

City of Guyton, Georgia  
CITY COUNCIL MEETING  
May 9, 2023 at 7:00 P.M.



**C.D. Dean, Jr., Public Safety Complex  
GUYTON GYMNASIUM  
505 Magnolia Street  
Guyton, GA 31312**

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## **AGENDA**

- 1. Call to Order**
- 2. Public Hearing regarding the 2023/2024 Budget**
- 3. Invocation and Pledge of Allegiance**
- 4. Consideration to Approve the Agenda**
- 5. Consideration to Approve Minutes of Meetings**  
  
April 11, 2023                      City Council Meeting  
April 24, 2023                      Special Called City Council Meeting
- 6. Reports from Staff or Committees**  
  
Police Department                      James Breletic  
Fire Department                         Clint Hodges  
City Clerk                                 Matthew Walker  
Public Works/Water/Sewer             EOM  
Planning and Zoning                     Lon Harden  
Industrial Development                 Lon Harden  
Historical Commission                 Lucy Powell  
Leisure Services                         Lula Seabrooks  
Hospital Authority                        Tamela Mydell  
Library Board                             Jim Odum  
Chamber of Commerce                 Hursula Pelote
- 7. Public Comments (will be limited to Agenda Items only)**
- 8. Old Business**
  - a. Second reading and consideration to approve Ordinance 2023-03 amending Sections of the Code of the City of Guyton, Georgia found in Title 8 Planning, Chapter 8-2 Flood Damage Prevention, Article 2 General Provisions, Article 4 Provisions for Flood Hazard Reduction, & Article 6 Definitions
- 9. New Business**
  - a. First reading of Ordinance 2023-04 to provide for the City of Guyton Budget for the Fiscal Year Ending June 30, 2024

- b. First reading of Ordinance 2023-05 to amend the City of Guyton, Georgia Zoning Ordinance
- c. Consideration to approve Resolution 2023-07 activating the Downtown Development Authority of Guyton, Georgia
- d. Consideration to approve Resolution 2023-08 amending the City of Guyton Fee Schedule
- e. Consideration to approve WOW Farmers Market Event
- f. Consideration to approve GMA District 12 Officers for 2023-2024 Ballot
- g. Consideration to make Pine Street repaving an LMIG project and 4<sup>th</sup> Street and Gordon Ave repaving TSPLOST projects

**10. Dates to Remember**

- a. Thursday, May 18, 2023 at 11:00am – BINGO, Leisure Service Room, 505 Magnolia Street, Guyton, GA 31312
- b. Friday, May 19, 2023 at 2:30pm – PATH Foundation/ HiLo Trail Brainstorming Session, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312
- c. Tuesday, May 23, 2023 at 7:00pm – Planning and Zoning Public Hearing regarding Annexation and Ordinance 2023-05 and Regular Meeting, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312
- d. Tuesday, June 1, 15, and 29, 2023 at 11:00am – BINGO, Leisure Service Room, 505 Magnolia Street, Guyton, GA 31312
- e. Tuesday, June 6, 2023 at 7:00pm – City Council Public Hearing regarding the 2023/2024 City of Guyton Budget
- f. Tuesday, June 13, 2023 at 7:00pm – City Council Annexation and Ordinance 2023-05 Public Hearing and Regular Meeting, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312
- g. Thursday, June 15, 2023 at 5:00pm – Historical Preservation Commission Summer Social, Guyton Caboose, 310 Central Boulevard, Guyton, GA 31312
- h. Monday, June 19, 2023 – City Hall closed for Juneteenth Freedom Day
- i. Wednesday, June 26, 2023 from 1:00pm to 5:00pm – American Red Cross Blood Drive, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312
- j. Saturday, July 22, 2023 from 8:00am to 2:00pm – Guyton Summer Sale Along the Trail, Guyton Walking Trail, 310 Central Boulevard, Guyton GA 31312

**11. Public Comments (will be limited to Agenda Items only)**

**12. Consideration to adjourn this meeting**

## Rules of Decorum for All Meetings

The purpose of the Rules of Decorum is to foster an atmosphere of civil and courteous discourse, even and especially when discussing contentious topics, at all meetings held by the City of Guyton.

(a) General rules applicable to all (Mayor and Council, Staff, Members of the Public)

1. Each speaker will direct his or her comments to the Mayor and or presiding officer and not to any other individual present.
2. Each speaker will refrain from personal attacks, foul or abusive language, and will maintain a civil and courteous manner and tone.
3. Each speaker will speak only about agenda items. Members of the public will be limited to 3:00 minutes speaking time.
4. Members of the audience will respect the rights of others and will not create noise or other disturbances that will disrupt or disturb persons who are addressing the Mayor and Council or Committee or Board or Commission, or members of those bodies who are speaking, or otherwise impede the orderly conduct of the meeting.

(b) Additional Rules for Members of Mayor and Council, Committees, Boards or Commissions

1. Members of Mayor and Council, Committees, Boards or Commissions will conduct themselves in a professional and respectful manner at all meetings.
2. Members of Mayor and Council, Committees, Boards or Commissions will not speak until recognized by the Mayor or presiding officer.
3. Remarks by members of Mayor and Council, Committees, Boards or Commissions will be directed to the Mayor or presiding officer and not to individuals, other Council, Committee, Board or Commission members, staff or Members of the public in attendance. Questions for staff or individuals or other Council, Committee, Board or Commission members will be directed to the Mayor or presiding officer, who will then direct the appropriate person to answer.
4. Members of Mayor and Council, Committees, Boards or Commissions are always free to criticize or question policies, positions, data or information presented. However, members of Mayor and Council, Committees, Boards or Commissions will not attack or impugn the person presenting.

(c) Enforcement

The Mayor or presiding officer has the authority to enforce each of the Rules of Decorum regarding members of the public. If any Rule is violated, the Mayor or presiding officer will give the speaker a warning, citing the Rule being violated, and telling the speaker that a second violation will result in a forfeiture of the right to speak further. The Mayor or presiding officer also may have the offending speaker removed from the meeting if the misconduct persists. The Mayor or presiding officer shall not have any power under this provision regarding a Council, Committee, Board or Commission member.



City of Guyton  
City Council Meeting  
April 11, 2023 – 7:00 p.m.

MINUTES OF MEETING

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**Call to Order** – The City of Guyton Council held a Council Meeting on April 11, 2023, at the City of Guyton Gymnasium, 505 Magnolia Street in Guyton. This meeting was called to order by Mayor Russ Deen at approximately 7:00 p.m. Mayor Russ Deen, Mayor Pro Tem Michael Johnson, Councilmember Joseph Lee, Councilmember Hursula Pelote, and Councilmember Marshall Reiser were present at this meeting.

**Other Administrative Staff Present** – City Attorney Wes Rahn, City Manager Meketa Brown, and City Clerk Matthew Walker were present.

**Guest Present** - The guests sign-in sheets are filed in the office of the City Clerk.

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**Invocation** – The invocation was led by **Johnson**.

**Pledge of Allegiance** – The Pledge of Allegiance was led by **Deen**.

**Consideration to Approve the Amended Agenda removing item E – Reiser** made a motion to approve the agenda as amended. **Pelote** seconded the motion. **Motion passed unanimously.**

**Consideration to Approve Minutes of Meeting for the March 14, 2023, City Council Meeting – Johnson** made a motion to approve minutes of meeting from March 14, 2023. **Reiser** seconded. **Motion passed unanimously.**

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**Reports from Staff or Committees**

Police Department	James Breletic
Fire Department	Clint Hodges
City Clerk	Matthew Walker
Public Works/Water/Sewer	EOM – David Cook
Planning and Zoning	Lon Harden
Industrial Development	Lon Harden
Historical Commission	Lucy Powell
Leisure Services	Lula Seabrooks
Library Board	Jim Odum
Chamber of Commerce	Hursula Pelote

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**Public Comments (will be limited to Agenda Items only) – Jeremiah Chancey** spoke regarding the purchase of 718 Central Blvd.

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**Old Business**

**Consideration to approve Walking Trail Improvement Proposal - Pelote** made a motion to approve Walking Trail Improvement Proposal. **Johnson** seconded. **Motion passed unanimously.**

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## New Business

**First reading of Ordinance 2023-03 amending Sections of the Code of the City of Guyton, Georgia found in Title 8 Planning, Chapter 8-2 Flood Damage Prevention, Article 2 General Provisions, Article 4 Provisions for Flood Hazard Reduction, & Article 6 Definitions**

**Consideration to approve a budget increase of \$5100 out of General Fund for Rightspot Services with Spatial Engineering - Johnson** made a motion to approve a budget increase for Rightspot Services with Spatial Engineering in the amount of \$5100. **Lee** seconded. **Motion passed unanimously.**

**Consideration to approve SCADA improvements expense for seven Guyton Lift Stations - Pelote** made a motion to approve SCADA improvements expense for seven Guyton Lift Stations in the amount of \$65,250 from SPLOST funds. **Reiser** seconded. **Motion passed unanimously.**

**Consideration to approve baffle repair expense for the WWTP - Johnson** made a motion to approve baffle repair expense for the WWTP in the amount of \$13,125 from water/sewer funds. **Reiser** seconded. **Motion passed unanimously.**

**Consideration to approve Resolution 2023-04 to impose a temporary moratorium on the acceptance of applications related to manufactured homes and mobile homes within the municipal boundaries of the City of Guyton, Georgia - Reiser** made a motion to approve Resolution 2023-04 to impose a temporary moratorium on the acceptance of applications related to manufactured homes and mobile homes within the municipal boundaries of the City of Guyton, Georgia. **Pelote** seconded. **Motion passed with a vote of 3-2. Deen, Reiser, and Pelote voted aye. Johnson and Lee voted nay.**

**Consideration to approve Resolution 2023-05 authorizing the condemnation of real property known as 718 Central Boulevard for Public Use - Johnson** made a motion to approve Resolution 2023-05 authorizing the condemnation of real property known as 718 Central Boulevard for Public Use. **Reiser** seconded. **Motion passed unanimously.**

**Consideration to approve \$3500 for the purchase of 100 Camellia plants for the Pilgrim Trail Improvement project from SPLOST - Johnson** made a motion to approve \$3500 for the purchase of 100 Camellia plants for the Pilgrim Trail Improvement project from SPLOST. **Lee** seconded. **Motion passed unanimously.**

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## General Government

**YMCA of Coastal GA – Mayor Deen, City Manager Brown, and Council member Reiser discussed the workshop involving the possibility of the Y coming to Guyton.**

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## Dates to Remember

**Tuesday, April 20, 2023 at 11:00am – BINGO, Leisure Service Room, 505 Magnolia Street, Guyton, GA 31312**

**Saturday, April 22, 2023 from 8:00am to 2:00pm – Earth Day Festival and Guyton Sale Along the Trail, Guyton Walking Trail, 310 Central Blvd., Guyton, GA 31312**

**Wednesday, April 26, 2023 at 9:00am – City Council Retreat, Leisure Services Room, 505 Magnolia Street, Guyton, GA 31312**

**Wednesday, April 26, 2023 from 1:00pm to 6:00pm – American Red Cross Blood Drive, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312**

**Friday, April 28, 2023 from 12:00pm to 6:00pm and Saturday, April 29, 2023 from 9:00am to 1:00pm – Trash Amnesty Days, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312**

**Tuesday, May 2, 2023 at 7:30am – Effingham Chamber "State of the County" Breakfast, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312**

**Tuesday, May 4, 2023 at 11:00am – BINGO, Leisure Service Room, 505 Magnolia Street, Guyton, GA 31312**

**Tuesday, May 9, 2023 at 7:00pm – City Council Meeting, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312**

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**Consideration to move from the Regular Meeting into an Executive Session referencing Property and Litigation - Pelote** made a motion to move from the Regular Meeting into an Executive Session referencing Property and Litigation. **Reiser** seconded. **Motion passed unanimously.**

**Consideration to take any action needed arising from Executive Session – No action taken**

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**Public Comments (will be limited to Agenda Items only) – Theodore Hamby spoke regarding spending, taxes, and the manufactured/mobile home moratorium.**

**Consideration to adjourn- Johnson** made a motion to adjourn. **Reiser** seconded. **Motion passed unanimously.** Meeting adjourned at approximately **8:44** pm.

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City of Guyton

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Russ Deen, Mayor

Attest:

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Matthew D. Walker, City Clerk



**City of Guyton  
City Council  
Special Called Meeting  
April 24, 2023 – 7:00 p.m.**

**MINUTES OF MEETING**

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**Call to Order** – The City of Guyton Council held a Special Called Council Meeting on April 24, 2023, at the City of Guyton Gymnasium, 505 Magnolia Street in Guyton. This meeting was called to order by Mayor Russ Deen at approximately 7:00 p.m. Mayor Russ Deen, Mayor Pro Tem Michael Johnson, Sr., Councilmember Joseph Lee, Councilmember Marshall Reiser, and Councilmember Hursula Pelote were present at this meeting.

**Other Administrative Staff Present** – City Manager Meketa Brown was present.

**Guest Present** - The guest sign-in sheets are filed in the office of the City Clerk.

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**Consideration to approve Resolution 2023-06 approving Blair Loop Drainage Improvements** – **Johnson** made a motion to approve Resolution 2023-06 approving Blair Loop Drainage Improvements. **Pelote** seconded the motion. **Motion passed unanimously.**

**Consideration to approve Change Order for 2022 Guyton Street Improvements** - **Johnson** made a motion to approve Change Order for 2022 Guyton Street Improvements. **Lee** seconded the motion. **Motion passed unanimously.**

**Public Comments (will be limited to Agenda Items only)** – No public was present to comment

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**Consideration to move from the Regular Meeting into an Executive Session referencing Litigation** - **Pelote** made a motion at **7:11 pm** to move from the Regular Meeting into an Executive Session referencing Litigation. **Reiser** seconded the motion. **Motion passed unanimously.**

**Consideration to take any action needed arising from Executive Session** – No action taken

**Consideration to adjourn-** **Pelote** made a motion to adjourn. **Johnson** seconded. **Motion passed unanimously.** Meeting adjourned at approximately **7:27 pm.**

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City of Guyton

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Russ Deen, Mayor

Attest:

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Meketa H. Brown, City Manager

**CITY OF GUYTON  
STATE OF GEORGIA**

**ORDINANCE NO. 2023-03**

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF GUYTON AMENDING SECTIONS OF THE CODE OF THE CITY OF GUYTON, GEORGIA FOUND IN TITLE 8 PLANNING, CHAPTER 8-2 FLOOD DAMAGE PREVENTION, ARTICLE 2 GENERAL PROVISIONS, ARTICLE 4 PROVISIONS FOR FLOOD HAZARD REDUCTION, & ARTICLE 6 DEFINITIONS; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Guyton, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

**WHEREAS**, the Mayor and Council have authority to amend the City's ordinances from time to time and where necessary to maintain adequate regulations; and

**NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON**, in regular meeting assembled and pursuant to lawful authority thereof, as follows:

**Section 1.** Title 8 – Planning, Chapter 8-2 – Flood Damage Prevention, Article 2 – General Provisions, Section 8-2-5 shall now be amended to read as follows:

**Sec. 8-2-5. Lands to which this Ordinance Applies.**

This Chapter shall apply to all areas within the jurisdiction of the City of Guyton, Georgia.

**Section 2.** Title 8 – Planning, Chapter 8-2 – Flood Damage Prevention, Article 4 – Provisions for Flood Hazard Reduction, Section 8-2-21 shall now be amended to read as follows:

**Sec. 8-2-21. Standards for Subdivisions and/or Development Proposals.**

(a) All subdivision and/or development proposals shall be consistent with the need to minimize flood damage and shall be reasonably safe from flooding;

(b) All subdivision and/or development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(c) All subdivision and/or development proposals shall have adequate drainage provided to reduce exposure to flood hazards; and

(d) For subdivisions and/or developments greater than fifty lots or five acres, whichever is less, base flood elevation data shall be provided for subdivision and



all other proposed development, including manufactured home parks and subdivisions. Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the "as-built" data to FEMA in order to obtain the final LOMR.

**Section 3.** Title 8 – Planning, Chapter 8-2 – Flood Damage Prevention, Article 6 – Definitions, Section 8-2-23 shall now be amended to read as follows:

**Sec. 8-2-24. Definitions.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

(a) "Accessory Structure" means a structure having minimal value and used for parking, storage and other non-habitable uses, such as garages, carports, storage sheds, pole barns, hay sheds and the like.

(b) "Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered "New Construction".

(c) "Appeal" means a request for a review of the Building Inspector's or his/her designee's interpretation of any provision of this ordinance.

(d) "Area of shallow flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

(e) "Area of special flood hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Section 8-2-6.

(f) "Base flood," means the flood having a one percent chance of being equaled or exceeded in any given year.

(g) "Base Flood Elevation (BFE)" The elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

(h) "Basement" means that portion of a building having its floor sub grade (below ground level) on all sides.

(i) "Building," *see Structure.*

(j) "Critical Facility" means any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities include:

- (1) structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials;
- (2) hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events;
- (3) emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and
- (4) generating plants, and other principal points of utility lines.

Critical facilities do NOT include piping or underground infrastructure.

(k) "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, and storage of materials or equipment.

(l) "Elevated building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

(m) \*"Existing construction" means for the purposes of determining rates, structures for which the "start of construction" commenced before June 1, 2005.

(n) \*"Existing Manufactured Home Park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before December 16, 1994.

(o) "Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

(p) "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters; or
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

(q) "Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

(r) "Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

- (s) "Flood Insurance Study" the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.
- (t) "Floodplain" means any land area susceptible to flooding.
- (u) "Flood proofing," means any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- (v) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- (w) "Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.
- (x) "Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.
- (y) "Historic Structure" means any structure that is;
- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - (3) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
  - (4) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
    - a. By an approved state program as determined by the Secretary of the Interior, or
    - b. Directly by the Secretary of the Interior in states without approved programs.
- (z) "Lowest floor" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.
- (aa) "Manufactured home" means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also

includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

(bb) "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

(cc) "Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

(dd) "National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

(ee) "New construction" means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced after June 1, 2005, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced after December 16, 1994 and includes any subsequent improvements to such structures.

(ff) "New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after December 16, 1994.

(gg) "North American Vertical Datum (NAVD)" has replaced the National Geodetic Vertical Datum of 1929 in existing and future FEMA Flood Modernization Maps.

(hh) "Recreational vehicle" means a vehicle, which is:

(1) built on a single chassis;

(2) 400 square feet or less when measured at the largest horizontal projection;

(3) designed to be self-propelled or permanently towable by a light duty truck; and

(4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(ii) "Start of construction" means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation.

(Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure.

(NOTE: accessory structures are NOT exempt from any ordinance requirements)

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(jj) "Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

(kk) "Subdivision" the division of a single lot into two or more lots for the purpose of sale or development.

(ll) "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

(mm) "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure prior to the "start of construction" of the improvement.

NOTE: The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures, which have incurred "substantial damage", regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include (1) those improvements of a structure required to comply with existing violations of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions and which have been identified by the Code Enforcement Official, and not solely triggered by an improvement or repair project, or (2) any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

(nn) "Substantially improved existing manufactured home parks or subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

(oo) "Variance" is a grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance.

(pp) "Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

**Section 4.** If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

**Section 5.** This ordinance shall become effective immediately upon its adoption by the City Council.

**Section 6.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Approved this the \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF GUYTON**

\_\_\_\_\_  
RUSS DEEN, Mayor

**ATTEST:**

\_\_\_\_\_  
MATTHEW WALKER, City Clerk

**CITY OF GUYTON  
STATE OF GEORGIA**

**ORDINANCE NUMBER 2023-04**

**AN ORDINANCE OF THE CITY OF GUYTON TO PROVIDE FOR THE CITY OF GUYTON BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2024; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND RESOLUTIONS AND PARTS THEREOF IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Guyton, Georgia is authorized by O.C.G.A. §36-35-3 to adopt ordinances and resolutions relating to its property, affairs, and local government; and

**WHEREAS**, Section 6.25 of the Charter of the City of Guyton provides that the City Manager of the City of Guyton shall each year submit to the City Council a proposed operating budget for the ensuing fiscal year; and

**WHEREAS**, Section 6.29 of the Charter of the City of Guyton provides that the City Manager of the City of Guyton shall each year submit to the City Council a proposed capital budget for the ensuing fiscal year; and

**WHEREAS**, the City Manager of the City of Guyton is hereby presenting to the City Council for adoption a proposed Budget for the fiscal year ending June 30, 2024, which is attached hereto as Exhibit A; and

**WHEREAS**, Section 6.26(b) of the Charter of the City of Guyton provides that "adoption of the budget shall take the form of an appropriations ordinance setting out the estimated revenues in detail by sources and making appropriations according to fund and by organizational unit, purpose, or activity ... "

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON, GEORGIA IN A REGULAR MEETING ASSEMBLED AND PURSUANT TO LAWFUL AUTHORITY THEREOF, AS FOLLOWS:**

**Section 1.** Adoption of Budget for the Fiscal Year Ending June 30, 2024. The City Council of the City of Guyton hereby adopts the Budget attached hereto as Exhibit A and incorporated by reference as if set forth verbatim herein.

**Section 2.** Severability. If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

**Section 3. Repealer.** All ordinances and resolutions and parts thereof in conflict with this ordinance are hereby repealed.

**Section 4. Effective Date.** This ordinance including the Budget attached hereto shall become effective upon the first day of the fiscal year ending June 30, 2024.

SO ORDAINED, this \_\_\_\_ of \_\_\_\_\_, 2023.

**CITY OF GUYTON**

\_\_\_\_\_  
Hon. Russ Deen, Mayor

Attest: \_\_\_\_\_  
Matthew Walker, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Michael Johnson

\_\_\_\_\_  
Council Member Joseph Lee

\_\_\_\_\_  
Council Member Hursula Pelote

\_\_\_\_\_  
Council Member Marshall Reiser

\_\_\_\_\_  
Meketa H. Brown, City Manager

First Reading: \_\_\_\_\_; Adopted: \_\_\_\_\_



# **EXHIBIT A**

## **Proposed City of Guyton Budget for the Fiscal Year Ending June 30, 2024**

First Reading: \_\_\_\_\_; Adopted: \_\_\_\_\_

**Exhibit "A"**

**General Fund**

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**Revenues and other Financing Sources**

Taxes	\$ 1,560,400
Licenses & permits	99,500
Intergovernmental	43,000
Charges for services	260,600
Fines & forfeitures	160,000
Miscellaneous	14,000
Other financing sources (interfund transfers)	2,500
<b>Total Revenues and other Financing Sources</b>	<b>\$ 2,140,000</b>

**Expenditures**

Other General Government	\$ 234,000
City Council	41,000
General Administration	435,000
Public safety - Police	722,000
Public works - Streets	441,000
Public works - Sanitation	210,000
Recreation - Historical Commission and Leisure services	27,000
Housing and development - Economic development	30,000
<b>Total Expenditures</b>	<b>\$ 2,140,000</b>

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**Water and Sewer Fund**

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**Revenues and other Financing Sources**

Charges for services	\$ 1,246,000
Other revenues	31,000
Miscellaneous	6,900
Other financing sources	<u>1,112,850</u>
<b>Total Revenues and other Financing Sources</b>	<b>\$ <u>2,396,750</u></b>

**Expenditures**

Wages	\$ 64,300
Payroll tax	5,200
Employee benefits	650
Legal and professional	416,500
Insurance	33,900
Utilities	63,100
Supplies	45,000
Postage	10,000
Chemicals	8,000
Other	43,000
Repairs and Maintenance	228,000
Depreciation	345,000
Interest	320,850
Other financing uses (interfund transfers)	<u>575,000</u>
<b>Total Expenditures</b>	<b>\$ <u>2,158,500</u></b>

**TSPLOST**

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**Revenues - Taxes** \$ 260,000

**Expenditures - Public Works - Streets and Lanes** \$ 260,000

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**Debt Service Trust Fund**

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**Other Financing Sources - Transfer from Water and Sewer Fund** \$ 575,000

**Other Income - Interest Income** 10

**Total Revenues and other Financing Sources** 575,010

**Other Financing Uses - Transfer to Water and Sewer Fund** 550,850

*Excess of revenues over expenditures* \$ 24,160

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**SPLOST Fund**

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**Revenues - Intergovernmental** \$ 590,000

**Expenditures**

General government - Administration \$ -

Public safety - Police -

Public works - Streets 12,900

Recreation -

Water & Sewer (Transfers to) 142,000

**Total Expenditures** \$ 154,900

*Excess of revenues over expenditures* \$ 435,100

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**Construction Trust Fund**

---

**Revenues - Investment income** \$ -

**Expenditures**

Administration \$ 100

Water & Sewer (Transfers to) 50,000

**Total Expenditures** \$ 50,100

*Use of prior year reserves (fund balance)* \$ (50,100)

**City of Guyton**  
**Proposed Budget - General Fund**  
**For the Year Ended June 30, 2024**

			Projected	Proposed
			2023	2024
<b>Taxes</b>				
100-31-1310	Motor Vehicle Tax	R	652	500
100-31-1312	Title A. V. Tax - Lost	R	119,690	115,000
100-31-1315	Ad Valorem/Property Ta	R	230,000	240,000
100-31-1600	Real Estate Transfer Ta	R	26,152	24,000
100-31-1700	Franchise Tax	R	152,467	150,000
100-31-3100	Local Option Sales Tax	R	630,896	684,900
100-31-3101	Special Local Option Excise Tax	R	-	-
100-31-4016	Lost Excise Tax	R	28,759	29,000
100-31-4200	Beer And Wine Tax	R	51,851	47,000
100-31-6200	Insurance Premium Tax (	R	209,528	210,000
100-31-8000	Intangible Taxes	R	68,962	60,000
<b>Total Taxes</b>			<b>1,518,957</b>	<b>1,560,400</b>
<b>Licenses &amp; permits</b>				
100-32-1000	Business License Fee	R	23,063	26,000
100-32-1100	Alcohol Beverage License	R	8,667	13,000
100-32-2210	Zoning Fees	R	493	500
100-32-3100	Building Permits	R	78,804	60,000
<b>Total Licenses &amp; permits</b>			<b>111,027</b>	<b>99,500</b>
<b>Intergovernmental</b>				
100-33-1000	GRANT REVENUES - GF - GA	R	36,772	-
100-33-1110	Cares Act Funding	R	554,179	-
100-33-4310	Lmig	R	41,445	43,000
<b>Total Intergovernmental</b>			<b>632,396</b>	<b>43,000</b>
<b>Charges for services</b>				
100-34-1910	Election Qualifying Fee	R	-	600
100-34-4190	Garbage Collection Fee	R	258,547	260,000
<b>Total Charges for services</b>			<b>258,547</b>	<b>260,600</b>
<b>Fines &amp; forfeitures</b>				
100-35-1170	Pd Fees And Fines Accou	R	72,079	70,000
100-35-999X	Cameras	R	85,179	90,000
<b>Total Fines &amp; forfeitures</b>			<b>157,258</b>	<b>160,000</b>
<b>Miscellaneous</b>				
100-38-1000	Rent Income	R	5,900	-
100-38-3740	LS - DONATIONS	R	733	1,000
100-38-9020	Miscellaneous Revenue	R	7,188	6,000
100-38-9070	Rummage Sale Spaces	R	6,000	7,000
100-38-9100	INS. PROCEEDS, RECOVERIE	R	4,334	-
<b>Total Miscellaneous</b>			<b>24,155</b>	<b>14,000</b>
<b>Other financing sources</b>				

**City of Guyton**  
**Proposed Budget - General Fund**  
**For the Year Ended June 30, 2024**

			Projected	Proposed
			2023	2024
			<hr/>	<hr/>
100-39-2100	Sale Of Assets	R	164,133	2,500
100-39-0505	Transfer from Water & Sewer		-	-
Total Other financing sources			164,133	2,500
Other General Government				
100-1000-5111	Salaries-Facilities	E	34,601	86,800
100-1000-5122	Pr Tax-Facilities	E	2,508	7,000
100-1000-5124	Gma Retirement Fund	E	1,257	8,000
100-1000-5127	Workers Comp	E	-	1,000
100-1000-5003	Ee Insurance	E	9,672	16,200
100-1000-5216	Professional Services	E	-	-
100-1000-5222	City Prty-Maintenance/	E	26,957	30,000
100-1000-5231	General Insurance	E	22,796	32,000
100-1000-5232	Insurance - Property	E	-	-
100-1000-5237	Training & Travel	E	-	4,000
100-1000-5321	Seasonal Decorations	E	-	-
100-1000-5325	New Zoning Codification	E	-	-
100-1000-5413	CITY HALL RENOVATIONS	E	10,935	8,000
100-1000-5415	Capital Outlays - Gen Gov	E	-	-
100-1000-5422	Insurance - Vehicle	E	-	-
100-1000-5715	Building Inspector	E	30,593	36,000
100-1000-5735	P&Z Committee Pay	E	933	1,000
100-1000-5750	Effingham Day At Capito	E	1,167	4,000
Total Other General Government			141,419	234,000
City Council				
100-1100-5111	Salaries	E	19,200	19,200
100-1100-5122	Payroll Taxes	E	1,469	1,500
100-1100-5231	General Insurance	E	8,938	9,500
100-1100-5237	Training & Travel	E	16,555	10,000
100-1100-5318	Miscellaneous Expense	E	972	800
Total City Council			47,134	41,000
General Administration				
100-1500-1710	Bank Charges	E	148	150
100-1500-1790	Penalties	E	-	-
100-1500-5003	Employee Insurance	E	19,345	27,100
100-1500-5111	Salaries	E	122,942	184,800
100-1500-5115	Salary - [Contracted] City Manager	E	-	-
100-1500-5122	Payroll Taxes	E	8,962	14,760
100-1500-5124	Retirement	E	1,188	2,150
100-1500-5127	Workers Comp	E	777	1,360
100-1500-5131	General Insurance	E	2,925	3,100
100-1500-5212	Audit	E	15,000	7,500
100-1500-5214	Legal Services	E	48,064	40,000
100-1500-5215	Engineering	E	480	480

**City of Guyton**  
**Proposed Budget - General Fund**  
**For the Year Ended June 30, 2024**

			Projected 2023	Proposed 2024
100-1500-5216	Professional Services	E	48,926	75,000
100-1500-5221	Toxic Disposal	E	-	-
100-1500-5222	Building Maintenance	E	10,779	5,000
100-1500-5233	Ads	E	1,527	2,000
100-1500-5235	Travel & Training	E	2,786	3,000
100-1500-5236	Dues	E	7,310	7,500
100-1500-5240	Postage	E	2,361	3,000
100-1500-5242	Telephone	E	10,679	10,000
100-1500-5250	Utilities	E	4,846	5,000
100-1500-5310	Office Supplies	E	33,634	32,500
100-1500-5318	Staff/Inmate Incidental	E	162	-
100-1500-5365	Special Events	E	-	-
100-1500-5395	Budget Workshop	E	-	-
100-1500-5424	Computer Equipment	E	-	-
100-1500-5426	Alarm System	E	600	600
100-1500-5429	Accounting Software	E	9,002	10,000
100-1500-5735	Room Rental Dpst	E	-	-
100-1500-9994	Seasonal Decorations, C	E	-	-
Total General Administration			352,443	435,000
Public safety - Police				
100-3200-5100	Pd - Wages, Full Time Offi	E	181	-
100-3200-5105	Salaries	E	359,518	408,500
100-3200-5107	Pd - Salary, Police Chief	E	400	-
100-3200-5108	Pd - Wages, Clerk	E	-	-
100-3200-5111	Boe Reimb- Sro	E	-	(59,200)
100-3200-5112	Payroll- School Resource Officer	E	7,387	65,600
100-3200-5113	Overtime	E	21,006	15,500
100-3200-5121	Payroll Taxes	E	26,804	39,200
100-3200-5124	Retirement	E	3,565	4,500
100-3200-5127	Workers Comp	E	21,592	24,000
100-3200-5131	Pd Insurance	E	21,010	20,000
100-3200-5133	Employee Insurance	E	55,556	59,000
100-3200-5211	Pd Computer Sftwr & Up	E	27	-
100-3200-5212	Pd Computer Sftwr Svc (	E	227	250
100-3200-5214	Legal Fees	E	20,703	7,000
100-3200-5222	Maintenance	E	-	2,500
100-3200-5229	Pd Bldg. Upgrades & Rep	E	1,499	-
100-3200-5232	Postage	E	8	700
100-3200-5236	Pd Clerk Training	E	458	-
100-3200-5237	Training & Travel	E	909	2,000
100-3200-5245	Judge	E	2,667	4,000
100-3200-5250	Public Defender	E	-	-
100-3200-5255	Utilities	E	21,751	22,000
100-3200-5260	Pd - Public Defender	E	10,200	12,000
100-3200-5265	Enforcement Expense	E	1,165	2,250

**City of Guyton**  
**Proposed Budget - General Fund**  
**For the Year Ended June 30, 2024**

			Projected 2023	Proposed 2024
100-3200-5310	Office Supplies	E	2,186	4,000
100-3200-5315	Bank Charges	E	264	200
100-3200-5317	Uniforms	E	2,620	6,200
100-3200-5322	Justiceone Software	E	8,000	8,500
100-3200-5330	Gas	E	33,997	35,000
100-3200-5335	Pd Miscellaneous	E	5,362	2,600
100-3200-5350	Community Involvement	E	-	-
100-3200-5360	Tech Fund	E	-	100
100-3200-5370	Ammunition	E	-	1,500
100-3200-5422	PD - CAR PURCHASE	E	-	-
100-3200-5424	Vehicle Maintenance	E	7,088	12,000
100-3200-5425	Pd-Eqpmt Mntc/Rpr - Ofc	E	2,182	2,300
100-3200-5426	Weapons	E	-	1,500
100-3200-5428	Pd Radar Unit For Car	E	9	-
100-3200-5431	Pd - Gsccca	E	11,508	12,500
100-3200-5432	Pd - Eff Cnty Victim Witn	E	1,592	1,700
100-3200-5433	Pd - Peace Officers A & B	E	-	-
100-3200-5440	Alarm System	E	533	600
100-3200-5733	Sheriff'S Office	E	3,184	3,500
Total Public safety - Police			655,158	722,000
 Public works - Streets				
100-4200-5212	Engineering	E	5,510	6,200
100-4200-5216	Professional Services	E	198,324	198,540
100-4200-5221	Equipment Repairs	E	11,250	13,000
100-4200-5223	Repairs And Maintenanc	E	36	-
100-4200-5228	Vehicle Maintenance	E	18,033	2,500
100-4200-5238	County Contract - Inmate Supervisor	E	53,173	56,260
100-4200-5250	Utilities - Garage	E	509	-
100-4200-5260	Utilities - Street Lights	E	83,612	85,000
100-4200-5310	Supplies	E	11,306	23,500
100-4200-5422	Capital Outlays - Street	E	47,209	43,000
100-4200-5423	Gas	E	13,253	13,000
Total Public works - Streets			442,215	441,000
 Public works - Sanitation				
100-4500-5221	Garbage Fee/Sanitation	E	203,377	210,000
Total Public works - Sanitation			203,377	210,000
 Recreation, Historical Commission and Leisure services				
100-6100-5212	Professional Fees	E	6,512	-
100-6100-5223	Repairs & Maintenance	E	242	500
100-6100-5300	Supplies	E	857	500
100-6100-5305	Special Events	E	1,770	2,000
100-6100-5310	Leisure Services	E	80	-
100-6100-5320	Community Events	E	1,275	-



**City of Guyton**  
**Proposed Budget - General Fund**  
**For the Year Ended June 30, 2024**

			Projected	Proposed
			2023	2024
100-6100-5370	Recreation - Improvements	E	461	14,000
100-6100-5395	Events, Special/City-Ls	E	3,899	5,000
100-6100-5397	Events, Special/City-Hp	E	-	5,000
Total Recreation, Historical Commission and Leisure services			15,096	27,000
Housing and development - Economic development				
100-7500-5210	Contracted Services - Economic Dev	E	23,244	25,000
100-7500-5215	DDA	E	-	5,000
Total Housing and development - Economic development			23,244	30,000
TOTAL GENERAL EXPENSE			1,880,086	2,140,000
TOTAL GENERAL REVENUE			2,866,473	2,140,000
SURPLUS(DEFICIT)			986,387	-

**City of Guyton**  
**Proposed Budget - Water and Sewer Fund**  
**For the Year Ended June 30, 2024**

			Projected	Proposed
			2023	2024
Charges for services				
505-34-4210	Water Revenue	R	642,405	675,000
505-34-4255	Sewage Revenue	R	528,072	555,000
505-34-4999	Deposit Discrepancies	R	-	-
505-34-609	Late Fees & Penalties	R	20,709	16,000
Total Charges for services			1,191,186	1,246,000
Other revenues				
505-37-9111	Meter Fees, New Constru	R	27,400	25,000
505-37-9112	Admin. Fee, Water Tap	R	5,467	6,000
505-37-9113	Miscellaneous Income	R	67	-
Total Other revenues			32,934	31,000
Miscellaneous				
505-38-9100	Return Check Fees	R	476	400
505-38-9102	Water Service Charge	R	5,300	4,000
505-38-9103	Sewage Service Charge	R	3,200	2,500
Total Miscellaneous			8,976	6,900
Other financing sources				
505-39-700	Transfer In From Construction	R	53,027	50,000
505-39-1320	Cut In/Tap/Impact	R	334,667	370,000
505-39-1400	Transfer From Debt Service	R	489,150	550,850
505-39-1505	Transfer From Splost	R	392,589	142,000
Total Other financing sources			1,269,433	1,112,850
Wages				
505-5100-0052	Salaries	E	44,996	64,300
505-5100-0053	Overtime	E	153	-
Total Wages			45,149	64,300
Payroll tax				
505-5122-0052	Payroll Taxes	E	2,010	5,200
Total Payroll tax			2,010	5,200
Employee benefits				
505-5317-0010	Retirement	E	594	650
Total Employee benefits			594	650
Legal and professional				
505-5210-0010	Audit	E	15,000	7,500
505-5210-0012	Legal Services	E	57,911	50,000
505-5210-0014	Professional Fees	E	166,365	170,000
505-5210-0016	Engineering	E	13,077	15,000

**City of Guyton**  
**Proposed Budget - Water and Sewer Fund**  
**For the Year Ended June 30, 2024**

			Projected 2023	Proposed 2024
	505-5210-0018	Mapping	E 24,277	30,000
	505-5210-4414	Professional Fees	E 140,923	144,000
Total Legal and professional			417,553	416,500
Insurance				
	505-5231-0001	Employee Insurance	E 12,150	12,200
	505-5231-0005	Workers Comp	E 276	300
	505-5231-0010	General Insurance	E 10,235	10,700
	505-5231-4410	General Insurance	E 10,235	10,700
Total Insurance			32,896	33,900
Utilities				
	505-5240-0040	Utilities	E 62,450	63,000
	505-5240-4440	Utilities	E 97	100
Total Utilities			62,547	63,100
Supplies				
	505-5310-0001	Supplies	E 27,950	30,000
	505-5310-4400	SUPPLIES	E 11,965	15,000
Total Supplies			39,915	45,000
Postage				
	505-5312-0010	Postage	E 9,961	10,000
Total Postage			9,961	10,000
Chemicals				
	505-5315-0001	Chemicals	E 7,867	8,000
Total Chemicals			7,867	8,000
Other				
	505-5317-0015	Office Supplies	E 116	500
	505-5317-0020	Bank Charges	E 22,521	23,000
	505-5317-0035	Dues	E 2,183	2,500
	505-5317-0040	Drinking Water Fees To Ep	E 9,104	7,000
	505-5317-0050	Gas	E 10,224	10,000
Total Other			44,148	43,000
Repairs and Maintenance				
	505-5310-0005	W/S Repairs & Maint	E 36,517	98,000
	505-5317-0060	Computer Software & Mainten	E 12,002	10,000
	505-5400-0055	Capital Outlay, Cptl Imp	E 97,218	-
	505-5400-0060	Equipment	E 1,710	-
	505-5400-0065	Meters	E 45,860	65,000

**City of Guyton**  
**Proposed Budget - Water and Sewer Fund**  
**For the Year Ended June 30, 2024**

			Projected	Proposed
			2023	2024
505-5400-0001	Water Repairs/Maintenance	E	42,144	-
505-5400-0002	Water & Sewer Vehicle Expenses	E	10,409	15,000
505-5400-4401	Wwtp Repairs/Maintenance	E	31,638	-
505-5400-4405	Maintenance	E	60,063	40,000
505-5400-4455	Wwtp-Plant Misc.	E	8,956	-
Total Repairs and Maintenance			346,517	228,000
Depreciation				
505-5610-0001	Depreciation Exp.	E	345,000	345,000
Total Depreciation			345,000	345,000
Interest				
505-8000-5820	Interest Expense	E	324,150	320,850
Total Interest			324,150	320,850
Other financing uses - Interfund transfers				
505-9000-1000	Transfer To General Fund	E	-	-
505-9000-1070	Debt Service	E	534,894	575,000
Total Other financing uses - Interfund transfers			534,894	575,000
TOTAL W/S EXPENSE			2,213,201	2,158,500
TOTAL W/S REVENUE			2,502,529	2,396,750
SURPLUS(DEFICIT)			289,328	238,250

**City of Guyton**  
**Proposed Budget - TSPLOST, Debt Service Trust, and SPLOST Funds**  
**For the Year Ended June 30, 2024**

				Projected 2023	Proposed 2024
<b>TSPLOST Fund</b>					
Taxes					
235-31-3500	Tsplost Revenue	R	520,443	260,000	
Total Taxes			520,443	260,000	
Other financing sources					
235-39-3100	Bond Proceeds	R	-	-	
Total Other financing sources			-	-	
Public Works - Streets					
235-4200-1710	Bank Charges	E	164	175	
235-4200-5400	Capital Outlays - Streets	E	-	-	
235-9000-6112	Debt Service- Note Payable	E	520,443	260,000	
Total Public works - streets			520,607	260,175	
TOTAL TSPLOST EXPENSE			520,607	260,175	
TOTAL TSPLOST REVENUE			520,443	260,000	
USE OF PRIOR YEAR RESERVES (FUND BALANCE)			164	175	
			520,607	260,175	
<b>Debt Service Trust Fund (DST)</b>					
Other revenues					
400-36-1000	Interest Income	R	16	10	
Total Other revenues			16	10	
Interfund transfers					
400-39-1000	Transfer from W/S Fund	R	562,361	575,000	
Total Interfund transfers			562,361	575,000	
Other financing uses					
400-9000-6112	Transfer to W/S Fund (Debt Svc Pmts)	E	489,150	550,850	
Total Other financing uses			489,150	550,850	
TOTAL DST EXPENSE			489,150	550,850	
TOTAL DST REVENUE			562,377	575,010	
EXCESS OF REVENUE OVER EXPENDITURES			73,227	24,160	
<b>SPLOST Fund</b>					
Intergovernmental					
430-33-7100	Splost	R	562,475	590,000	

**City of Guyton**  
**Proposed Budget - TSPLOST, Debt Service Trust, and SPLOST Funds**  
**For the Year Ended June 30, 2024**

Total Intergovernmental				562,475	590,000
General government - Administration					
430-1500-230	Technology	E		10,667	-
Total General government - Administration				10,667	-
Public safety - Police					
430-3200-230	Technology	E		99,884	-
430-3200-5425	Police Equipment	E		52,784	-
Total Public safety - Police				152,668	-
Public works - Streets					
430-4200-5414	Streets - Infrastructure	E		314,690	12,900
430-4200-5425	Streets - Equipment	E		37,133	-
Total Public works - Streets				351,823	12,900
Recreation					
430-6100-5424	Recreation	E		7,780	-
Total Recreation				7,780	-
Water & Sewer (Transfers to)					
430-9000-5430	Transfer To Water Sewer Fund	E		392,589	142,000
Total Transfers to water & sewer				392,589	142,000
<b>TOTAL SPLOST EXPENSE</b>				<b>915,527</b>	<b>154,900</b>
<b>TOTAL SPLOST REVENUE</b>				<b>562,475</b>	<b>590,000</b>
<b>EXCESS (DEFICIT) OF REVENUES OVER (TO) EXPENDITURES</b>				<b><u>(353,052)</u></b>	<b><u>435,100</u></b>

**Construction Trust Fund**

Interest income					
700-36-3616	Interest income	R		43	-
Total Investment income				43	-
Administration					
700-5317-0020	Service Charge Expense	E		80	100
Total General government - Administration				80	100
Water & Sewer (Transfers to)					
700-9000-1040	Transfer To Water	E		50,000	50,000
Total Transfers to water & sewer				50,000	50,000
<b>TOTAL SPLOST EXPENSE</b>				<b>50,080</b>	<b>50,100</b>
<b>TOTAL SPLOST REVENUE</b>				<b>43</b>	<b>-</b>

**City of Guyton**  
**Proposed Budget - TSPLOST, Debt Service Trust, and SPLOST Funds**  
**For the Year Ended June 30, 2024**

USE OF PRIOR YEAR RESERVES (FUND BALANCE)	<u>(50,037)</u>	<u>(50,100)</u>
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**City of Guyton**  
**Proposed Budget - Water and Sewer Fund -**  
**Breakdown of Water and Sewer Budget Between**  
**Water and Sewer Utility Services and Waste Water Treatment Plant Operations**  
**For the Year Ended June 30, 2024**

				Projected	Proposed
				2023	2024
<b>Water and Sewer Expenses</b>					
Wages					
	505-5100-0052	Salaries	E	44,996	64,300
	505-5100-0053	Overtime	E	153	-
Total Wages				45,149	64,300
Payroll tax					
	505-5122-0052	Payroll Taxes	E	2,010	5,200
Total Payroll tax				2,010	5,200
Employee benefits					
	505-5317-0010	Retirement	E	594	650
Total Employee benefits				594	650
Legal and professional					
	505-5210-0010	Audit	E	15,000	7,500
	505-5210-0012	Legal Services	E	57,911	50,000
	505-5210-0014	Professional Fees	E	166,365	170,000
	505-5210-0016	Engineering	E	13,077	15,000
	505-5210-0018	Mapping	E	24,277	30,000
Total Legal and professional				276,630	272,500
Insurance					
	505-5231-0001	Employee Insurance	E	12,150	12,200
	505-5231-0005	Workers Comp	E	276	300
	505-5231-0010	General Insurance	E	10,235	10,700
Total Insurance				22,661	23,200
Utilities					
	505-5240-0040	Utilities	E	62,450	63,000
Total Utilities				62,450	63,000
Supplies					
	505-5310-0001	Supplies	E	27,950	30,000
Total Supplies				27,950	30,000
Chemicals					
	505-5315-0001	Chemicals	E	7,867	8,000
Total Chemicals				7,867	8,000
Other					
	505-5317-0015	Office Supplies	E	116	500
	505-5317-0020	Bank Charges	E	22,521	23,000
	505-5317-0035	Dues	E	2,183	2,500
	505-5317-0040	Drinking Water Fees To Ep	E	9,104	7,000
	505-5317-0050	Gas	E	10,224	10,000



**City of Guyton**  
**Proposed Budget - Water and Sewer Fund -**  
**Breakdown of Water and Sewer Budget Between**  
**Water and Sewer Utility Services and Waste Water Treatment Plant Operations**  
**For the Year Ended June 30, 2024**

			Projected 2023	Proposed 2024
Total Other			44,148	43,000
Repairs and Maintenance				
505-5310-0005	W/S Repairs & Maint	E	36,517	98,000
505-5317-0060	Computer Software & Maintenance	E	12,002	10,000
505-5400-0055	Capital Outlay, Cptl Imp	E	97,218	-
505-5400-0060	Equipment	E	1,710	-
505-5400-0065	Meters	E	45,860	65,000
505-5400-0001	Water Repairs/Maintenance	E	42,144	-
505-5400-0002	Water & Sewer Vehicle Expenses	E	10,409	15,000
Total Repairs and Maintenance			245,860	188,000
Depreciation				
505-5610-0001	Depreciation Exp.	E	345,000	345,000
Total Depreciation			345,000	345,000
Interest				
505-8000-5820	Interest Expense	E	324,150	320,850
Total Interest			324,150	320,850
Other financing uses - Interfund transfers				
505-9000-1000	Transfer To General Fund	E	-	-
505-9000-1070	Debt Service	E	534,894	575,000
Total Other financing uses - Interfund transfers			534,894	575,000
<b>Total Water and Sewer Expenses</b>			<b>1,949,324</b>	<b>1,948,700</b>
<b>Waste Water Treatment Plant Expenses</b>				
Legal and professional				
505-5210-4414	Professional Fees	E	140,923	144,000
Total Legal and professional			140,923	144,000
Insurance				
505-5231-4410	General Insurance	E	10,235	10,700
Total Insurance			10,235	10,700
Supplies				
505-5310-4400	SUPPLIES	E	11,965	15,000
Total Supplies			11,965	15,000
Utilities				
505-5240-4440	Utilities	E	97	100
Total Utilities			97	100

**City of Guyton**  
**Proposed Budget - Water and Sewer Fund -**  
**Breakdown of Water and Sewer Budget Between**  
**Water and Sewer Utility Services and Waste Water Treatment Plant Operations**  
**For the Year Ended June 30, 2024**

		Projected 2023	Proposed 2024
Repairs and Maintenance			
505-5400-4401	Wwtp Repairs/Maintenance	E 31,638	-
505-5400-4405	Maintenance	E 60,063	40,000
505-5400-4455	Wwtp-Plant Misc.	E 8,956	-
Total Repairs and Maintenance		100,657	40,000
 <b>Total Waste Water Treatment Plant Expenses</b>		 263,877	 209,800
 <b>TOTAL WATER FUND EXPENSES</b>		 2,213,201	 2,158,500

**CITY OF GUYTON  
STATE OF GEORGIA**

**ORDINANCE NO. 2023-05**

**AN ORDINANCE BY THE MAYOR AND COUNCIL FOR THE CITY OF GUYTON TO AMEND THE CITY OF GUYTON, GEORGIA ZONING ORDINANCE; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Guyton, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

**WHEREAS**, the Mayor and Council have authority to amend the City of Guyton, Georgia Zoning Ordinance from time to time and where necessary to maintain adequate regulations;

**WHEREAS**, the duly elected governing authority of the City of Guyton, Georgia hereby resolve to amend the City of Guyton, Georgia Zoning Ordinance; and

**NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON**, in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

**Section 1.** Article 6 – Intent of Land Use Districts and Specific Land Use District Regulation, Section 601 shall be amended in its entirety to now read as follows:

**Section 601. R-1, Single Family Residential District**

District Intent

This is the most restrictive residential district. The principal use of land is for single-family dwellings and related recreational, religious and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the single-family residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

A. Uses Permitted

The following uses shall be permitted in the R-1, Single Family Residential District:

- (1) Single family residences (must meet the requirements in subsection D below);
- (2) Parks or playgrounds;
- (3) Country clubs, golf courses;

- (4) General purpose or gardening, but not the keeping of poultry or non-domestic animals;
- (5) Accessory buildings and structures; and
- (6) Home business offices.

#### B. Special Permit Uses

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Public and private schools;
- (2) Public buildings and utilities;
- (3) Churches, synagogues, temples, mosques or other places of worship provided that such use is housed in a permanent structure, and no structure on the lot is closer than 25 feet from any residential property line;
- (4) Day care centers or kindergartens;
- (5) Manufactured housing;
- (6) Modular homes;
- (7) General purpose farm or garden that includes the keeping of poultry or non-domestic animals; and
- (8) Home occupations and Home Business Offices provided that the conditions set forth in in this Ordinance, including within Section 707, are met.

#### C. Area Regulation

Unless otherwise specified in this ordinance, uses permitted in R-1, Single Family Residential Districts shall conform to the following requirements:

- (1) Minimum lot area: 0.5 acres;
- (2) Minimum lot width at building line: 75 feet;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 30%;
- (7) Maximum building height: 35 feet.

#### D. Single-Family Residential Standards

All Single-Family Residences must meet the following standards in the R-1 District:

- (1) All structures including the primary structure and accessory structures shall be constructed with a pitched roof having a pitch of 3 in 12 or greater;
- (2) The roof shall be covered with asphalt composition shingles, 5-V metal roofing, or tile materials. Corrugated metal or plastic panels are prohibited;

- (3) The exterior wall shall be material similar to traditional site-built housing. These materials may include clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, stucco, brick, brick veneer, concrete block, or similar material: but shall not include smooth, ribbed or corrugated metal or plastic panels;
- (4) The minimum horizontal dimension of the structure as installed on the site shall be 24 feet;
- (5) The minimum floor area shall be 1200 square feet;
- (6) All principal structures shall be placed on a permanent foundation. For the purposes of this section, a permanent foundation shall mean a concrete slab, concrete footers, foundation wall, pilings or post construction, which complies with the County Building Code;
- (7) In no case shall wheels, chassis, any undercarriage or transporter unit be left on any structure;
- (8) All units must meet wind-loading requirements of Federal Emergency Management Administrator and the SBCCI Codes.

**Section 2.** Article 6 – Intent of Land Use Districts and Specific Land Use District Regulation, Section 602 shall be amended in its entirety to now read as follows:

**Section 602. R-2, Residential District**

District Intent

This residential district is created to provide low density multifamily residential dwellings, primarily in the form of two and three dwelling unit structures. Single family and other permitted uses allowed in the R-1 district are also permitted. Persons residing in this district are entitled to protection from other types of uses which are detrimental to the residential characteristics of the district. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy living environment for its residents.

A. Uses Permitted

The following uses shall be permitted in the R-2 Residential District:

- (1) Any use permitted in the R-1, Single-Family Residential District, except that single-family residences are not required to meet the standard listed in Section 601(D)(5) of this Ordinance.
- (2) Two-family dwellings (duplex);
- (3) Three family dwellings (triplex);
- (4) Boarding houses (not to exceed four units); and
- (5) Accessory uses and structures.

## B. Special Permit Uses

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Any special use permitted in the R-1, Single-Family Residential District; and
- (2) Nursing homes.

## C. Area Regulations

Unless otherwise specified in this ordinance, uses permitted in R-2 Residential District shall conform to the following requirements:

- (1) Minimum Lot areas:
  - (a) Single family dwellings: 0.5 acres;
  - (b) Two and three family dwellings: 0.5 acres for the first two units, 4,000 square feet for each additional unit;
  - (c) Boarding houses: 0.5 acres for the first three units plus 4,000 square feet for each additional unit.
- (2) Minimum lot width at building line: 70 feet;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 10 feet;
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 35%;
- (7) Maximum building height: 35 feet;
- (8) Minimum dwelling unit size (heated area):
  - (a) Single family dwellings: 600 square feet;
  - (b) Two and three family dwellings: 600 square feet per unit;
  - (c) Boarding houses: none.

**Section 3.** Article 6 – Intent of Land Use Districts and Specific Land Use District Regulation, Section 603 shall be amended in its entirety to now read as follows:

### **Section 603. R-3, Medium and High Density Multifamily Residential District**

#### District Intent

To provide for development of condominium dwelling units and medium to high density residential developments. This district's regulations are designed to encourage the formation and continuance of a stable and healthy residential environment while discouraging the encroachment of uses capable of adversely affecting the district's character.

#### A. Uses Permitted

The following uses shall be permitted in the R-3, Medium and High Density Multifamily Residential District:

- (1) All uses permitted in the R-1, Single Family Residential, and R-2 Residential Districts except that single family residences are not required to meet the standard listed in Section 601(D)(5);
- (2) Multiple family dwellings and apartments;
- (3) Single family condominium dwellings; and
- (4) Accessory uses and structures.

#### B. Special Permit Use

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Any special use permitted in the R-1, Single Family Residential District or R-2, Low Density Multifamily Residential District.

#### C. Area Regulations

Unless otherwise specified in this ordinance, uses permitted in the R-3, Medium and High Density Multifamily Residential District shall conform to the following requirements:

- (1) Minimum lot area:
  - (a) Single family detached dwellings: 0.5 acres;
  - (b) Two and three family dwellings: 0.5 acres for the first two units and 4,000 square feet for each additional unit;
  - (c) Condominiums and multifamily dwellings of more than three units: 0.5 acres for the first two units; plus 2,000 square feet for each additional unit;
- (2) Minimum lot width at building line: 16 feet for condominium dwellings; 70 feet for all other uses;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 1.0 feet; provided that for condominium dwellings which are not end units and have 0 feet side yards on each side adjoining another unit.
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 55% for condominiums; 35% for all other permitted uses;
- (7) Maximum building height: 45 feet;
- (8) Minimum dwelling unit size:
  - (a) Single family dwellings, and condominium dwellings: 300 square feet;
  - (b) Two and three family dwellings: 600 square feet per unit;

(c) Multi-family dwelling of more than three units: 600 square feet for the first six units; 500 square feet per unit in addition to the first twelve (12) units.

**Section 4.** Article 6 – Intent of Land Use Districts and Specific Land Use District Regulation, Section 604 shall be amended in its entirety to now read as follows:

**Section 604. R-4, Single Family Residential District**

District Intent

The intent of this district is to provide distinct areas within the city where single family dwellings are allowed by right and single-family manufactured housing are allowed on a special permit use basis. It is intended that R-4 land use districts be limited to those areas of the city where manufactured homes and single-family dwellings have historically existed together but where single-family dwellings are the dominant housing type.

A. Uses Permitted

The following uses shall be permitted in the R-4, single Family Residential District:

- (1) Single family dwellings; except that single family residences are not required to meet the standard listed in Section 601(D)(5);
- (2) Parks and playgrounds;
- (3) Country clubs and golf courses;
- (4) General purpose farm or garden, but not the keeping of poultry or non-domestic animals;
- (5) Accessory uses and structures; and
- (6) Home business offices.

B. Special Permit Uses

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if any additional conditions which may be required are met:

- (1) Manufactured houses;
- (2) Modular homes;
- (2) Public and private schools;
- (3) Public buildings and utilities;
- (4) Churches;
- (5) Day care centers and kindergartens;
- (6) Clubs, lodges, or fraternal organizations;
- (7) General purpose farm or garden that includes the keeping of poultry or non-domestic animals;
- (8) Home occupation.



### C. Area Regulations

Unless otherwise specified in this ordinance, uses permitted in the R-4, Single Family Residential District shall conform to the following requirements:

- (1) Minimum lot area: 0.5 acres;
- (2) Minimum lot width at the building line: 75 feet;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet, setback from other property line: 10 feet;
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 30%;
- (7) Maximum building height: 35 feet.

**Section 5.** Article 10 – Enforcement and Administration, Section 1005 shall be amended in its entirety to now read as follows:

#### **Section 1005. Special Permit Uses**

The uses listed under the various land use districts (Article Six) as "special permit uses" are so classified because they more intensely dominate the area in which they are located than do other uses, which are called permitted uses. Special permit uses are uses which would not normally be appropriate in a district unless strictly controlled as to size, lot coverage, impact on public services, visibility, traffic and other such characteristics. The following procedure is established to integrate the special permit uses with other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedure:

- (1) When applying for a building permit, the applicant shall be informed by the Planning and Zoning Director that the proposed use is a Special Permit Use. The matter will then be referred to the Planning and Zoning Commission;
- (2) An application for special permit use shall be filed with the Building and Zoning Clerk at least thirty (30) days prior to the next regularly scheduled meeting of the City Planning and Zoning Commission. Such application shall be in substantially the same form as shall be available at City Hall, shall contain all information requested thereon and any other material or information pertinent to the request which the Planning and Zoning Commission may require, and shall contain the notation of the Planning and Zoning Clerk that the appropriate fee has been paid to the City of Guyton.
- (3) Public Hearings, Public Hearing Procedures, standards for consideration of applications for Special Permit Uses, and conditions for approval.

(A) Required Public Hearings

No official action shall be taken on any proposed Special Permit Use unless one public hearing has been held. The public hearing shall be conducted by the Planning and Zoning Commission.

(B) Procedure for Calling a Public Hearing

1. Prior to scheduling required public hearings, applicants shall complete all submission requirements provided by the Planning and Zoning Director (e.g., forms, fees, deeds, maps, etc.).
2. After the applicant satisfies all submission requirements, the Planning and Zoning Director shall notify the applicant of the date, time, and place of the required public hearing. Notice of such hearing shall be provided via mail to the owner of the property that is the subject of the proposed action at least 30 days prior to the hearing.
3. At least 30, but not more than 45 days prior to scheduled public hearings, the Planning and Zoning Director shall publish in the newspaper of general circulation, notice of the date, time, place, and purpose of the public hearing.
4. Not less than 30 days prior to the date of a public hearing, the Planning and Zoning Director shall post in a conspicuous location on the property in question a sign which shall contain information regarding the hearing on the proposed Special Permit Use; specifically, the date, time, place, and purpose of the public hearing.
5. The primary goal of conducting public hearings on a proposed special permit use shall be to solicit pertinent factual information which will be beneficial in helping the Planning and Zoning Commission evaluate the merits of each specific proposed special permit use.
6. Notice to Property Owners. The Planning and Zoning Director shall give notice of the date, time, place, and purpose of public hearings to be held by the Commission on proposed special permit uses to the owners of all properties abutting any part of the property for which approval of a special permit use is sought. The failure to notify as provided in this section shall not invalidate any recommendations or action adopted hereunder.
7. Action of Planning and Zoning Commission. The Planning and Zoning Commission may approve the application as requested, or it may require conditions for approval, or it may deny the application.
8. Denial of Applications for Special Permit Uses. If the decision of the Planning and Zoning Commission is to deny the Special Permit Use, then the same property may not again be considered for a Special Permit Use until the expiration of at least six (6) months immediately following denial of the Special Permit Use by the Planning and Zoning Commission.
9. Appeals of Decision. Appeals of the Planning and Zoning Commission decision shall go to the City Council. A written appeal must be submitted

to the Planning and Zoning Director within fifteen (15) days of the decision from which appeal is taken.

(C) Procedure for Conducting a Public Hearing

Public hearings on special permits shall be conducted in the same manner as described in Section 1205 for zoning amendments.

(D) Standards for consideration of applications for Special Permit Uses

An application for a Special Permit Use may be granted by the Planning and Zoning Commission only if the applicant establishes to the satisfaction of the Planning and Zoning Commission that:

1. Neither the proposed use nor the proposed site upon which the use will be located will have significant adverse impact upon the value or quiet possession of surrounding properties greater than would normally occur from generally permitted uses in the zoning district. In reaching a determination on this standard, the Planning and Zoning Commission (or City Council if applicable) shall consider:

- a. The size of the proposed use compared with the surrounding uses;
- b. The intensity of the proposed use including amount to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses.
- c. The potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances;
- d. Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;
- e. The degree to which landscaping, fencing and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.

2. City or other facilities serving the proposed use will not be overburdened or hazards created because of inadequate facilities. In reaching a determination on this standard, the Planning and Zoning Commission (or City Council if applicable) shall consider:

- a. The ability of the traffic to safely move into and out of the site at the proposed location;
- b. The presence of facilities to assure the safety of pedestrians passing by or through the site;
- c. The capacity of the street network to accommodate the proposed use;
- d. The capacity of the sewerage and water supply systems to accommodate the proposed use;
- e. The capacity of the storm drainage system to accommodate the proposed use;
- f. The ability of the fire department to provide necessary protection services to the site and development.

3. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and floodplain shall not be such that the proposed use when applied on the site will cause undue harm to the environment or to neighboring properties.

(E) Conditions for approval of proposed Special Permit Uses

Upon consideration of the standards listed in section (D) above, the Planning and Zoning Commission and/or the City Council may require such conditions, in addition to those required by other provisions of the City of Guyton Zoning Ordinance, as it finds necessary to ensure compliance with those standards and all other applicable requirements of the Zoning Ordinance. Violation of any of those conditions shall be a violation of the Zoning Ordinance. Such conditions may include, but are not limited to, specifications for: type of landscaping/vegetation, increased setbacks and yards, buffers, specified sewage disposal and water supply facilities, hours of operation, operational controls, professional inspection and maintenance, sureties, location of piers, docks, parking, and signs, and types of construction.

**Section 6.** Article 10 – Enforcement and Administration, Section 1006 shall be amended in its entirety to now read as follows:

**Section 1006. Variances**

The Planning and Zoning Commission may authorize a variance from the requirements of this ordinance where it can be shown that owing to special and unusual circumstances related to a specific lot, strict application of the ordinance would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zoning district in which the proposed use would be located. In granting a variance, the Planning and Zoning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve the purpose of this ordinance.

A. Conditions Governing the Granting of a Variance

A variance may be granted by the Planning and Zoning Commission only in the event that all of the following circumstances exist:

- (1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same vicinity, and result from lot size or shape, topography or other circumstances over which the owners of the property since enactment of this ordinance have had no control;
- (2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of property in the same zoning district or vicinity possess;
- (3) The variance would not materially be detrimental to the purposes of this ordinance or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objective of any city plan or policy;

- (4) The variance requested is the minimum variance which would alleviate the hardship;
- (5) The lot in question cannot yield a reasonable return unless the variance is granted; and
- (6) The need for a variance is not the result of the action of the owner or previous owner.

B. Public Hearings, Public Hearing Procedures, and Procedures for Taking Action on proposed Variances

(1) Required Public Hearings

No official action shall be taken on any proposed Variance unless a public hearing has been held by the Planning and Zoning Commission. Public Hearings on Variances shall be conducted in the same manner as described in Section 1205 for zoning amendments.

(2) Procedure for Calling a Public Hearing

(a) Prior to scheduling the required public hearings, applicants shall first complete all submission requirements provided by the Planning and Zoning Director (e.g., forms, fees, deeds, maps, etc.). A complete application must be filed (30) thirty days prior to the Planning and Zoning Commission meeting where the application will be heard. The application shall be substantially in the same form as shall be available at City Hall and shall contain the notation of the City Clerk or Finance Director that the appropriate fee has been paid and shall be accompanied by a list of names and addresses of all abutting property owners of the property for which the variance is requested, as shown by the current tax maps and indexes thereof. The failure to notify as provided in this section shall not invalidate any recommendations or actions adopted hereunder.

(b) The Planning and Zoning Director shall then notify the applicant of the date, time, and place of the required public hearing. Notice of such hearing shall be provided via mail to the owner of the property that is the subject of the proposed action at least 30 days prior to the hearing.

(c) At least 30, but not more than 45 days prior to scheduled public hearings, the Planning and Zoning Director shall publish in the newspaper of general circulation, notice of the date, time place, and purpose of the public hearing.

(d) Not less than 30 days prior to the date of a public hearing, the Planning and Zoning Director shall post in a conspicuous location on the property in question a sign which shall contain information regarding the proposed Variance; specifically, the date, time, place, and purpose of the public hearing.

(e) The official action shall not be taken on a proposed variance by the Planning and Zoning Commission until after the required public hearing has been conducted. The Commission may conduct more than one hearing if the Commission deems necessary.

(f) The primary goal of conducting public hearings on a proposed variance shall be to solicit pertinent factual information which will be beneficial in

helping the Planning and Zoning Commission evaluate the need of the proposed variance.

(3) Notice to Property Owners

The Planning and Zoning Director shall give notice of the date, time, place, and purpose of public hearings to be held by the Planning and Zoning Commission on proposed variances or special permits by mail to the owners of all properties abutting any part of the property proposed to be changed. The failure to notify as provided in this Section shall not invalidate any recommendations or action adopted hereunder.

(4) Action By Planning and Zoning Commission.

The Planning and Zoning Commission shall render its decision based on the variance criteria in Section 1006(A) above. The Planning and Zoning Commission shall notify the applicant within five days of its decision.

(5) Time Limit on Permit for Variance.

Authorization of a variance shall be void after one year unless substantial construction has taken place. However, the Planning and Zoning Commission may extend authorization for an additional period not to exceed one year, on request.

(6) Denial of Variances.

Decisions of the Planning and Zoning Commission may be appealed to the City Council as described in Section 1203 of this ordinance. If the decision of the Planning and Zoning Commission is to deny the Variance, then the same property may not again be considered for a Variance the expiration of at least six (6) months immediately following the defeat of the Variance by the Planning and Zoning Commission.

**Section 7.** Article 11 – Appeals, Section 1105 shall be amended in its entirety to now read as follows:

**Section 1105. Court Review of City Council Action**

(1) Any person, persons, or entities jointly or severally aggrieved by a final zoning decision may appeal the decision as provided in O.C.G.A. § 36-66-5.1.

(2) In order to comply with O.C.G.A. § 36-66-5.1(c), the Mayor or Planning and Zoning Director, as appropriate, is authorized to issue certiorari bonds and certificates of costs.

(3) For purposes of certiorari proceedings, the Mayor or Planning and Zoning Director, as appropriate, is authorized to accept service.

**Section 8.** Article 12 – Amendments to the Zoning Ordinances, Section 1205 shall be amended in its entirety to now read as follows:

## **Section 1205. Public Hearings, Public Hearing Procedure, and Rezoning Standards**

### **(1) Required Public Hearings**

No official action shall be taken on any proposed zoning amendment unless a public hearing has been held. The public hearing shall be conducted by the Planning and Zoning Commission.

### **(2) Procedure for Calling a Public Hearing**

(a) Prior to scheduling of the required public hearing, applicants shall first complete all submission requirements provided by the Planning and Zoning Director (e. g., forms, deeds, maps, etc.) Incomplete applications shall not be processed. There shall be no amendment made to the application once submitted.

(b) The Planning and Zoning Director shall then notify the applicant of the date, time, and place of the required public hearing. Notice of such hearing shall be provided via mail to the owner of the property that is the subject of the proposed action at least 30 days prior to the hearing.

(c) At least 30, but not more than 45, days prior to scheduled public hearings, the Planning and Zoning Director shall publish in the newspaper of general circulation, notice of the date, time, place, and purpose of the public hearing.

(d) If a zoning amendment is for the rezoning of property, the public notice shall also include: (1) the location of the property; (2) the present zoning classification of the property; and (3) the proposed zoning of the property.

(e) Not less than 30 days prior to the date of a public hearing, the Planning and Zoning Director shall post in a conspicuous location on the property in question a sign which shall contain information regarding the proposed rezoning (specifically, the date, time, place, and purpose of the public hearing).

(f) No official action shall be taken on a proposed amendment by the City Council until after the required public hearings have been conducted.

(g) The primary goal of conducting public hearings on proposed zoning amendments shall be to solicit pertinent factual information which will be beneficial in helping the Planning and Zoning Commission and the City Council evaluate the merits of each specific proposed amendment.

### **(3) Notice to Property Owners.**

The Planning and Zoning Commission shall give notice of the date, time, place, and purpose of public hearings to be held by it on proposed amendments or supplements by mail to the owners of all properties abutting any part of the property proposed to be changed. The failure to notify as provided in the Section shall not invalidate any recommendations adopted hereunder.

### **(4) Action on Planning and Zoning Commission.**

The Planning and Zoning Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall then be certified to the City Council.

(5) Action of the City Council.

The City Council shall consider the recommendations of the Planning and Zoning Commission and vote on the proposed amendment to the text or map of the Zoning Ordinance after the Planning and Zoning Commission's public hearing. If the proposed amendment is not recommended by the Planning and Zoning Commission, the favorable vote of a majority of the entire membership (3 of 4 members) of the City Council shall be required to make the amendment effective. The applicant and others so requesting shall receive notice of the decision of the City Council through the Planning and Zoning Director.

(6) Conditions of Zoning Amendments.

Upon consideration of the standards listed below, the Planning and Zoning Commission may recommend and the City Council may require such conditions, in addition to those required by other provisions of this Ordinance. Violation of any of those conditions shall be a violation of this Ordinance. Such conditions may include, but are not limited to, specifications for: type of landscaping/vegetation, increased setbacks and yards, specified sewage disposal and water supply facilities, hours of operation, operational controls, professional inspection and maintenance, sureties, location of piers, docks, parking and signs, and types of construction.

(7) Denial of Rezoning.

If the decision of the City Council is to deny the rezoning of property, then the same property may not again be considered for rezoning until the expiration of at least six (6) months immediately following the denial of the rezoning by the City Council.

(8) Action by City to Rezone Property to Original Zoning.

When an amendment (rezoning) has been granted for a parcel of land on request by the owner or his agent and no building permit has been applied for within twelve (12) months of the date of the rezoning, the Planning and Zoning Director will initiate action to rezone the parcel to its original zoning. The procedures in this article shall be followed, except that no fees shall be paid.

(9) Procedure for Conducting a Public Hearing

(a) All public hearings on zoning amendments shall be chaired by either the Chairman of the Planning and Zoning Commission or the Mayor of Guyton or their designees.

(b) A secretary shall record the proceedings of the public hearing. If requested by any party, verbatim transcripts of the public hearing can be prepared, but only if requested and purchased in advance by the requesting party.

(c) The record of the public hearing and all evidence submitted at the public hearing shall be recorded as such and become a permanent part of the particular zoning amendment's file.

(d) The Chairman of the Planning and Zoning Commission or his or her designee shall preside at the public hearing and shall identify speakers, maintain order, and conduct the public hearing.

(e) The process to be followed in conducting these hearings shall be as follows:

1. The presiding officer shall open the hearing by setting the specific zoning amendment being considered at the public hearing.



2. Speakers at the public hearing shall be allowed no less than ten (10) minutes per side for the presentation of data, evidence, and opinions, provided, however, that the presiding officer may at his or her discretion elect to extend this time period equally to proponents and opponents. .
3. The presiding officer shall recognize the individual parties wishing to testify or present evidence and allow them to present this information.
4. Once all parties have concluded their testimony, the presiding officer shall adjourn the public hearing.

(10) Zoning Amendment Criteria

The following factors will be used to determine whether the rezoning is appropriate:

- (a) Whether the rezoning is a logical extension of a zoning boundary which would improve the pattern of uses in the general area;
  - (b) Whether the rezoning is an illogical extension of a zoning boundary;
  - (c) Whether the rezoning is likely to lead to neighborhood deterioration, the spread of blight, and requests for additional zoning of a similar nature which would expand the problem;
  - (d) Whether the rezoning would result in spot zoning or generally be unrelated to either existing zoning or the pattern of development of the area;
  - (e) Whether the rezoning would create traffic which would traverse established single-family neighborhoods on minor streets, leading to congestion, noise and traffic hazards;
  - (f) Whether the rezoning conforms to the general expectations for population growth and distribution;
  - (g) Whether the rezoning would limit options for the acquisitions of future planned public facility sites, roads, open-space, etc.;
  - (h) Whether the rezoning would result in major changes in existing levels of public service, and/or fiscal stability;
  - (i) Whether the rezoning would achieve short term goals at the expense of long-term development goals;
  - (j) Whether the rezoning will adversely affect property values in the adjacent areas;
  - (k) Whether the rezoning will have an adverse physical impact on surrounding properties;
  - (l) Whether there are substantial reasons why the property cannot be used in accordance with its present zoning classification; and
  - (m) Whether the rezoning conforms to policies and recommendations contained in the Guyton and/or Effingham County Comprehensive Plan.
- A negative finding on one or more of these criteria shall not preclude approval of a rezoning.

**Section 9.** If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

**Section 10.** This ordinance shall become effective immediately upon its adoption by the City Council.

**Section 11.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Approved this the \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF GUYTON**

\_\_\_\_\_  
RUSS DEEN, Mayor

**ATTEST:**

\_\_\_\_\_  
MATTHEW WALKER, City Clerk

**STATE OF GEORGIA  
CITY OF GUYTON**

**RESOLUTION #2023-07**

**RESOLUTION FOR ACTIVATION OF THE  
DOWNTOWN DEVELOPMENT AUTHORITY OF GUYTON,  
GEORGIA**

**A RESOLUTION TO DECLARE THE NEED FOR A DOWNTOWN DEVELOPMENT AUTHORITY TO FUNCTION IN THE CITY OF GUYTON, GEORGIA, PURSUANT TO THE PROVISIONS OF THE DOWNTOWN DEVELOPMENT AUTHORITIES LAW (O.C.G.A. 36-42-1, et seq.); TO APPOINT A BOARD OF DIRECTORS FOR THE DOWNTOWN DEVELOPMENT AUTHORITY; TO DESIGNATE A DOWNTOWN DEVELOPMENT AREA; TO PROVIDE FOR THE FILING OF A COPY OF THIS RESOLUTION WITH THE SECRETARY OF STATE OF THE STATE OF GEORGIA AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES:**

**WHEREAS**, it has been determined by the Mayor and Council of the City of Guyton, Georgia (the "City") that there is a need for the revitalization and redevelopment of locations within the City's downtown area in order to develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities, and to promote the general welfare of the State of Georgia by creating a climate favorable to the location of new industry, trade and commerce, and the development of existing industry, trade and commerce within the City; and

**WHEREAS**, it has been determined by the Mayor and Council of the City that revitalization and redevelopment of areas within the City's downtown area by financing projects under the Downtown Development Authorities Law (1981 Ga. Laws p. 1744; O.C.G.A. 36-42-1, et seq. - the "Downtown Development Authorities Law") will develop and promote for the public good and general welfare trade, commerce, industry and employment opportunities and will promote the general welfare of the State of Georgia; and

**WHEREAS**, it has been determined by the Mayor and Council of the City that it is in the public interest and is vital to the public welfare of the people of the City and of the people of the State of Georgia to revitalize and redevelop areas within the City's downtown area; and

**WHEREAS**, the Downtown Development Authorities Law creates in and for each municipal corporation in the State of Georgia a downtown development authority for the purpose of revitalizing and redeveloping areas specific to the Downtown Development Authority's boundaries of such municipal corporation and promoting for

the public good and general welfare, trade, commerce, industry and employment opportunities and promoting the general welfare of the State of Georgia; and

**WHEREAS**, the Mayor and Council of the City, after thorough investigation, have determined that it is desirable and necessary that the Downtown Development Authority of the City be activated immediately, pursuant to the Downtown Development Authorities Law, in order to fulfill the needs expressed herein;

**NOW, THEREFORE**, be it resolved, by the Mayor and Council of the City, that there is hereby determined and declared to be a present and future need for a Downtown Development Authority (as more fully described and defined in the Downtown Development Authorities Law) to function in the City.

**BE IT FURTHER RESOLVED** that there is hereby activated in the City the public body corporate and politic known as the "Downtown Development Authority of Guyton, Georgia" which was created upon the adoption and approval of the Downtown Development Authorities Law.

**BE IF FURTHER RESOLVED** that there are hereby appointed as members of the first Board of Directors of the Downtown Development Authority of the City the following named seven persons, each of whom shall be:(1) a taxpayer residing in the municipal corporation for which the authority is created; (2) an owner or operator of a business located within the downtown development area and a taxpayer residing in the County in which is located the municipal corporation for which the authority is created; or (3) persons having a combination of the foregoing qualifications. One such director may be a member of the governing body of the municipal corporation and not less than four shall be or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area (hereinafter defined). Notwithstanding the foregoing, one director appointed to the board may reside outside the county; provided, however, that such appointed director owns a business within the downtown development area and is a resident of the State of Georgia.

<b><u>Name:</u></b>	<b><u>Term of Office:</u></b>	<b><u>Representation:</u></b>
T. Marshall Reiser	Coincides w/ Term	City Council Member
Carl Heindel	Two Years	County Taxpayer/ Business Owner with economic interest in redevelopment and revitalization of the DDA
Kaitlyn Thayer	Two Years	Taxpayer in City/ Business Owner with economic interest in redevelopment and revitalization of the DDA
Tamela Mydell	Four Years	Taxpayer in City/ Business Owner with economic interest in redevelopment and revitalization of the DDA
Keith Lancaster	Four Years	County Taxpayer/ Business Owner with economic interest in redevelopment and revitalization of the DDA

Miller Bargeron	Six Years	Taxpayer in City/ Business Owner with economic interest in redevelopment and revitalization of the DDA
Glenn Montgomery	Six Years	County Taxpayer/ Business Owner with economic interest in redevelopment and revitalization of the DDA

**BE IT FURTHER RESOLVED** that the Mayor and Council of the City of Guyton find that the above-named members of the Board of Directors of the Downtown Development Authority of the Guyton, Georgia have an economic interest in the redevelopment and revitalization of the downtown development area.

**BE IT FURTHER RESOLVED** that commencing with the date of adoption of this resolution each of the persons named above as directors shall serve in such capacity for the number of years set forth opposite their respective name, however, that the terms shall be four years for those directors appointed or reappointed after the adoption of this resolution. The term of a director who is also a member of the governing body of the City shall end when such director is no longer a member of the governing body of the City.

**BE IT FURTHER RESOLVED** that the Board of Directors herein elected shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provision of the Downtown Development Authorities Law as it now exists and as it might hereafter be amended or modified.

**BE IT FURTHER RESOLVED** that the "Downtown Development Area" shall be that geographical area described in Exhibit A, attached hereto and made a part hereof by reference, which area, in the judgment of the Mayor and Council of the City, constitutes the "Downtown Development Area Boundaries" of the City as contemplated by the Downtown Development Authorities Law.

**BE IT FURTHER RESOLVED** that the City shall furnish promptly to the Secretary of State of the State of Georgia and the Georgia Department of Community Affairs a certified copy of this resolution in compliance with the provisions of the Downtown Development Authorities Law.

**BE IT FURTHER RESOLVED** that the action taken by the Mayor and Council of the City as herein specified is not intended in any way to affect any public corporation, industrial development, downtown development, or payroll authority previously created by legislative act or constitutional amendment including, without limitation, its existence, purpose, organization, powers, or function.

**BE IT FURTHER RESOLVED** that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon its adoption by the Mayor and Council of the City, and from and after such adoption the Downtown Development Authority of the City shall be deemed to be created and activated.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF GUYTON**

---

Russ Deen, Mayor

ATTEST:

---

Matthew D. Walker, City Clerk



# Guyton Downtown Development Area- Exhibit A



## Legend

- Address Points
- Tax Parcels With Labels
- Downtown Development Authority
- City Boundary
- Roads
- Road Names

This map is a user generated static output from [rightspot.spateng.com](https://rightspot.spateng.com) website and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## **What Is A Downtown Development Authority (DDA)?**

The Downtown Development Authority (DDA) is primarily a policy-making and major decision-making entity that plans and manages the downtown area. The DDA is a corporate body recognized by State law and used for the last three decades as an important tool in downtown redevelopment. The DDA is eligible to receive certain grant monies, whereas, a local business or merchants association may not qualify. From an Internal Revenue perspective the DDA is considered to be governmental tax-exempt.

The DDA can utilize a variety of financing tools outlined in the Official Code of Georgia. Money created from the implementation of these tools can be used in a number of ways to bring about revitalization and economic development of the central business district.

The DDA can work with volunteers from the local business association, citizens, the city and county to bring about the revitalization of the downtown area or depending on a set of criteria for qualification, a DDA may choose to initiate a Main Street or Better Home Town Redevelopment

Program Since the passage of the 1981 Downtown Development Authorities Law, cities of all sizes have created DDAs. Many of these became inactive after changes in federal tax codes in 1986 removed certain tax incentives for downtown improvement loans, but many others have continued to work to strengthen their downtowns. Often simply having a well-structured and focused organization with a comprehensive and long-term view of downtown, cities have seen positive results and have prevented opportunities from being lost.

The Downtown Development Authorities Law of 1981 created "in and for each municipal corporation in the State a public body corporate and politic to be known as the Downtown Development Authority of such municipal corporation..." This law authorizes a DDA in every city in Georgia. It eliminated the need for individual local legislation to establish such authorities, which had previously been the case. These DDAs must be activated by city government before they can function. This is done by first designating the downtown area boundaries with the city; appointing the initial directors of the authority; creating a resolution which also declares that there is a need for such an Authority; pass the resolution and file copies of the resolution with the Secretary of State and the Georgia Department of Community Affairs.

The DDA Law indicates that each authority shall consist of a board of seven directors. These directors must be taxpayers residing in the county in which the authority is located. At least four of the directors must also be owners or operators of downtown businesses. Directors of authorities created under the DDA law are appointed by the governing body of the municipality. Directors appointed after January 1, 1992 are required to attend and complete at least eight hours of training on downtown development and redevelopment programs.

Each authority can undertake commercial, business, office, industrial, parking, or public projects where these will have a benefit for the downtown. (Certain public projects such as the construction of government buildings and streets are not permissible DDA projects.)

A 1988 amendment added hospitals, skilled nursing homes, and intermediate care homes where such facilities are operated on a not-for-profit basis.

The following are powers that are specifically provided to the DDA created under the Downtown Development Authorities Law of 1981:

1. To sue and be sued.
2. To adopt and to change as necessary a corporate seal.
3. To make and execute contracts and other agreements, such as contracts for construction, lease or sale of projects or agreements to finance projects.
4. To purchase and own property, real or personal and to sell or otherwise dispose of property, lease or rent property. The authority's property is tax-exempt.
5. To finance projects by loan, grant, lease or otherwise.
6. To finance projects using revenue bonds or other obligations of authority.



7. To borrow money.
8. To apply for and receive government grants, loans, loan guarantees or other financial assistance.
9. To receive and use city tax monies. (The City can levy a tax up to three mills for the support of the authority. See Official Code of Georgia Annotated 48-5-350).
10. To employ an executive director for the downtown revitalization efforts.
11. To prepare plans for the downtown area or to hire others to prepare plans.
12. To exercise any power of public or private corporations under state law, which does not conflict with the authority's public purpose.

The 1992 Amendments (Act No. 1334) added the following powers:

1. To serve as an urban redevelopment agency under the Urban Redevelopment Law.
2. To serve as a redevelopment agency under the Redevelopment Powers Law.
3. To contract with a city government to carry out City Business Improvement District services in a downtown.
4. To acquire real property through eminent domain (subject to the approval of the City and the meeting of other requirements.)

These amendments also gave cities the express authorization to create special tax, fee, or assessment districts within the area of operation of downtown authorities. This authorization is pursuant to Article IX, Section II, Paragraph VI of the Georgia Constitution.

Before the enactment of the Downtown Development Authorities Law in 1981, some two dozen Georgia cities persuaded the General Assembly to create individual downtown development authorities for each of their communities. At the time this was the only way that such authorities could be established. Because special local legislation was used it was possible to tailor each law for particular local desires. For example, some of the authorities were given the ability to operate anywhere in the city. Many were given very substantial powers such as the power to levy taxes within a downtown tax district or the power of eminent domain. Composition of the board of directors could also be tailor-made for particular local needs.

There were three methods by which these authorities were created:

### **1. Statute**

Under this method a statute of local application was passed by the General Assembly. The statute detailed the duties, powers and responsibilities of the authority. This method was the least used and generally was the most restrictive with regard to the authority's powers and flexibility to act. (Examples: Albany, Fitzgerald, Gainesville, Perry).

### **2. Local Constitutional Amendment with Enabling Legislation**

To begin this process the General Assembly passed a resolution which proposed an amendment to the constitution that would authorize it (the General Assembly) to create the development authority by local law. This proposed constitutional amendment was then put on the ballot in the next general election. If the local voters ratified the amendment, a local law was passed at a following session of the General Assembly which defined the powers of the authority, provided for qualifications of the directors, and specified other details concerning the authority's operation. The authority was not operational until the local law took effect.

Generally, the constitutional amendment was kept short, stating only that the General Assembly was granted the authority to create the development authority, define its powers, and appoint the authority members, etc. (Examples: Athens, Dalton, LaGrange, Marietta, Waycross).

### **3. Local Constitutional Amendment without Enabling Legislation**

In this method, the General Assembly passed a resolution that proposed a constitutional amendment that, if passed, directly created the authority. The constitutional amendment generally appeared on the ballot in the general election. If the voters ratified it, the authority became active January 1 following the general election or whenever members were appointed by the local government after January 1. (Examples: Acworth, East Point, Powder Springs, Valdosta).

The current constitution permits only constitutional amendments of general application. Because of this limitation, it is no longer possible to create individual downtown development authorities by local constitutional amendment.

(For the sake of brevity, those authorities which were created individually by local constitutional amendment or by statute may be referred to in this manual as "local legislation authorities" or "LLA's".)

*Source: Except from Downtown Development Authority Training Manual, The University of Georgia and Georgia Cities Foundation*

**CITY OF GUYTON  
STATE OF GEORGIA**

**RESOLUTION NUMBER 2023-08**

**A RESOLUTION OF THE CITY OF GUYTON AMENDING THE CITY'S FEE SCHEDULES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND RESOLUTIONS AND PARTS THEREOF IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Guyton, Georgia is authorized by O.C.G.A. §36-35-3 to adopt ordinances and resolutions relating to its property, affairs, and local government; and

**WHEREAS**, Section 1.12(20) of the Charter of the City of Guyton provides that City shall fix the “taxes, charges, rates, fares, fees, assessments, regulations, and penalties” associated with public utilities such as waterworks; and

**WHEREAS**, Section 6.17 of the Charter of the City of Guyton provides that the City “shall be empowered to levy any other tax or fee allowed now or hereafter by law”; and

**WHEREAS**, Article 9, Section 903, Item (E) of the City of Guyton Zoning Ordinance provides that “[n]o [sign] permit shall be issued until the appropriate application has been filed with the Building Official and fees have been paid as established by the City”;

**WHEREAS**, the City of Guyton has previously adopted Fee Schedules relating to (1) Water, Sewer, and Sanitation; (2) Building Permits; and (3) Sign Permits; and

**NOW THEREFORE, IT IS HEREBY RESOLVED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON, GEORGIA IN A REGULAR MEETING ASSEMBLED AND PURSUANT TO LAWFUL AUTHORITY THEREOF, AS FOLLOWS:**

**Section 1. Amendment of Fee Schedules.** The City Council of the City of Guyton hereby amends its Fee Schedules as set forth in Exhibit A hereto, which is incorporated by reference as if set forth verbatim herein.

**Section 2. Severability.** If any section, clause, sentence or phrase of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

**Section 3. Repealer.** All ordinances and resolutions and parts thereof in conflict with this resolution are hereby repealed.

**Section 4. Effective Date.** This resolution shall become effective immediately upon its adoption by the City Council.

SO RESOLVED, this \_\_\_ day of May, 2023.

**CITY OF GUYTON**

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Russ Deen, Mayor

Attest:

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Matthew Walker, City Clerk

# **EXHIBIT A**

## **Amendment to Fee Schedules**

Exhibit A - 1 to Resolution 2023-08

Guyton Fee Schedule Amendment

Meter Equipment Fee \$650.00

Cosmetic Water Meter Fee \* \$650.00

\* Water meters used for cosmetic purposes for developments as determined by the city manager, such as landscaping around signs

\* Only used when sewer not required

Requested Water Meter Diagnostic Fee \$35.00

## Facility Rental Fees

<u>Use Requested</u>	<u>GYM</u>	<u>Rooms at Dean PSC</u>
For-Profit	\$525/day	\$125/day
Non-Profit	\$100/day or \$75/4 hours	\$50/day or \$25/hr
Private Event (if no admission)	\$250	\$150
Security (determined by Chief)	\$150 for first 5 hours	
	\$30 per additional 30 min per officer	
Cleaning Deposit (refundable)	\$135	
Key Deposit (refundable)	\$25	

<u>Use Requested</u>	<u>Walking Trail</u>	
For-Profit	\$1000/day	
Non-Profit	\$100/day	
Security (determined by Chief)	\$150 for first 5 hours	
	\$30 per additional 30 min per officer	
Cleaning Deposit (refundable)	\$135	

The WOW organization (Women of the Word) organized through the Guyton Methodist Church is a group of non-denominational women seeking to benefit the Guyton/Effingham Community by aiding residents in need. We seek to bring our community together in love and respect to create a group of people who are a support system for our neighbors in need. The organization raises money by various means to provide such things as food, clothing and spiritual support to our fellow residents who have been met with difficult times.

We would like to ask permission to use a designated location on the Guyton Trail to facilitate a Farmers Market for local farmers and growers to meet and sell local fresh produce.

WOW will organize and manage the publicity, set up, and take down of the vendors. Vendors will be required to pay a small fee to present their goods. This money will be gathered by designated WOW members to be deposited in their general funds to aid in our pledge to help community residents in need.

At present we would like to look at having a "test" event around the first of June to see if the Farmers Market is truly a desire or need for the people of Guyton and the surrounding Effingham area. After the initial event we would then assess results and come back to the council to pursue future activity.

Tentative recommendations suggest a Saturday morning for our event from 8 to 1.

We would not allow yard sale items or buy sell merchandise. Items would be local produce, fresh bake goods and limited handmade crafts.

We would like to invite our many local churches to participate as well by their presence offering information on their places of worship and their community support.

We would greatly appreciate any recommendations the city council may have to promote and support this community effort.

Thank you for your consideration of this request,

Debbie McIntosh  
President of WOW



# ELECTION OF GMA'S DISTRICT 12 OFFICERS FOR 2023-2024

## BALLOT

The nominating committee comprised of current District 12 officers nominated the following city officials as GMA's District 12 Officers for 2023-2024:

- President Russ Deen, Mayor, Guyton
- First Vice President Lisa James, Councilmember, St. Mary's
- Second Vice President Patrick Kirkland, Councilmember, Rincon
- Third Vice President Paulette Chavers, Councilmember, Statesboro

Is your city in favor of the nominees for positions of President, First Vice President, Second Vice President, and Third Vice President

Yes \_\_\_\_ No \_\_\_\_

Please provide the following information:

City: \_\_\_\_\_

Name of person submitting ballot: \_\_\_\_\_

**I affirm that I am authorized to vote on behalf of the city:**

Signature: \_\_\_\_\_

**Please mail or email the ballot by June 2 to:**

Pam Helton, Georgia Municipal Association, P.O. Box 105377, Atlanta, GA 30348; email at [phelton@gacities.com](mailto:phelton@gacities.com) .



36 Courtland Street  
Suite B, Statesboro GA 30458  
Phone: 912-764-7722  
Email: lindsey@parker-engineering.com

May 4<sup>th</sup>, 2023

Mayor Russ Deen  
City of Guyton  
310 Central Boulevard  
Guyton, GA 31312

**RE: Guyton LMIG/TSPLOST Projects**

Dear Mr. Deen,

The 4th Avenue LMIG Project, which consisted of the overlay of Gordon Street and 4th Avenue, had a final construction cost of \$36,660.21. The plan for the project was to use LMIG funds (\$43,751.28) and pay for the remainder of the project with TSPLOST funds. GDOT LMIG projects have a rule that if a municipality does not meet their project minimum, the municipality has to pay back the money received; however you are allowed the capability to change the road(s) in the scope of the project. The 2022 TSPLOST project consisted of paving Poplar Street, Martha Drive, Davis Street, Hines Street, Anderson Street, Pine Street, Futrell Lane, Plantation Drive, and Cemetery Street. This project has an approximate construction cost of \$388,795.38. Rather than send back the money to GDOT, I believe the best option is to report Pine Street as our LMIG road rather than 4<sup>th</sup> Avenue and Gordon Street. Pine Street costed approximately \$93,682.78 which would meet our project minimum of \$43,751.28. This would consist of reporting Pine Street as our LMIG street rather than 4<sup>th</sup> Avenue and Gordon Street. Please let me know how City Council would like to proceed.

Sincerely,

A handwritten signature in black ink that reads "Lindsey Bashlor".

Lindsey Bashlor, Parker Engineering, LLC