not have insurance, the mobile food vendor may be under the umbrella of an existing business with the business' permission to do so. Such arrangement documentation shall be included with the application to the city.
- (i) A mobile food vendor shall not make sounds or announcements to call attention to the mobile food vehicle either while traveling on the public rights-of-way or when stationary. At all times said mobile food vendor shall be in compliance with the city's noise ordinance.
- (j) The permit under which a mobile food vendor is operating must be firmly attached and visible on the mobile food vendor at all times.
- (k) Any driver of a mobile food vendor motorized vehicle must possess a valid Georgia driver's license.
- (l) Mobile food vendors shall not be located within 30 feet of any street intersection or pedestrian crosswalk or 15 feet of any driveway.
- (m) A mobile food vendor shall not sell or offer to sell any goods, foods, products, or services between the hours of 10:00 p.m. to 7:00 a.m., unless otherwise approved and extended by the city manager.
- (n) Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.
- (o) No sale or offer for sale of ice cream, frozen milk, frozen dairy or ice confection products shall be made from a mobile food vendor unless each side of the vehicle is marked, in letters and numbers at least three inches in height, with the name and address of the mobile food vendor licensee.
- (p) Mobile food vendors shall comply with all state, federal and local health and safety regulations and requirements and shall obtain and maintain any and all license and permits required by any other health organization or governmental organization having jurisdiction over this subject matter.
- (q) The following safety regulations shall apply to any and all vehicles operating under this article or used for mobile retail food establishments:
 - (1) Every vehicle shall be equipped with a reverse gear signal alarm with a sound distinguishable from the surrounding noise level.
 - (2) Every vehicle shall be equipped with two rear-vision mirrors, one at each side, firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear, along both sides of the vehicle.

Sec. 93-1-2 Definitions

Food truck. A motorized vehicle or trailer drawn by a motorized vehicle used to prepare and sell food to

the public directly from the vehicle or trailer. Food trucks are mobile food vendors and shall follow all requirements of section 11-11-3.

Food truck court. An area designated on a site for hosting food trucks, subject to the requirements of section 93-28-12 and the mobile food vendor requirements of section 11-11-3.

Food truck court operator. The property owner or responsible party established to operate and rent food truck court spaces on a site.

Food truck vendor. Any person or entity that prepares and sells food from a food truck in a designated food truck court or that otherwise operates a food truck in accordance with the requirements of section 11-11-3.

Mobile food vendor. A retail food establishment that reports to and operates from a commissary, is readily moveable, and is a motorized wheeled vehicle or a towed wheeled vehicle designed and equipped to serve food.

Sec. 93-2-27. – Food Truck Courts and Food Trucks, special provisions.

The following standards shall control the development and manner of operation of the following uses within the arts district overlay:

a) Food Truck Court as a primary use located on private property.

- 1) Food truck courts may be established as a primary use in undeveloped lots or free-standing commercial parking lots provided the property is not zoned or used as residential, the lot is paved where food trucks and parked vehicles are located, and that there are no unoccupied buildings present on the parcel.
- 2) Food truck courts operating as a primary use shall require a special use permit. The special use permit application must include a site plan designating food truck locations, parking, amenities, and is subject to approval by City Staff.
- 3) Food truck court operators must obtain an occupational tax permit.
- 4) Food truck court operators must provide the City with emergency contact information.
- 5) Operators of food truck courts shall enter into rental agreements with any food truck vendor, which shall include the specific space being leased. Copies of said contracts shall be furnished upon request to the code enforcement officer.
- 6) No vehicles or food trucks shall be permitted to park overnight in the food truck court. The operators will be responsible for the removal of any unauthorized vehicles.
- 7) There shall be no more than 6 food trucks per acre.
- 8) Food truck courts operating as a primary use must provide a minimum of four parking spaces for customer use per food truck in addition to any parking necessary for the use of the food trucks themselves. All spaces must be paved and striped.
- 9) Food truck courts shall have dedicated on-site amenities for the patrons, including but not limited to on-site customer restrooms, customer seating, adequate lighting, trash receptacles, and clear pathways for patrons separate from parking and circulation. Food truck court operators shall be

responsible for all maintenance of on-site amenities and property.

- 10) Any accessory structures, such as pavilions, wooden gazebos, or pergolas may be provided by the food truck court operator subject to Design Review Committee approval. Other than dining umbrellas, which must be removed at the end of the business day, temporary canopies are not permitted.
 - 11) Food truck courts must adhere to all requirements of the sign ordinance. No LED strip lighting shall be used in conjunction with any food truck court.
 - 12) No food truck shall be left unattended or unsecured at any time.
 - 13) All food trucks shall have valid mobile food vendor permits from the city per the requirements of section 11-11-3. Operators of food truck courts shall retain a copy of each food truck's mobile food vendor permit, to be furnished upon request to the code enforcement officer.
 - 14) No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be provided by the food truck court operator for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. The food truck court operator shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
 - 15) No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck court.
 - 16) A minimum distance of 100 feet shall be maintained between any food truck and the entrance to any restaurant.
 - 17) No food truck in a food truck court shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.
 - 18) Sales of articles other than food & non-alcoholic beverages shall be prohibited.
 - 19) Food truck courts may operate between 7am and 10pm, 7 days per week.
- b) Food Truck Courts as an accessory use located on private property.
- 1) Food truck courts are allowed as an accessory use when there is an excess of parking in addition to the minimum site parking requirements.
 - 2) Food truck courts operating as an accessory use shall require a special use permit. The special use permit application must include a site plan designating food truck locations, parking, amenities, and is subject to approval by City Staff.
 - 3) The accessory food truck court may not block access to the existing uses on the site.
 - 4) Food truck court operators must obtain an occupational tax permit.
 - 5) Food truck court operators must provide the City with emergency contact information.
 - 6) Operators of food truck courts shall enter into rental agreements with any food truck vendor, which shall include the specific space being leased. Copies of said contracts shall be furnished upon request to the code enforcement officer.
 - 7) No vehicles or food trucks shall be permitted to park overnight in the food truck court. The operators will be responsible for the removal of any unauthorized vehicles.
 - 8) No food truck shall be left unattended or unsecured at any time.
 - 9) All food trucks shall have valid mobile food vendor permits from the city per the requirements of section 11-11-3. Operators of food truck courts shall retain a copy of each food truck's mobile

food vendor permit, to be furnished upon request to the code enforcement officer.

- 10) There shall be no more than 3 food trucks per acre.
 - 11) Food truck courts operating as an accessory use must provide a minimum of four parking spaces for customer use per food truck in addition to any parking necessary for the use of the food trucks themselves. All spaces must be paved and striped.
 - 12) Food trucks located in an accessory food truck court must be located a minimum of 100 feet from any restaurant entrance.
 - 13) Food truck courts shall have dedicated on-site amenities for the patrons, including but not limited to on-site customer restrooms available to the public during operating hours, customer seating, adequate lighting, trash receptacles, and clear pathways for patrons separate from parking and circulation. Food truck court operators shall be responsible for all maintenance of on-site amenities and property.
 - 14) Any accessory structures, such as pavilions, wooden gazebos, or pergolas may be provided by the food truck court operator subject to Design Review Committee approval. Other than dining umbrellas, which must be removed at the end of the business day, temporary canopies are not permitted.
 - 15) No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be provided by the food truck court operator for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. The food truck court operator shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
 - 16) Food truck courts must adhere to all requirements of the sign ordinance. No LED strip lighting shall be used in conjunction with any food truck court.
 - 17) No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck court.
 - 18) No food truck in a food truck court shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.
 - 19) Sales of articles other than food & non-alcoholic beverages shall be prohibited.
 - 20) Food truck courts may operate between 7am and 10pm, 7 days per week.
- c) Food Truck Court or Food Trucks located on public property.
- 1) Food trucks may be allowed to operate on a City-sponsored food truck court, City property, or in the public right-of way subject to the following conditions:
 - 2) The City may establish a food truck court on public property. Any food truck vendor desirous to operate in a City food truck court must operate under an agreement for the space with the City.
 - 3) All food trucks shall have valid mobile food vendor permits from the city per the requirements of section 11-11-3. Operators of food trucks shall retain a copy of its mobile food vendor permit, to be furnished upon request to the code enforcement officer.
 - 4) Food trucks may locate on City property (non food-truck) or public right of way provided the food trucks operators must provide locations, dates, and times for their proposed operations. The City Manager must approve all locations, dates, and times for food truck operations.
 - 5) Food trucks are not permitted to operate in the right of way in residential districts unless

approved by special permission by the City Manager. Food trucks operating under special permission in the right of way in residential areas are restricted to 4 hours, 1 day per month.

- 6) No vehicles or food trucks shall be permitted to park overnight on City property or in the public right of way. Unauthorized vehicles may be ticketed or impounded at the owner's expense.
- 7) No food truck shall be left unattended or unsecured at any time. Unauthorized or unattended food trucks may be ticketed or impounded at the owner's expense.
- 8) Food trucks located in City-sponsored food truck courts may operate between 7am and 10pm, 7 days per week.
- 9) Food trucks located in the public right of way may operate up to six hours per day, and up to three days per week and between the hours of 7am and 10pm.
- 10) Food trucks located in the public right of way may not reduce shared parking requirements for surrounding properties or impede traffic.
- 11) Food trucks located in the public right of way must be located a minimum of 100 feet from any restaurant entrance.
- 12) Access to food trucks may not hinder or impede pedestrian traffic.
- 13) No food truck in a City sponsored food truck court or public right of way shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.
- 14) Sales of articles other than food & non-alcoholic beverages shall be prohibited.

d) Food Trucks as an ancillary use.

- 1) Food trucks operating as an ancillary use may locate on a site for limited periods or special events.
- 2) A host business or property owner may allow for a food truck to operate ancillary to an existing business for limited periods or special events.
- 3) If the food truck shares a parking lot with other tenants or property owners, and the minimum parking requirements for all users are greater than the number of spaces provided in the lot, the hosting entity shall obtain written consent from each tenant or property owner prior to operating a food truck court. This consent will be made available to the city upon request. Lack of written consent will constitute of violation of this Code and the food trucks will be required to leave the premises immediately.
- 4) All food trucks shall have valid mobile food vendor permits from the city per the requirements of section 11-11-3. Operators of food truck courts shall retain a copy of each food truck's mobile food vendor permit, to be furnished upon request to the code enforcement officer.
- 5) Ancillary food truck may operate up to six hours per day, and up to three days per week.
- 6) Up to two food trucks are allowed as an ancillary use per acre
- 7) No vehicles or food trucks shall be permitted to park overnight in the food truck court. The operators will be responsible for the removal of any unauthorized vehicles.
- 8) No food truck shall be left unattended or unsecured at any time.
- 9) Food trucks must be located a minimum of 100 feet from any restaurant entrance.
- 10) No food truck in a food truck court shall be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided.

- 11) Sales of articles other than food & non-alcoholic beverages shall be prohibited.
- 12) No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be provided by the host of the food truck vendor for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. The host of the food truck vendor shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
- 13) Food truck must adhere to all requirements of the sign ordinance. No LED strip lighting shall be used in conjunction with any food truck.
- 14) No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck.
- 15) The host or food truck vendor may provide limited seating to customers of the food truck vendor(s). Canopies for the protection of customers from the elements may also be provided by the property owner. Such canopies shall be temporary, shall not exceed an area of 144 square feet, and shall be removed at the conclusion of business each day.

RECOMMENDATIONS

Staff recommends the proposed text amendment to the City Code of Ordinances.

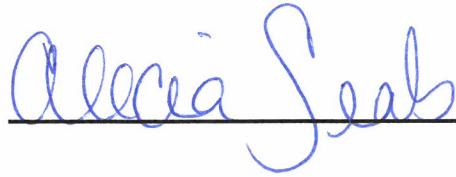


CITY OF HAPEVILLE
3468 NORTH FULTON AVENUE
ATLANTA, GA 30354

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 06/17/2021.





Subscribed and sworn to before me this June 17, 2021



NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, July 13, 2021 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. All attendees will be required to wear a face covering and practice social distancing in accordance with the requirements set forth by state law and public health regulations. The meeting will be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes> to consider the following:

Consideration of an amendment to the Code of Ordinances, Chapter 11 (Business licensing and regulations), Article 11 (Commercial solicitations and transient merchants), Section 11-11-2 (Definition), and Section 11-11-3 (Regulations and licensing of mobile food vendors); Chapter 93 (Zoning), Article 1 (Title, definitions and application of regulations), Section 93-1-2 (Definitions), and Section 93-2-27 (Food truck courts and food trucks, special provisions) to amend and update the regulations for mobile food vendors and food truck courts.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at ssteed@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on July 12, 2021. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record during the meeting. Citizens may not make comments on public hearing agenda items via teleconference/videoconference.
#0000535516:6/17-1AS



**Mayor and Council Meeting Summary
Tuesday June 22, 2021**

ALAN HALLMAN
MAYOR

MIKE RAST
ALDERMAN AT LARGE

TRAVIS HORSLEY
COUNCILMAN AT LARGE

MARK ADAMS
COUNCILMAN WARD I

CHLOE ALEXANDER
COUNCILMAN WARD II

6:00PM

1. CALL TO ORDER: by Mayor Hallman at 6:00 PM

2. ROLL CALL: All were present with the exception of Councilman Horsley.

- ✓ Mayor, Alan Hallman
- ✓ Alderman, Mike Rast
- x Councilman at Large, Travis Horsley
- ✓ Councilman Ward I, Mark Adams
- ✓ Councilman Ward II, Chloe Alexander

3. WELCOME: Mayor Hallman welcomed all to the June 22nd Meeting.

4. PRESENTATIONS:

4.I. Recognition of the 2021 Georgia Recreation and Parks Association State Champions.

- **No action was taken.**

5. PUBLIC HEARING:

5.I. Consideration and Action for 2021--2022 Budget Ordinance -2nd Reading.

Public Comment(s): None

MOTION: Councilman Adams made a motion to approve the 2021--2022 Budget Ordinance, Councilman Alexander seconded. **Motion carried 3-0.**

5.II. Consideration and Action on a Conditional Use Permit request for 3381 Dogwood Drive.

Public Comments: Ms. Linda Williams spoke on behalf of the applicant, Ms. Susan Bailey, Ms. Junita Thompson, and Mr. Ron Hall.

MOTION: Councilman Alexander made a motion to approve the Conditional Use Permit request for 3381 Dogwood Drive, Alderman Rast seconded. **Motion carried 3-0.**

6. QUESTIONS ON AGENDA ITEMS:

1. Ms. Susan Bailey - Discussion of short-term rental and Air BNB.
2. Ms. Lucille Dolan – Discussion of short-term rental and Air BNB.
3. Mr. Frank Crawford - Discussion of short-term rental and Air BNB.
4. Ms. LaRonda Sutton - Discussion of short-term rental and Air BNB.
5. Mr. Ron Hall - Discussion of short-term rental and Air BNB.
6. Mr. Miller Radford - Discussion of short-term rental and Air BNB.
7. Mr. Melvin Traynum - Discussion of short-term rental and Air BNB.

7. CONSENT AGENDA:

7.I. Mayor and Council Meeting Drafted Minutes for June 8, 2021.

7.II. Approval of Executive Session Minutes

MOTION: Councilman Adams made a motion to approve the consent agenda, Alderman Rast seconded. **Motion carried 3-0.**

8. **OLD BUSINESS:** None

9. **NEW BUSINESS:**

9.I. Discussion of short-term rental and Air BNB.
No action was taken.

9.II. Consideration and Action on Resolution for submittal of a potential project list for the upcoming TSPLOST IGA.

MOTION: Councilman Adams made a motion to approve the Resolution final submission by the City Manager on behalf of the potential project list for the upcoming TSPLOST IGA by June 30th. Councilman Alexander seconded. **Motion carried 3-0.**

10. **CITY MANAGER REPORT:**

11. **PUBLIC COMMENTS:**

1. Ms. Charlotte Rentz
2. Mr. Frank Crawford

12. **MAYOR AND COUNCIL COMMENTS:**

Mayor, Allan Hallman thanked city staff of their hard work and dedication. He also expressed gratitude the audience for their attendance. No comments were made by Council.

13. **EXECUTIVE SESSION:** *When Executive Session is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).*

MOTION: Councilman Alexander made a motion to go into recess, Councilman Adams seconded.
Motion carried 3-0.

Alderman Rast made a motion to go into executive session at 7:31PM. Councilman Adams seconded.
Motion carried 3-0.

Councilman Alexander made a motion to reconvene into the Council Meeting at 7:44 PM, Alderman Rast seconded. **Motion carried 3-0.**

14. **ADJOURN:**

MOTION: Councilman Adams made a motion to adjourn at 7:45PM, Councilman Alexander seconded.
Motion carried 3-0.

Respectfully submitted,

Alan Hallman, Mayor

Sharee Steed, City Clerk

1 CITY OF HAPEVILLE
2 STATE OF GEORGIA
3

4 ORDINANCE NO 2021-13
5

6 AN ORDINANCE TO REPEAL CHAPTER 26 (“OFFENSES AND MISCELLANEOUS
7 PROVISIONS”), ARTICLE 2 (“PERSONAL CONDUCT”), SECTION 26-2-42 (“LOCAL
8 OPTION FACE COVERING REQUIREMENT”) OF THE CODE OF ORDINANCES,
9 CITY OF HAPEVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL
10 CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO
11 PROVIDE FOR OTHER LAWFUL PURPOSES.
12

13 WHEREAS, the Mayor and Council shall have full power and authority to provide for the
14 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
15 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,
16

17 WHEREAS, the municipal government of the City of Hapeville (hereinafter “City”) and
18 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
19 the legislative body of the City; and,
20

21 WHEREAS, amendments to any of the provisions of the City’s Code may be made by
22 amending such provisions by specific reference to the section number of the City’s Code; and,
23

24 WHEREAS, every official act of the Mayor and Council which is to become law shall be
25 by ordinance; and,
26

27 WHEREAS, the governing authority of this City finds that with the availability of the
28 COVID-19 vaccine, the increase in the number of vaccinated residents, and the decrease in the
29 number of cases of COVID-19, the local option face covering requirement shall be repealed.
30

31 BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF
32 THE CITY OF HAPEVILLE, GEORGIA THAT:
33

34 **Section One.** Chapter 26 (Offenses and Miscellaneous Provisions), Article 2 (Personal Conduct),
35 Section 26-2-42 (Local Option Face Covering Requirement) of the City Code of Ordinances is
36 hereby repealed in its entirety, and shall be renamed and shall state as follows:
37

38
39 **Sec. 26-2-42. –Reserved.**
40

41
42 **Section Two. Codification and Certify.** This Ordinance adopted hereby shall be codified
43 and certified in a manner consistent with the laws of the State of Georgia and the City.
44

45 **Section Three. Severability.**
46

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Five. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2021.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

Sharee Steed, City Clerk

93 **APPROVED BY:**

94

95

96

97

98

Priya M. Patel, City Attorney

1 **STATE OF GEORGIA**

2
3 **CITY OF HAPEVILLE**

4
5 **ORDINANCE NO. 2021-12**

6
7 **AN ORDINANCE TO RECOGNIZE JUNETEENTH AS A FEDERAL AND CITY**
8 **HOLIDAY OF THE CITY OF HAPEVILLE PURSUANT TO CHAPTER 2**
9 **(“ADMINISTRATION”), ARTICLE 2 (“MAYOR AND COUNCIL”), SECTION 2-2-1**
10 **(“COUNCIL MEETINGS; TIME, CALLING SPECIAL MEETINGS, RULES OF**
11 **ORDER”) OF THE CITY CODE; TO PROVIDE FOR SEVERABILITY; TO REPEAL**
12 **CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO**
13 **PROVIDE FOR OTHER LAWFUL PURPOSES.**

14
15 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
16 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
17 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,

18
19 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
20 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
21 the legislative body of the City; and,

22
23 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
24 by ordinance; and,

25
26 **WHEREAS**, the Mayor and Council has the right to declare and establish holidays for the
27 City of Hapeville; and,

28
29 **WHEREAS**, the Mayor and Council wish to declare Juneteenth, a federally declared
30 holiday as of June 17, 2021, as a city-wide holiday celebrating and commemorating the end of
31 slavery in the United States.

32
33 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
34 **THE CITY OF HAPEVILLE, GEORGIA THAT:**

35
36 **Section One.** Chapter 2 (Administration), Article 2 (Mayor and Council), Section 2-2-1
37 (Council meetings; time, calling special meetings, rules of order) of the City Code of Ordinances
38 is hereby amended by striking the section in its entirety and replacing it with the following
39 language:

- 40
41 (a) The mayor and council shall meet on a regular basis on the first and third Tuesday of every
42 month at 6:00 p.m. Eastern Time (ET) and continue in session from day to day in their
43 discretion. However, regular meetings falling on or after a government holiday, will be
44 cancelled or rescheduled. These regular meetings not following on the first or third
45 Tuesday are indicated by an asterisk. The holiday schedule is attached to the ordinance

46 from which this section derived as Exhibit A. The mayor and council reserve the right to
47 assemble and conduct official business on that date in the manner prescribed by law.

48 The meetings shall take place at 700 Doug Davis Drive, Hapeville, GA 30254. They shall begin
49 at 6:00 p.m. and may be continued or adjourned as necessary. Notwithstanding any designation to
50 the contrary, the mayor and council reserve the right to transact business without limitation at such
51 meetings to the extent permitted by applicable law.

- 52
- 53 (b) Special meetings may be called by the mayor or any three members of the council at any
54 time when deemed necessary.
- 55 (c) The mayor and two members of council, or the alderman-at-large and two council
56 members, shall constitute a quorum for the transaction of business. A less number may
57 adjourn from time to time and compel attendance of absentees.
- 58 (d) In the absence of the mayor, the alderman-at-large, or, if absent, any member of the council
59 may be chosen to take the chair at the hour appointed for any meeting.
- 60 (e) Every committee shall report at the succeeding meeting on all matters referred to them or
61 show good cause why such report is not made.
- 62 (f) A majority of the council shall govern. The mayor or presiding officer shall vote only in
63 case of a tie.
- 64 (g) Any member of the council may call for the "yeas" and "nays" on any question, and the
65 vote so taken shall be recorded in the minutes.
- 66 (h) The mayor or presiding officer shall enforce parliamentary rules so far as they are
67 applicable to such a legislative body and do not conflict with the rules adopted. "Robert's
68 Rules of Order" shall be regarded as authority on parliamentary laws.
- 69 (i) Any additional rule or rules may be made from time to time, but no rule shall be altered or
70 suspended without consent of 2/3 of the members present.

71

72 **Section Two. Codification and Certify.** This Ordinance adopted hereby shall be codified
73 and certified in a manner consistent with the laws of the State of Georgia and the City.

74

75 **Section Three. Severability.**

76

77 (a) It is hereby declared to be the intention of the Mayor and Council that all sections,
78 paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment,
79 believed by the Mayor and Council to be fully valid, enforceable and constitutional.

80

81 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
82 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
83 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
84 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
85 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance
86 is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this
87 Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Five. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2021.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

Sharee Steed, City Clerk

APPROVED BY:

Priya M. Patel, City Attorney



CITY-OBSERVED HOLIDAYS

New Year's Day

Martin Luther King, Jr.

Good Friday

Memorial Day

Juneteenth

Independence Day

Veteran's Day

Thanksgiving Day

Christmas Eve

Christmas

From: noreply@civicplus.com
To: [Sharee Steed](#)
Subject: Online Form Submittal: Event Request Form
Date: Friday, July 9, 2021 1:18:53 PM

Event Request Form

All requests for the use of City Staff, services, utilities or the placement of a banner on City property must be approved by the Mayor and Council, prior to the use of the same. Please submit this Request to the City Clerk's Office two weeks prior to the meeting of the Mayor and Council; being placed on the agenda does not ensure approval of request. The Mayor and Council may assess fees for the use of City Staff, services, utilities, and property. The Mayor and Council meet the first and third Tuesdays of each month.

Date	7/9/2021
------	----------

CONTACT INFORMATION

Contact Person	Tameka N Pettis
----------------	-----------------

Name of Organization	Changin' Hearts Foundation, Inc
----------------------	---------------------------------

Mailing Address	[REDACTED]
-----------------	------------

Telephone #:	[REDACTED]
--------------	------------

Cell #:	[REDACTED]
---------	------------

Fax #:	Field not completed.
--------	----------------------

E-mail Address	[REDACTED]
----------------	------------

(Section Break)

EVENT INFORMATION

Name of the Event:	Laps for Chatt
--------------------	----------------

Date of the Event:	10/23/2021
--------------------	------------

Start time:	10:00AM
-------------	---------

End time:	1:00PM
-----------	--------

Location of the Event:	Jess Lucas Park
------------------------	-----------------

How many attendees?	about 100
---------------------	-----------

Banner:	Yes
If yes, where is the banner to be placed?:	On the Fence surrounding the park
Specify dates banner will hang in proposed location:	October 1, 2021- October 23, 2021
If placing a banner on City property, provide a description of the banner (measurements, color, etc.):	Our banners normally have a white background with vivid colors that represent our foundation with date and time of charity walk
Upload a pdf version of the banner:	<i>Field not completed.</i>
<i>*Banners placed on the Jess Lucas Park fence facing S. Central Avenue must be placed to the left of the telephone pole of Christ Church.</i>	
Will there be alcohol at this event?	No
Will there be a DJ/Music at this event?	Yes
Additional information about this event:	This event is a charity walk for the Chanin' Hearts Foundation, Inc. We do this annually at the Jess Lucas Park
(Section Break)	
CITY SERVICES: (check all that apply)	Electricity
If requesting City Staff, please specify:	Not requesting city staff, but I was not able to select all that applied above, so please allow me to add water here
If requesting road closures, please specify which roads:	<i>Field not completed.</i>
<i>**An application for temporary road closure will need to be filled out at the Hapeville Police Department located at 700 Doug Davis Drive, Hapeville.</i>	
(Section Break)	
<i>Field not completed.</i>	

OFFICE USE ONLY

Date Heard by Mayor
and Council:

Field not completed.

Notice Sent to
Applicant on:

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

DRAFT

1 **STATE OF GEORGIA**
2 **CITY OF HAPEVILLE**

3
4 **ORDINANCE NO. _____**

5
6 **AN ORDINANCE TO AMEND CHAPTER 17 (“FINANCE AND TAXATION”), ARTICLE**
7 **5 (“OCCUPATIONAL TAXES”) TO CREATE SECTION 17-5-30 (“REVOCATION OF**
8 **OCCUPATIONAL TAX CERTIFICATE”) OF THE CODE OF ORDINANCES, CITY OF**
9 **HAPEVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL**
10 **CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO**
11 **PROVIDE FOR OTHER LAWFUL PURPOSES.**

12
13 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
14 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
15 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,

16
17 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
18 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
19 the legislative body of the City; and,

20
21 **WHEREAS**, amendments to any of the provisions of the City’s Code may be made by
22 amending such provisions by specific reference to the section number of the City’s Code; and,

23
24 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
25 by ordinance; and,

26
27 **WHEREAS**, the governing authority of the City finds it desirable and necessary to create
28 Section 17-5-30 of the City Code of Ordinances to allow for the revocation of occupational tax
29 certificates under specific circumstances.

30
31 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
32 **THE CITY OF HAPEVILLE, GEORGIA THAT:**

33
34 **Section One.** Section 17-5-30 (Revocation of Occupational Tax Certificate) in Chapter 17
35 (Finance and Taxation), Article 5 (Occupational Taxes) of the City Code of Ordinances is hereby
36 created and shall state the following language:

37
38 (A) *Causes for Revocation.* Any occupational tax certificate may be revoked or suspended, and
39 the City may cease and desist all non-permitted operations if any of the following criteria are met:

40
41 (1) The change of use of the property no longer meets the qualifications for an
42 occupational tax certificate under this code;

43 (2) False or incomplete information was provided on an application;

DRAFT

(3) The business owner or holder of the occupational tax certificate has violated or is violating any provision of this chapter or provision of the City Code, state or federal statutes or regulations governing the business owner or holder's business;

(4) The business owner or holder of the occupational tax certificate has obtained or aided another person to obtain an occupational tax certificate by fraud or deceit;

(5) The business owner or holder of the occupational tax certificate has failed to pay any taxes or fees to the City when due;

(6) The business owner or holder of the occupational tax certificate is not complying with a requirement or condition set by the Planning Commission or Planning and Zoning Department, if applicable, under a conditional use permit; by the Board of Zoning Appeals, if applicable, granting a variance or special exception; by the City Council, or by agreement;

(7) Violation of this chapter by the agents or employees of a business owner or holder of the occupational tax certificate and violations of any other laws by the agents or employees committed while acting as an agent or employee of the owner or holder; or

(8) Any other reason expressly provided for by ordinance.

The City Manager shall have the authority to temporarily suspend an occupational tax certificate, without a hearing, for reasons provided for in this section. However, the temporary suspension shall not be for more than ____ days. A hearing following a temporary suspension must be scheduled within fifteen (15) days.

Code Enforcement may, on his/her own initiative or in response to complaints from the general public or any City department or division, investigate and gather evidence of violations of this chapter or other circumstances which may give rise to a denial, suspension or revocation.

(B) *Procedure for suspension or revocation.* Code Enforcement shall cause written notice to be given by personal service or registered mail to the business owner or holder of the occupational tax certificate at the owner's or holder's business address which states:

(1) His or her decision to suspend or revoke an occupational tax certificate;

(2) The reason for such decision;

(3) That operation of a business after the effective date of the suspension or revocation shall constitute a misdemeanor;

(4) The owner or holder's right to appeal the Code Enforcement's decision and have a hearing; and

(5) The appeal procedure.

DRAFT

(C) *Procedure for appeal.* Appeals of the Code Enforcement or City Manager's decision to deny, suspend or revoke an occupational tax certificate or regarding the application of this chapter may be made to the City Council by filing a written notice of appeal with the City Clerk within fifteen (15) days of receipt of the notice of denial, suspension or revocation.

Notice of appeal shall be in writing and shall set forth with specificity the reasons for which the appeal is taken.

(D) *Hearing.* Hearing shall be at a time, place, and day set by the City Council, but not later than twenty-one (21) days after receipt of the notice of appeal.

(1) At the hearing, Code Enforcement or his or her designee shall have fifteen (15) minutes to present the reasons for the decision to deny, suspend or revoke the occupational tax certificate. City Council may extend the time to present evidence as necessary.

(2) The business owner or holder of the occupational tax certificate, in person or through his or her attorney, shall have fifteen (15) minutes to present any evidence showing reason why the decision was in error. City Council may extend the time to present evidence as necessary.

(3) All witnesses shall be sworn to testify truthfully. Either party is entitled to confront and cross-examine any witnesses.

(4) Any oral or documental evidence may be received, but the Council shall exclude all privileged, irrelevant, immaterial, or unduly repetitious evidence.

(5) If the denial, suspension, or revocation appealed from is based on a determination by a Code Enforcement official that grounds existed pursuant to this code, the City Council may examine the factual nature of the grounds and determine whether such grounds are sufficient to sustain the decision of the Code Enforcement.

(6) The City Council does not have the authority to waive compliance with applicable provisions of the occupational tax certificate codes, nor can the Council extend deadlines set forth in the City Code or change the substance or form of the City Code.

(E) *Decision of the City Council.* The City Council, after hearing all the evidence, shall announce its decision within fifteen (15) days from the date of hearing. The Council may affirm, reverse or modify the decision of the City Manager or Code Enforcement. The decision shall be in writing and shall be based upon findings of fact.

(F) *Appeal of the City Council decision.* Any decision of the City Council made pursuant to the provisions of this title may be appealed by any aggrieved party to the Fulton County Superior Court within thirty (30) days from when the written decision is made.

(G) *Obtaining an occupational tax certificate after revocation.* A person or business, whose occupational tax certificate has been revoked, may not be issued an occupational tax certificate for a period of twelve (12) months after the decision of revocation by City Council.

DRAFT

(H) *Validity of the business license during appeal.* Throughout the administrative appeal process as outlined above, a business owner or holder of a suspended or revoked occupational tax certificate may continue to operate his or her business in accordance with federal, state and local laws pending final decision on the appeal, or until the time for appeal has passed, whichever occurs first.

Section Two. Codification and Certify. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the City.

Section Three. Severability.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Five. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2021.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

DRAFT

ATTEST:

Sharee Steed, City Clerk

APPROVED BY:

Priya M. Patel, City Attorney



Alcohol Beverage License Application

Instructions: This application must be typed or printed legibly and executed under oath. Each question must be fully answered. If space provided is not sufficient to answer the question please use a separate sheet of paper.

Holding an alcohol beverage license with the City of Hapeville is a privilege.

☒ New ☐ Amended

Date: _____

Contact Name: Terry Bailey, Esq. Phone: [REDACTED]

Business/Trade Name: Sonesta Select Atlanta Airport

D/B/A: Sonesta Select Atlanta Airport

Email: [REDACTED]

Emergency Contact Name: Raees Harris Phone: [REDACTED]

Business Address: 3399 International Boulevard Hapeville, GA 30354

TYPE OF BUSINESS

- ☐ Convenience Store
- ☐ Grocery Store
- ☒ Hotel/Motel
- ☐ Package Store
- ☐ Manufacturer

Specialty Beverage Store
Restaurant
Restaurant under 2,000 Sq. Ft.
Wholesale
Other: _____

TYPE OF LICENSE AND FEES

	<u>Retail</u>	<u>On-Premise Consumption</u>	<u>Wholesale/Manufacturer</u>
☒ Beer/Wine	\$3,150.00	☒ Beer/Wine \$3,150.00	☐ Beer/Wine \$3,150.00
☐ Package	\$5,000.00	☒ Beer/Wine/Liquor \$5,000.00	☐ Beer/Wine/Liquor \$5,000.00

On-Premise Consumption below 2,000 Sq. Ft.

- ☐ Beer \$750.00
- ☐ Wine \$750.00
- ☐ Liquor \$1600.00

APPLICANT INFORMATION

Please submit a passport photograph of owner(s) with completed application.

Full Name: Raees Harris Date of Birth: [REDACTED] 1990

Provide name, address, Social Security Number, and phone number for each Manager if different from owner. A passport photograph, Personnel Statement, and Background Check must be submitted for each manager.

Full Name	Social Security Number	Address	Phone Number
Raees Harris	[REDACTED]	[REDACTED]	[REDACTED]

BUSINESS SPECIFIC INFORMATION

County Tax Parcel ID 14 0127 LL1009 Zoning District _____

Nearest Intersection: International Blvd and Virginia Ave

Building Square Footage: 57,738 Business Square Footage (if not using entire building): _____

Patio/Outdoor Dining Square Footage (if applicable): N/A

Number of Parking Spaces for business? (Attach site plan showing designated, striped parking and lighting)
138

If shared parking, detail of how many are dedicated to the business and details of other businesses sharing parking (addresses). _____

Hours/days of operation: 24 hours

Description of adjacent properties (residential/commercial) Commerical properties, including another hotel and other hospitality uses.

If application is for Retail Sale, attach a surveyor's certificate containing the following information:

- ☐ A scale drawing of the building and/or proposed building
- ☐ The proposed off-street parking facilities available to the building and all outdoor lighting on the premises
- ☐ The exact location of the business, including street address, ward, and county tax map number
- ☐ Current zoning classification of the location
- ☐ The distance from the business to each of the following: the nearest school, church building, and the nearest alcoholic treatment center owned and operated by state, county or municipality.

VERIFICATION OF APPLICATION

I hereby make application for an Alcohol Beverage License for the City of Hapeville. I understand that holding this license is a privilege. I do hereby affirm and swear that the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand the City of Hapeville reserves the right to enforce any and all ordinances regardless of payment of license fee and further that it is my/our responsibility to conform with said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I can

read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville pursuant to O.C.G.A. §16-10-20.

Raees K. Harris

Signature of Applicant or Agent

Raees Harris

Print or Type Name

I certify that Raees Harris (name of applicant) personally appeared before me, and that he signed his name to the foregoing statements and answers made therein, and under oath, has sworn that said statements and answers are true.

This 1st day of MARCH, 2021.

[Signature]

Notary Public

My commission expires on: _____



Inspection No:	IAL 21- 025
Inspection Date:	07/08/2021
Inspection Time:	0
Inspected By:	Eskew, Brian

HAPEVILLE FIRE DEPARTMENT FIRE INSPECTION REPORT



Inspection and Compliance Orders				
Facility:	Sonesta Select Atlanta Airport	Address:	3399 International Boulevard	
Phone:				
Fax:		City:	City of Hapeville	
Email:		State:	GA	Postal Code: 30354
Primary Contact				
Contact:		Work:		
Email:		Cell:		

Inspection Type:	Inspection - Business License
------------------	-------------------------------

Violation Code	Days to Correct*	Violation	Notes	Location
----------------	------------------	-----------	-------	----------

Inspection Notes:	
Approved For New Alcohol License	

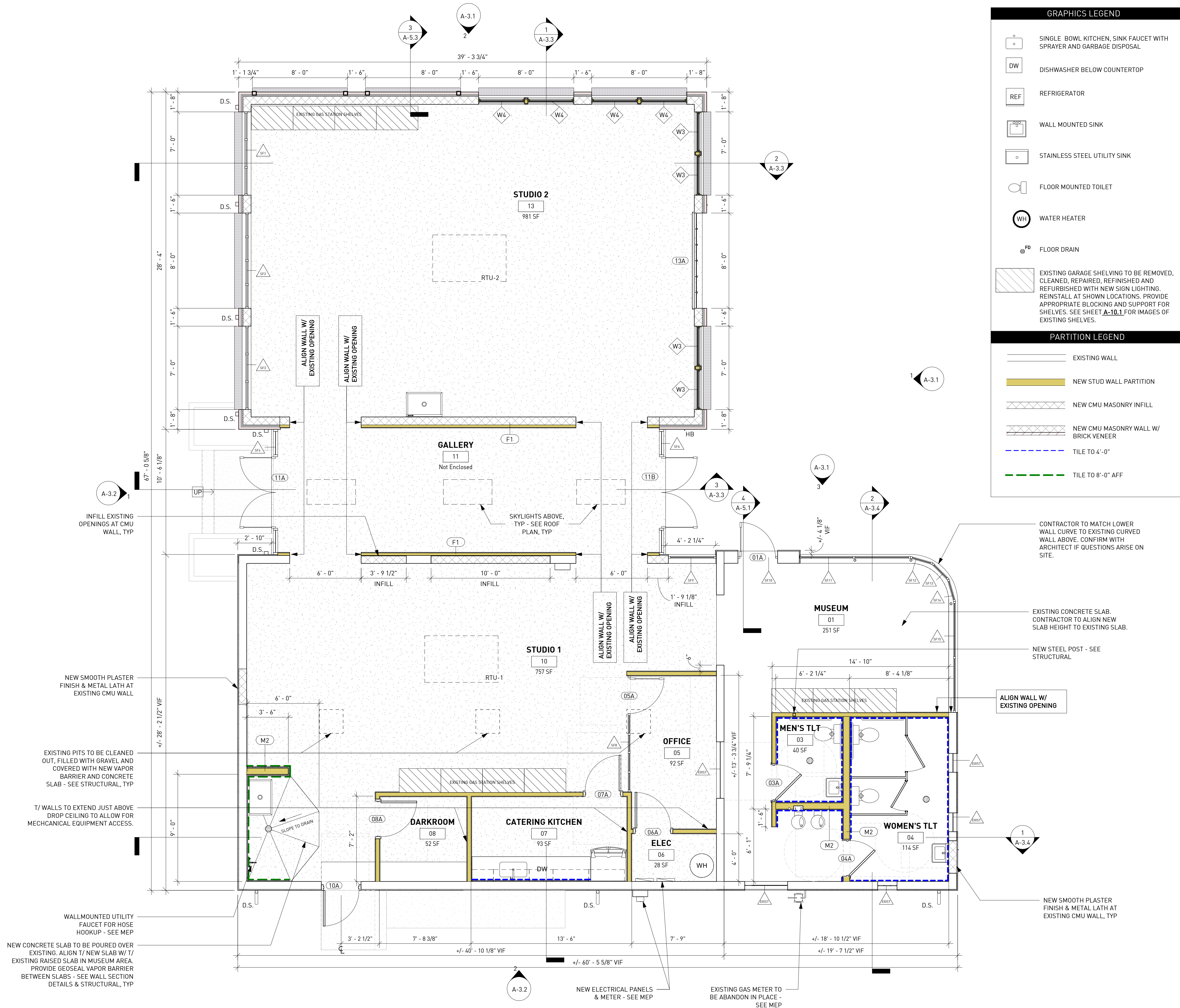
Inspector : Brian Eskew	
----------------------------	--

* Number of days to correct from date inspected.

A variance procedure is available. Please contact the inspector named for further assistance with this or any other matter.

7/7/2021 3:06:45 PM BIM 360://100_08 - Printmaker Studio/1908 748 VA AVE PRINTMAKERS.rvt

C
B
A



GRAPHICS LEGEND	
	SINGLE BOWL KITCHEN, SINK FAUCET WITH SPRAYER AND GARBAGE DISPOSAL
	DISHWASHER BELOW COUNTERTOP
	REFRIGERATOR
	WALL MOUNTED SINK
	STAINLESS STEEL UTILITY SINK
	FLOOR MOUNTED TOILET
	WATER HEATER
	FLOOR DRAIN
	EXISTING GARAGE SHELVING TO BE REMOVED, CLEANED, REPAIRED, REFINISHED AND REFINISHED WITH NEW SIGN LIGHTING. REINSTALL AT SHOWN LOCATIONS. PROVIDE APPROPRIATE BLOCKING AND SUPPORT FOR SHELVES. SEE SHEET A-10.1 FOR IMAGES OF EXISTING SHELVES.
PARTITION LEGEND	
	EXISTING WALL
	NEW STUD WALL PARTITION
	NEW CMU MASONRY INFILL
	NEW CMU MASONRY WALL W/ BRICK VENEER
	TILE TO 4'-0"
	TILE TO 8'-0" AFF

GENERAL NOTES	
1.	ALL WALLS ARE P-TYPE M1 UNLESS OTHERWISE NOTED.
2.	ALL WALLS ARE 90° UNLESS OTHERWISE NOTED.
3.	ALL WALLS ARE DIMENSIONED FROM FACE OF STUD UNLESS NOTED OTHERWISE.
4.	ALL GYPSUM BOARD AT BATHROOM AREA AND KITCHEN SINK AREA TO BE WATER RESISTANT. PROVIDE MOISTURE & MOLD RESISTANT GYPSUM AT ALL TILED WALLS NOT IN A SHOWER. PROVIDE CEMENT BOARD AT SHOWER LOCATIONS.
5.	WINDOWS & DOORS ARE DIMENSIONED TO CENTER OF OPENING UNLESS NOTED OTHERWISE.
6.	DOOR JAMBS AT ROOM CORNERS TO BE LOCATED 6" FROM CORNER UNLESS NOTED OTHERWISE.
7.	FIELD VERIFY ALL EXISTING CONDITIONS
8.	SEE SHEET A-9.1 FOR PARTITION TYPE SCHEDULE.
9.	PROVIDE BLOCKING AT ALL BATHROOM ACCESSORIES, WALL CABINETS, AND SHELVING.
10.	FOS = FACE OF STUD
11.	FOF = FACE OF FINISH
12.	WHERE MATERIALS ARE APPLIED TO, OR ARE IN DIRECT CONTACT WITH WORK INSTALLED BY ANOTHER SUBCONTRACTOR, COMMENCEMENT OF WORK IMPLIES ACCEPTANCE OF THE SUBSTRATE AS SUITABLE FOR THE APPLICATION INTENDED
13.	ISOLATE DISSIMILAR METALS TO PREVENT GALVANIC CORROSION
14.	PARTITION TYPES AND FIRE RESISTIVE RATINGS INDICATED ON A WALL ARE TO BE CONTINUOUS FOR THE LENGTH AND HEIGHT OF A PARTITION
15.	OPENINGS IN RATED WALL, FLOOR, CEILING AND ROOF ASSEMBLIES SHALL BE SEALED WITH PENETRATION SEALANT SYSTEMS MEETING OR EXCEEDING THE REQUIRED FIRE RESISTIVE RATINGS
16.	MAINTAIN THE FIRE RATING OF CONSTRUCTION AROUND CABINETS, PANELS, AND BOXES RECESSED IN FIRE RATED WALL, FLOOR, AND CEILING ASSEMBLIES
17.	FIELD MEASURE AND CONFIRM DIMENSIONS FOR OWNER PROVIDED EQUIPMENT AND FURNISHINGS
18.	PROVIDE STIFFENERS, BRACING, BACKING PLATES AND BLOCKING REQUIRED FOR SECURE INSTALLATION OF DOORS AND DOOR HARDWARE INCLUDING WALL-MOUNTED DOOR STOPS, HANDRAILS, WALL-MOUNTED SHELVES, OPERABLE PARTITIONS, MISCELLANEOUS EQUIPMENT, MILLWORK AND SUSPENDED MECHANICAL AND ELECTRICAL EQUIPMENT.
19.	COORDINATE ALL BASE AND HOUSEKEEPING PADS WITH MECHANICAL, PLUMBING AND ELECTRICAL EQUIPMENT
20.	FULLY LAY OUT GRID, WALL, AND OPENING PLACEMENT IN AN AREA PRIOR TO START OF PARTITION CONSTRUCTION. VERIFY THAT DIMENSIONS ARE CONSISTENT WITH REQUIREMENTS INDICATED IN THE DOCUMENTS. REFER ANY DIMENSIONAL INCONSISTENCIES TO THE ARCHITECT FOR RESOLUTION PRIOR TO THE START OF PARTITION CONSTRUCTION.
21.	COORDINATE INSTALLATION OF DIFFUSERS, SPEAKERS, SPRINKLER HEADS, AND ACCESS PANELS WITH LIGHTING LAYOUT. REPORT ANY CONFLICTS TO THE ARCHITECT PRIOR TO INSTALLATION.
22.	EXIT SIGNS AND SMOKE DETECTORS LOCATED IN HARD CEILINGS SHALL BE POSITIONED AS REQUIRED BY THE AUTHORITY HAVING JURISDICTION AND SHALL BE CENTERED IN CORRIDORS AND LOCATED A DISTANCE OF 1'-0" FROM THE WALL TO THE CENTER OF THE FIXTURE UNLESS OTHERWISE NOTED.
23.	GANG MULTIPLE SWITCHES TOGETHER INTO ONE BOX WITH A SINGLE COVER PLATE WHEN POSSIBLE. UNO MULTIPLE SWITCHES, WHICH CANNOT BE GANGED TOGETHER IN THE SAME BOX, SHALL BE LOCATED AS CLOSE TOGETHER AS POSSIBLE AND MOUNTED AT THE SAME HEIGHT.
24.	APPROVE ALL FLOOR OUTLET LOCATIONS WITH ARCHITECT AND BUILDING MANAGEMENT PRIOR TO CORE DRILLING.
25.	WALL OUTLETS SHALL BE INSTALLED AT 18" AFF UNLESS OTHERWISE NOTED. INSTALL SWITCH PLATES AT 42" AFF UNLESS OTHERWISE NOTED.
26.	DO NOT INSTALL OUTLET OR J-BOXES BACK-TO-BACK ON OPPOSITE SIDES OF THE WALL. BOXES MUST BE SEPARATED BY A STUD.
27.	CAULK FLOOR AND WALL OUTLETS WITH AN ACOUSTIC SEALANT.
28.	CONTRACTOR TO COORDINATE LOW VOLTAGE AND DATA RUNS AND OUTLET LOCATIONS WITH TENANT.



Source Urbanism, LLC
P.O. Box 1154,
Stone Mountain, Georgia 30086
T. 770 330 8325
audrey.plummer@sourceurbanism.com

CONSULTANTS

CIVIL
FLIPPO CIVIL DESIGN
paul@flippocivil.com

STRUCTURAL
STABILITY ENGINEERING
jbreen@stabilityengineering.com

MEP
SUBSCRIPTION ENGINEERING
yjustice@subscriptionengineering.com

NOTE: DOCUMENTS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION PURPOSES.

PROJECT

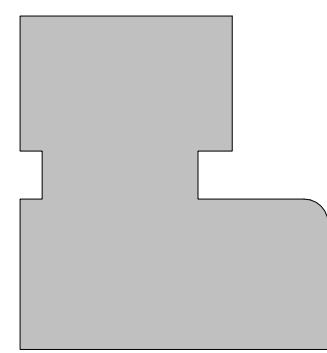


ATLANTA PRINTMAKERS STUDIO
748 VIRGINIA AVENUE
HAPEVILLE, GA 30354



CITY OF HAPEVILLE
3468 N FULTON AVENUE
HAPEVILLE, GA 30354

KEYPLAN



ISSUE CHART

DD SET	03/19/2021
SD SET	08/17/2020
DATE	
Job Number	100.2020.08
Date	07/07/2021
Drawn	RDR
Checked	ALP

TITLE

FLOOR PLANS

SHEET NUMBER

A-2.1

Copyright © 2021 SOURCE URBANISM

REPURPOSED PIECES EXISTING CONCRETE IN CRUSHED SLATE CHIPS



BRAVO BISTRO SITE FURNITURE



STAINED CONCRETE



LETTER PRESSED CONCRETE



PAINTED CONCRETE FOR EDUCATION



BIKE RACK BOLLARDS



PAPERMAKING PLANTS IN CORTEN STEEL PLANTERS



TREE PLANTERS



OIL DRUM PLANTERS



BASELITE PEDESTRIAN LIGHT COLUMN.
SEE SITE LIGHTING PLAN.



BASELITE BOLLARD.
SEE SITE LIGHTING PLAN.



1 3D SITE AXON
DRC-3



Source Urbanism, LLC
P.O. Box 1154,
Stone Mountain, Georgia 30086
T. 770 330 8325
audrey.plummer@sourceurbanism.com

CONSULTANTS

CIVIL
FLIPPO CIVIL DESIGN
paul@lippocivil.com

STRUCTURAL
STABILITY ENGINEERING
jbreed@stabilityengineering.com

MEP
SUBSCRIPTION ENGINEERING
yjustice@subscriptionengineering.com

NOTE: DOCUMENTS ARE
INCOMPLETE AND MAY NOT
BE USED FOR REGULATORY
APPROVAL, PERMITTING, OR
CONSTRUCTION PURPOSES.

PROJECT

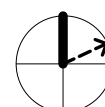
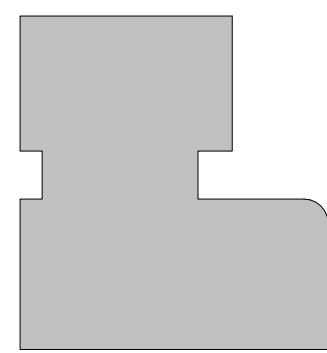


ATLANTA
PRINTMAKERS
STUDIO
748 VIRGINIA AVENUE
HAPEVILLE, GA 30354



CITY OF HAPEVILLE
3468 N FULTON AVENUE
HAPEVILLE, GA 30354

KEYPLAN



ISSUE CHART

MARK	ISSUE	DATE
Job Number	100.2020.08	
Date	07/07/2021	
Drawn	ALP	
Checked	RDR	

TITLE

SITE AXON +
MATERIALS

SHEET NUMBER

DRC-3

LINEAR EXTERIOR
LIGHTS @ ARTWORK



PAINTED BRICK
FACADE



TRADITIONAL BRICK DETAILING
TO FRAME ARTWORK



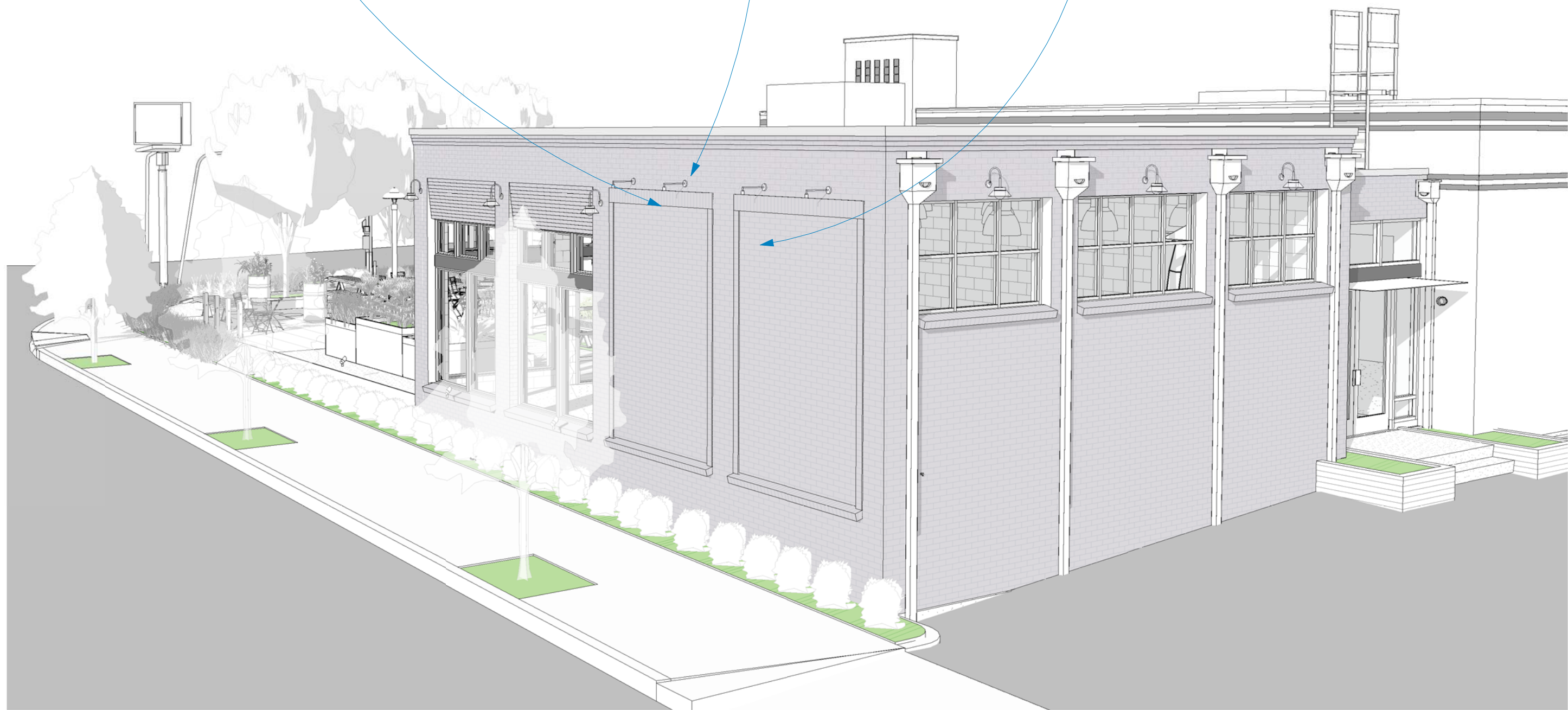
OVERHEAD GLASS DOOR



TRADITIONAL STOREFRONT
STYLE WINDOWS



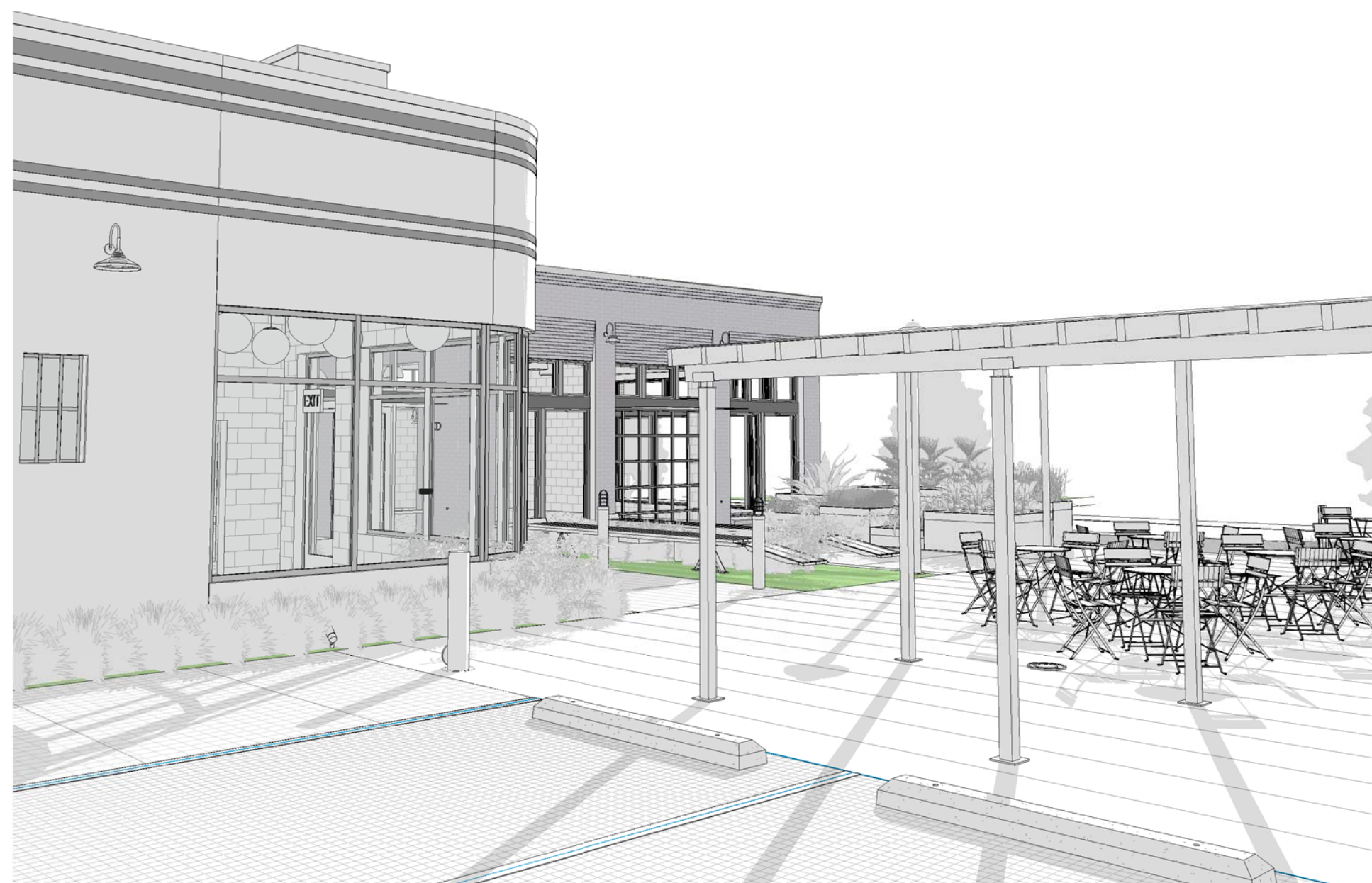
TRADITIONAL BRICK CORBELING DETAILS &
STEEL PLATE AWNINGS



4 VIEW FROM VA AVE LOOKING NORTH



3 3D VIEW OF FRONT



2 VIEW FROM PARKING



1 VIEW FROM VIRGINIA AVE



Source Urbanism, LLC
P.O. Box 1154,
Stone Mountain, Georgia 30086
T. 770 330 8325
audrey.plummer@sourceurbanism.com

CONSULTANTS

CIVIL
FLIPPO CIVIL DESIGN
paul@lippocivil.com

STRUCTURAL
STABILITY ENGINEERING
jbreed@stabilityengineering.com

MEP
SUBSCRIPTION ENGINEERING
jjustice@subscriptionengineering.com

NOTE: DOCUMENTS ARE
INCOMPLETE AND MAY NOT
BE USED FOR REGULATORY
APPROVAL, PERMITTING, OR
CONSTRUCTION PURPOSES.

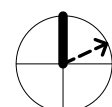
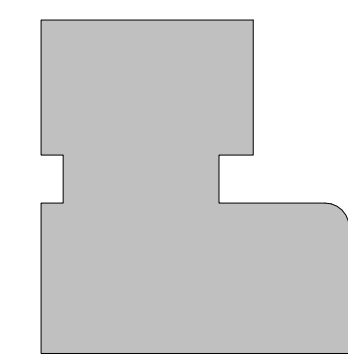
PROJECT



ATLANTA
PRINTMAKERS
STUDIO
748 VIRGINIA AVENUE
HAPEVILLE, GA 30354



Hapeville
georgia
CITY OF HAPEVILLE
3468 N FULTON AVENUE
HAPEVILLE, GA 30354
KEYPLAN



ISSUE CHART

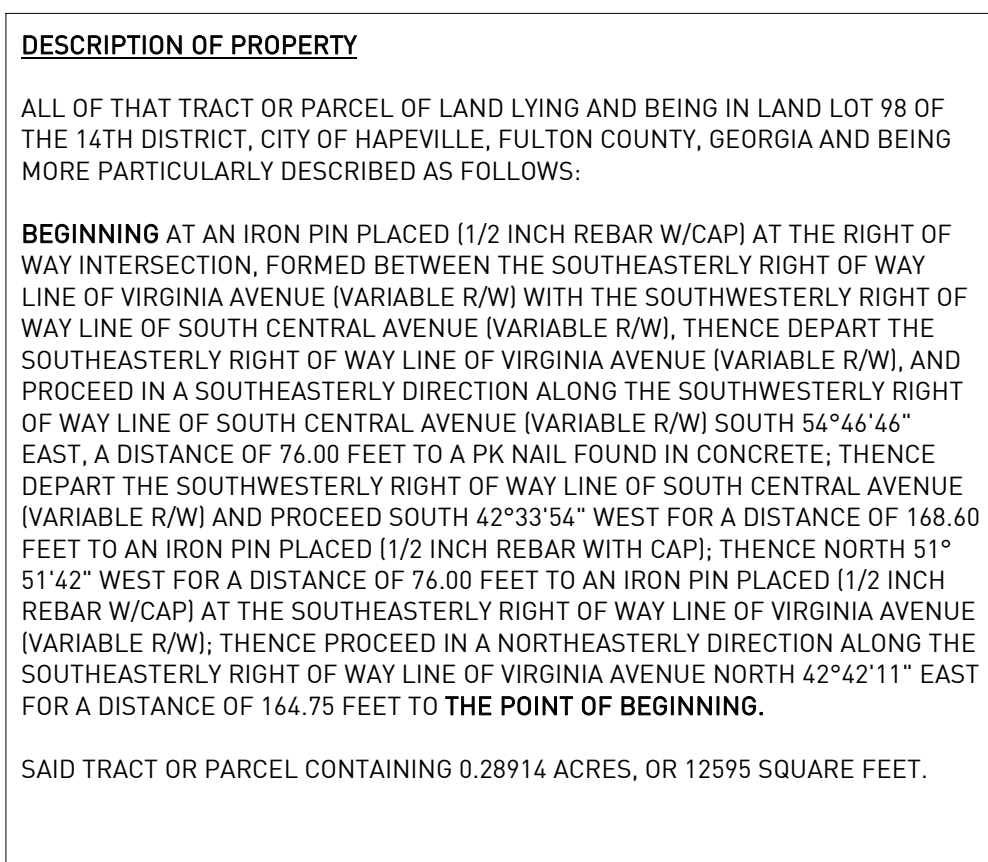
MARK	ISSUE	DATE
Job Number		100.2020.08
Date		07/07/2021
Drawn		ALP
Checked		RDR

TITLE

PERSPECTIVE
VIEWS

SHEET NUMBER

DRC-7



SITE PLAN GENERAL NOTES	
	EXISTING BUILDING FOOTPRINT
	NEW BUILDING FOOTPRINT
	PROPERTY LINE
	SETBACK LINE
	PROPOSED SETBACK LINE
	HEAVY DUTY, HIGH-IMPACT CONCRETE. SEE CIVIL.
	SCREENPRINT, ENGRAVED, STAMPED OR PAINTED CONCRETE FOR BRANDING, EDUCATION OR WAYFINDING. COORD. WITH TENANT. SEE A-1.2 FOR EXAMPLE IMAGES.
	POURED, SCORED AND STAINED CONCRETE
	1/2" TO 1" CRUSHED SLATE CHIP. SEE KEYNOTE #73
	EXISTING ASPHALT
	NEW ASPHALT. SEE CIVIL.
	CONCRETE PAVING. SEE CIVIL.
	PLANTING AREA - NATIVE PLANTS. SEE LANDSCAPE KEYNOTES.
	PLANTING AREA - CURATED PLANTS. SEE LANDSCAPE KEYNOTES.
	INJECTION WELL. PRESERVE AND PROTECT EXISTING INJECTION WELL. COORDINATE WITH MILL CREEK TO RELOCATE AND/OR RESET ELEV. RELATIVE TO NEW GRADE
HB	HOSE BIB
W/S	WATER SEWER
PP	POWER CONNECTION
	TREE TRUNK DIAMETER + CRZ

- ## SITE PLAN NOTES
1. ARCHITECTURAL SITE PLAN IS ISSUED FOR REFERENCE ONLY.
 2. REFERENCE CIVIL DRAWINGS FOR ALL SITE CONSTRUCTION INFORMATION.
 3. THE CONTRACTOR SHALL MAINTAIN EXISTING ACCESS TO ALL EMERGENCY ENTRANCES AND SHALL NOT BLOCK ACCESS TO DRIVES AND COVERED DROP OFF AREAS.
 4. CONTRACTOR SHALL INFORM THE OWNER PRIOR TO ANY SITE DEMOLITION AND SHALL SCHEDULE SUCH DEMOLITION AS NOT TO INTERFERE WITH THE OWNER'S OPERATIONS AS OUTLINED IN AN AGREED PHASING PLAN AND SCHEDULE.

ADDRESS:	748 VIRGINIA AVENUE HAPEVILLE, GA 30354
LOT SIZE:	12,595 SF / 0.29 AC
ZONING:	V - VILLAGE ARTS DISTRICT OVERLAY
FAR:	0.26
EXISTING FOOTPRINT:	1,735 SF
NEW FOOTPRINT:	1,481 SF
TOTAL BUILDING AREA:	3,216 SF
BUILDING HEIGHT EXISTING:	29'-10" [35 FT MAX]
BUILDING HEIGHT PROPOSED:	21'-9" [35 FT MAX]
LOT COVERAGE EXISTING:	99%
LOT COVERAGE PROPOSED:	81%* [70% MAX] * VARIANCE REQUIRED
BUILDING COVERAGE:	25.5% [3,216 SF / 12,595 SF]
PARKING COVERAGE:	14% [1,785 SF / 12,595 SF]
LOADING AND DRIVE COVERAGE:	20.6% [2,597 SF / 12,595 SF]
USOS IMPERVIOUS:	18.8% [2,371 SF / 12,595 SF]
USOS PERVIOUS:	7% [928 SF / 12,595 SF]
SIDE YARD SETBACK:	5'-6" (15 FT MIN)
FRONT YARD SETBACK:	1'-6" FT (15 FT MIN) VA AVE 52 FT (15 FT MIN) S. CENTRAL
REAR YARD SETBACK:	53'-5" (25 FT MIN) * VARIANCE REQUIRED
REQUIRED PARKING: 1 PER 200 SF Sec. 93-22.1-1	TOTAL SPACES: 16 REGULAR SPACES: 14 ADA SPACES: 1
PROPOSED PARKING:	TOTAL SPACES: 11* REGULAR SPACES: 10 ADA SPACES: 1 * VARIANCE REQUIRED
FENESTRATION % OF LENGTH:	REQUIRED: 75% VIRGINIA AVE: 40% [CLR GLASS] S. CENTRAL: 73.5% [CLR GLASS]

Sec. 93-29-4.(2) Parking lot trees shall be provided in landscape islands in parking areas proposing ten or more spaces. Parking areas with fewer than five spaces and multi-level parking decks are exempt.

REQ. TREE DENSITY: 0.29 ac X 100 in = 29 inches req.

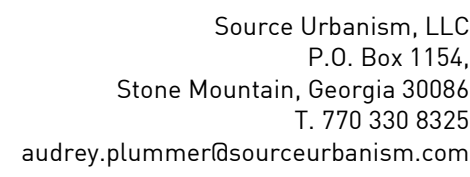
EXISTING TREES*

*CRZ and root plates of all existing trees are currently impacted by existing asphalt paving.

#	DIAM.	SPECIES	TYPE	REMARKS
1	2-7"	HARDWOOD	On adj. property	Asphalt will be cleared from around root plates.
2	28"	OAK	Boundary Tree	
3	8"	HICKORY	On adj. property	
4	10"	HARDWOOD	On adj. property	
5	18"	HICKORY	Located on the property	CRZ will be impacted by removal of asphalt and new parking.

CNT	CALIPER	SPECIES	TYPE	REMARKS
6	3"	TBD	Street tree	
3	4"	TBD	Plaza tree	

PARKING SIGN LOCATION	
#	SIGN TEXT
P1	APS PARKING ONLY
P2	NO APS TRAFFIC BEYOND THIS POINT
P3	NO PARKING
P4	ADDITIONAL PUBLIC PARKING AVAIL. ON S. CENTRAL AVE



CIVIL
PO CIVIL DESIGN
paul@flippocivil.com

STRUCTURAL
STABILITY ENGINEERING
jbreen@stabilityengineering.com

MEP
SUBSCRIPTION ENGINEERING
yjustice@subscriptionengineering.com

NOTE: DOCUMENTS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION PURPOSES.

PROJECT



CITY OF HAPEVILLE
3468 N FULTON AVENUE
HAPEVILLE, GA 30354



MARK	ISSUE	DATE
Job Number		100.2020.08
Date		07/07/2021
Drawn		ALP
Checked		RDR

TITLE

SITE PLAN

SHEET NUMBER

V-1

Copyright © 2021 SOURCE URBANISM

Preliminary Project Costs
Facility for Atlanta Printmaker Studio
748 Virginia Avenue - Hapeville, GA
July 13, 2021

		Current Budget - 2021-07-13		Previous Budget - 2021-01-22 approved by city council		
Line Item		Cost	Total	Cost	Total	Delta
1	Administrative and Legal		\$ 39,400.00		\$ 39,400.00	\$ -
	Program Management	\$ 39,400.00		\$ 39,400.00		
2	Land, Structures, rights-of-way, appraisals		\$ -		\$ -	\$ -
3	Relocation expenses and payment		\$ -		\$ -	\$ -
4	Architectural and Engineering fees		\$ 68,700.00		\$ 64,900.00	\$ 3,800.00
	Architect Fees	\$ 61,900.00		\$ 61,900.00		
	Architect Reimbursables estimate	\$ 2,500.00		\$ 2,500.00		
	Engineering Report for Grant application	\$ 500.00		\$ 500.00		
	Pavillion design	\$ 3,800.00				
5	Other Architectural and engineering fees		\$ 9,820.00		\$ 9,820.00	\$ -
	Environment Study	\$ 3,200.00		\$ 3,200.00		
	Land Survey	\$ 3,470.00		\$ 3,470.00		
	As-Built Survey	\$ 3,000.00		\$ 3,000.00		
	Fire Flow Test	\$ 150.00		\$ 150.00		
6	Project Inspection fees		\$ 5,000.00		\$ 5,000.00	\$ -
	Material Testing	\$ 5,000.00		\$ 5,000.00		
7	Site work		\$ -		\$ -	
	Site remediation -not included in project costs	\$ -		\$ -		
8	Salvaging and storage		\$ 20,000.00		\$ 15,000.00	\$ 5,000.00
	Salvaging and Storage	\$ 15,000.00		\$ 10,000.00		
	Abatement	\$ 5,000.00		\$ 5,000.00		
9	Construction		\$ 1,539,323.00		\$ 1,189,000.00	\$ 350,323.00
	Base construction cost	\$ 1,509,323.00		\$ 1,189,000.00		
	Pavillion allowance	\$ 30,000.00		\$ -		
10	Equipment		\$ 4,000.00		\$ 4,000.00	\$ -
	Low voltage cabling	\$ 3,000.00		\$ 3,000.00		
	Security System	\$ 1,000.00		\$ 1,000.00		
11	Miscellaneous		\$ 13,240.00		\$ 13,240.00	\$ -
12	SUBTOTAL		\$ 1,699,483.00		\$ 1,340,360.00	\$ 359,123.00
13	Contingencies		\$ 175,517.00		\$ 117,400.00	\$ 58,117.00
14	SUBTOTAL		\$ 1,875,000.00		\$ 1,457,760.00	\$ 417,240.00
15	Project Income		\$ -		\$ -	\$ -
16	TOTAL PROJECT COSTS		\$ 1,875,000.00		\$ 1,457,760.00	\$ 417,240.00
						28.6%

28.6%

Cash Flow Projection
Facility for Atlanta Printmaker Studio
748 Virginia Avenue - Hapeville, GA
July 13, 2021

Line Item	Current Budget -	Expended to date	2021											
	Cost		July	August	Sept	Oct	Nov	Dec	2022					
Program Management	39,400	17,300	1,500	1,500	1,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,000	600
Architect Fees	61,900	19,460	15,000	15,000	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	440
Architect Reimbursables estimate	2,500	-	-	-	313	313	313	313	313	313	313	313	313	-
Engineering Report for Grant application	500	500	-	-	-	-	-	-	-	-	-	-	-	-
Pavillion design	3,800	-	1,900	1,900	-	-	-	-	-	-	-	-	-	-
Environment Study	3,200	3,200	-	-	-	-	-	-	-	-	-	-	-	-
Land Survey	3,590	3,590	-	-	-	-	-	-	-	-	-	-	-	-
As-Built Survey	3,000	-	-	-	-	-	-	-	-	-	-	-	-	3,000
Fire Flow Test	150	-	150	-	-	-	-	-	-	-	-	-	-	-
Material Testing	5,000	-	-	-	2,000	2,000	1,000	-	-	-	-	-	-	-
Salvaging and Storage	15,000	-	7,500	7,500	-	-	-	-	-	-	-	-	-	-
Abatement	5,000	-	-	5,000	-	-	-	-	-	-	-	-	-	-
Base construction cost	1,509,323	7,200	-	75,000	100,000	125,000	150,000	225,000	225,000	225,000	225,000	125,000	100,000	152,123
Pavillion allowance	30,000	-	-	-	-	-	-	-	-	20,000	10,000	-	-	-
Low voltage cabling	3,000	-	-	-	-	-	-	-	-	-	1,000	1,000	1,000	-
Security System	1,000	-	-	-	-	-	-	-	-	-	-	1,000	-	-
Miscellaneous	13,240	-	-	-	2,000	2,000	2,000	2,000	2,000	2,000	2,000	1,240	-	-
Contingencies	175,397	-	-	40,000	40,000	25,000	25,000	7,500	7,500	7,500	7,500	7,500	10,000	5,397
MONTHLY PROJECT COSTS	1,875,000	51,250	26,050	145,900	147,313	158,313	182,313	238,813	258,813	249,813	140,053	114,813	161,560	
CUMULATIVE PROJECT COSTS		51,250	77,300	223,200	370,513	528,825	711,138	949,950	1,208,763	1,458,575	1,598,628	1,713,440	1,875,000	

Tim Young

From: carltrevathan@gmail.com
Sent: Wednesday, July 7, 2021 12:05 PM
To: Tim Young
Cc: 'David Burt'
Subject: RE: Printmaker Studio - Docs for city council

Tim:

The Salvaging and storage increase of 33% is mainly from being able to get more accurate scope and costs for this from our contractor, vs. the previous budget which was not yet programmed as to what is being salvaged and stored, and what the solution for storage would be.

The contingency increased proportionately as the construction costs increased, but I have also added about \$25,000 in extra contingency as a guard against further market volatility.

The Pavilion is a feature that the Printmakers is asking for that is basically a shelter in front of the building to be used for art displays, etc. Since the pavilion has not been designed yet, we are carrying an allowance for the construction of it until we complete the design. The pavilion was not in the project back in January, so that is why it is showing up as a new cost for the current budget.

I have asked the contract to provide a material, labor breakdown of the construction costs, but it really isn't that simple. While the construction cost does have material and labor components, it also has other components such as equipment, site supervision, temporary utility costs, insurance, bonds, etc. I have asked the contractor to suggest how to breakdown the construction costs so that it would be useful to you.

Carl Trevathan

Phone: 770-313-2254

From: Tim Young <TYoung@hapeville.org>
Sent: Wednesday, July 7, 2021 10:37 AM
To: carltrevathan@gmail.com
Cc: 'David Burt' <dbburt100@msn.com>
Subject: FW: Printmaker Studio - Docs for city council

Carl

Thank you. Can you document more the 50% increases in Storage and in Contingencies?

Also for the Construction costs will you provide gross numbers for estimated materials, and estimated labor?

Also – what is the “Pavilion Allowance”

Thank you

Tim Young, CPA
Direct 770-462-2988
Mobile 678-613-6478



From: carltrevathan@gmail.com <carltrevathan@gmail.com>
Sent: Wednesday, July 7, 2021 10:30 AM
To: Tim Young <TYoung@hapeville.org>
Cc: 'David Burt' <dbburt100@msn.com>
Subject: Printmaker Studio - Docs for city council

Tim:

Thanks for the conversation yesterday. As discussed, attached are 3 documents for your use:

1. New project budget vs previously approved budget
2. Cash flow estimate
3. Milestone schedule

Also, the architect will be packaging a few drawings together for the council's review. It will include a site plan, building perspectives, and a floor plan. We should have that to you tomorrow.

Carl Trevathan

Kentec Associates

Phone: 770-313-2254

Email: carltrevathan@gmail.com

Hapeville Printmaker's Studio
Milestone Schedule
7/7/21

