



# Mayor and City Council Regular Meeting

Thursday, August 03, 2023 at 7:00 PM

Dacula City Hall, Council Chambers

442 Harbins Rd. | P.O. Box 400 | Dacula, Georgia 30019 | (770) 963-7451

## Agenda

### **CALL TO ORDER AND ROLL CALL OF MEMBERS:**

### **INVOCATION:**

### **PLEDGE OF ALLEGIANCE:**

### **PUBLIC SERVICE DEDICATION:**

1. Jimmy Wilbanks

### **CONSENT AGENDA:**

2. Approval of the Minutes from the Regular Council Meeting on July 6, 2023
3. Approval of the Minutes from the First Millage Rate Public Hearing on July 19, 2023 at 10:00 a.m.
4. Approval of the Minutes from the Second Millage Rate Public Hearing on July 19, 2023 at 5:00 p.m.
5. Ordinance to amend the Dacula Municipal Code, Chapter 18
6. Refund authorization request

### **OLD BUSINESS:**

7. Time lapse waiver request for Stanley Road (Ref: 2022-CD-COC-02)

### **NEW BUSINESS:**

8. Adoption of the 2023 Millage Rate

### **STAFF COMMENTS:**

### **MAYOR AND COUNCIL COMMENT(S):**

### **PUBLIC COMMENTS:**

### **EXECUTIVE SESSION: Potential litigation and personnel matters**

### **ADJOURNMENT:**

**A RESOLUTION  
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DACULA  
FOR PUBLIC SERVICE MEMORIAL AWARD TO JIMMY WILBANKS**

WHEREAS, the City of Dacula’s Public Service Memorial Award is intended to recognize outstanding service to the City and its citizens; and

WHEREAS, Jimmy Wilbanks served as Mayor of the City of Dacula from 1970 through 1974 and 2002 to 2019. Jimmy dedicated his life to the City, its citizens, elected officials, and employees. Although his position as Mayor was only a part-time position, he spent thousands of hours at City Hall, and in engagement with citizens, businesses, and City personnel. He represented the City in issues of regional significance with the Georgia Municipal Association, the Gwinnett Municipal Association, and Gwinnett County. He was a personal friend and mentor to many citizens of the City and community. His faithful service set the stage for much of the City’s growth and progress. In his Will, he left one-half of his estate for the benefit of the City for public projects, parks and beautification of the City. Mayor Wilbanks literally dedicated his life to the City and its citizens. We remember his friendship and service, and recognize his contributions by adopting this resolution.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DACULA, hereby resolves and ordains that the City’s Public Service Memorial Award is hereby granted in favor of Jimmy Wilbanks in recognition of his outstanding service to the City.

SO RESOLVED, this 3rd day of August, 2023 by the Governing Authority of the City of Dacula.

AYES: \_\_\_\_

NAYES: \_\_\_\_

\_\_\_\_\_  
Hugh D. King, III, Mayor  
City of Dacula

\_\_\_\_\_  
Brittni Nix  
City Administrator

**CITY OF DACULA**  
442 Harbins Rd  
P. O. Box 400  
Dacula, GA, 30019

**COUNCIL MEETING**  
**MINUTES**  
July 6, 2023

**I. CALL TO ORDER AND ROLL CALL OF MEMBERS:**

Mayor Trey King called the July 6, 2023 Council Meeting to order at 7:00 p.m. and a roll call of the members was taken. A quorum was present. He welcomed everyone to the meeting.

**Council Members Present:**

Mayor Trey King  
Councilmember Sean Williams  
Councilmember Daniel Spain  
Councilmember Ann Mitchell  
Councilmember Denis W. Haynes, Jr.

**City Staff Present:**

Brittini Nix, City Administrator  
Jack Wilson, City Attorney  
Courtney Mahady, Administrative Clerk  
Stephen Mayer, Director of Finance  
Hayes Taylor, City Planner  
Dana Stump, Administrative Assistant for Planning & Zoning  
Alethia Hyman, City Tax Clerk  
Amy White, City Marshal  
Chris Parks, Public Works Director

**II. INVOCATION:**

Marshal Amy White gave invocation.

**III. PLEDGE OF ALLEGIANCE:**

Mayor Trey King led the Pledge of Allegiance.

**IV. RECOGNITION:**

- 1. Marvin Atherton

Mayor Trey King recognized and thanked Marvin Atherton for his faithful leadership and service in planning, promoting, and carrying out the Dacula Memorial Day Parade.

**V. CONSENT AGENDA:**

2. Approval of the Minutes from the Regular Meeting on June 1, 2023
3. Time lapse waiver request for Stanley Road (Ref: 2022-CD-COC-02)
4. Maple Creek Park Playground Improvement change order
5. Ordinance to transfer unencumbered appropriations
6. Ordinance to amend Section 2-6 Compensation for Elected Officials
7. A Resolution to Regulate and Provide for the calling of a General Municipal Election on Tuesday, November 7, 2023

Councilmember Williams requested to remove item #3 from the consent agenda.

Councilmember Spain requested to remove item #6 from the consent agenda.

Councilmember Spain motioned to approve the consent agenda with the exception of item #3 and item #6. Councilmember Mitchell seconded. Motion passed unanimously.

**VI. OLD BUSINESS:**

*None*

**VII. NEW BUSINESS:**

3. Time Lapse waiver request for Stanley Road (Ref: 2022-CD-COC-02)

Councilmember Williams motioned to table item #3 to the August 3, 2023 meeting. Councilmember Haynes, Jr. seconded. Motion passed unanimously.

6. Ordinance to amend Section 2-6 Compensation for Elected Officials

Mayor King called for a motion to amend Section 2-6 to compensate the Mayor at \$12,000 per year and the City Council Members at \$8,000 per year.

Councilmember Spain motioned to approve compensation for the Mayor at \$12,000 per year and City Council Members at \$8,000 per year. Councilmember Haynes, Jr. seconded. Motion passed unanimously.

**VIII. ARPA UPDATE:**

City Administrator, Brittini Nix, provided updates on the ARPA storm water projects. Ms. Nix stated that the McMillan Road Storm Water project is substantially complete. ARPA funds were also used at 2811 Hill Circle to fix a crushed storm water pipe within the public right of way.

**IX. STAFF COMMENTS:**

Administrative Assistant for Planning & Zoning, Dana Stump, inquired whether all of Maple Creek Park was going to be closed or just the playground area during the Maple Creek Playground Improvement Project.

Ms. Nix stated that only the playground area along with a few other pocketed areas would be closed during the construction. The rest of the park amenities would remain open to the public.

Commander Cain provided updates from the Gwinnett County Police East Precinct Station. She stated the East Precinct started two initiatives running from mid-June through July.

**X. MAYOR AND COUNCIL COMMENT(S):**

Councilmember Mitchell stated that she is honored to work for the City of Dacula.

**XI. PUBLIC COMMENTS:**

*None*

**XII. EXECUTIVE SESSION: Personnel matters**

Councilmember Williams motioned to exit regular session and enter into executive session. Councilmember Mitchell seconded. Motion passed unanimously. Regular session adjourned and executive session began for the purposes of personnel matters at 7:20 p.m.

Councilmember Haynes, Jr. motioned to exit executive session and reconvene regular session. Councilmember Spain seconded. Motion passed unanimously. Regular session reconvened at 7:27 p.m.

City Attorney, Jack Wilson, reported there were no votes taken in executive session. The Council met to discuss personnel matters as allowed by the Open Meetings Act.

Mayor King then called for a motion to amend the agenda to add Approval to Hire New Employees.

Councilmember Williams motioned to amend the agenda to add Approval to Hire New Employees. Councilmember Mitchell seconded. Motion passed unanimously.

**XIII. APPROVAL TO HIRE NEW EMPLOYEES:**

Mayor King called for a motion to hire the following individual:

- Michael Gerrells, as Maintenance Laborer at \$15/hour with benefits. Mr. Gerrells anticipated start date is Friday, July 7, 2023.

Councilmember Mitchell motioned to approve hiring the listed individual. Councilmember Spain seconded. Motion passed unanimously.

**XIV. ADJOURNMENT:**

Councilmember Haynes, Jr. motioned to adjourn. Councilmember Williams seconded. Motion passed unanimously. Meeting adjourned at 7:30 p.m.

*Minutes approved*

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*Date*

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*Signature*

**CITY OF DACULA**  
**442 Harbins Rd**  
**P. O. Box 400**  
**Dacula, GA, 30019**

**First Public Hearing – 2023 Dacula Millage Rate**  
**Minutes**  
**July 19, 2023**  
**10:00 a.m.**

**I. CALL TO ORDER AND ROLL CALL OF MEMBERS:**

Mayor Trey King called the first public hearing of the 2023 proposed millage rate to order on July 19, 2023 at 10:00 a.m. A roll call of the members was taken. A quorum was present. Mayor King welcomed everyone to the meeting.

**City Council Present:**

Mayor Trey King  
 Councilmember Sean Williams  
 Councilmember Daniel Spain

**Absent:**

Councilmember Ann Mitchell  
 Councilmember Denis W. Haynes, Jr.

**City Staff Present:**

Brittini Nix, City Administrator  
 Stephen Mayer, Director of Finance  
 Courtney Mahady, Administrative Clerk  
 Alethia Hyman, City Tax Clerk

**II. NEW BUSINESS:**

1. Presentation of Proposed 2023 Millage Rate

Director of Finance, Stephen Mayer, presented a PowerPoint to the Mayor and Council regarding the current 2023 Tax Digest.

2. Public Hearing on Proposed 2023 Millage Rate

Mayor King called for a motion to open the public hearing.

Councilmember Williams motioned to open the public hearing. Councilmembers Spain seconded. Motion passed unanimously.

*Comment in favor*

City Tax Clerk, Alethia Hyman, commented being in favor of keeping taxes as low as possible for the Dacula residents.

Councilmember Spain motioned to close the public hearing. Councilmember Williams seconded. Motion passed unanimously.

**III. ADJOURNMENT:**

Councilmember Williams motioned to adjourn. Councilmember Spain seconded. Motion passed unanimously. Meeting adjourned at 10:16 a.m.

*Minutes approved* \_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*



**CITY OF DACULA**  
**442 Harbins Rd**  
**P. O. Box 400**  
**Dacula, GA, 30019**

**Second Public Hearing – 2023 Dacula Millage Rate**  
**Minutes**  
**July 19, 2023**  
**5:00 p.m.**

**I. CALL TO ORDER AND ROLL CALL OF MEMBERS:**

Mayor Trey King called the second public hearing of the 2023 proposed millage rate to order on July 19, 2023 at 5:00 p.m. A roll call of the members was taken. A quorum was present. Mayor King welcomed everyone to the meeting.

**City Council Present:**

Mayor Trey King  
 Councilmember Sean Williams  
 Councilmember Daniel Spain  
 Councilmember Ann Mitchell  
 Councilmember Denis W. Haynes, Jr.

**City Staff Present:**

Jack Wilson, City Attorney  
 Brittini Nix, City Administrator  
 Stephen Mayer, Director of Finance  
 Courtney Mahady, Administrative Clerk  
 Alethia Hyman, City Tax Clerk  
 Amy White, City Marshal

**II. NEW BUSINESS:**

1. Presentation of Proposed 2023 Millage Rate

Director of Finance, Stephen Mayer, presented a PowerPoint to Mayor and Council regarding the PT-32.1 form. Mr. Mayer advised that the Rollback Millage Rate would be 4.308. The tentative 2023 Millage Rate is 4.557.

2. Public Hearing on Proposed 2023 Millage Rate

Mayor King called for a motion to open the public hearing.

Councilmember Spain motioned to open the public hearing. Councilmember Haynes, Jr. seconded. Motion passed unanimously.

*Comment in favor*

City Tax Clerk, Alethia Hyman, commented in favor of decreasing the Millage Rate for 2023.

Councilmember Haynes, Jr. motioned to close the public hearing. Councilmember Mitchell seconded. Motion passed unanimously.

**III. ADJOURNMENT:**

Councilmember Mitchell motioned to adjourn. Councilmember Spain seconded. Motion passed unanimously. Meeting adjourned at 5:13 p.m.

*Minutes approved* \_\_\_\_\_  
*Date*

\_\_\_\_\_

*Signature*

**TO:** City of Dacula Mayor and City Council

**FROM:** Brittni Nix, City Administrator  
Jack Wilson, City Attorney

**DATE:** July 27, 2023

**SUBJECT:** Amendment to Update Water Efficiency Code by Metropolitan North Georgia Water Planning District Policy

Mayor and Members of City Council,

The City is part of the Metropolitan North Georgia Water Planning District. That group has mandated several amendments and update to model codes to promote water conservation. The amendments would ensure responsible water usage and compliance with our obligations as a member of the water planning district by January 1, 2024.

The proposed amendments include new definitions and parameters for newer technologies and expand upon current definitions and requirements. The amendments apply to faucets, toilets, showers, irrigation systems, and reclaimed water systems. The greater specificity in requirements and the expansion of definitions will allow the City to be more effective in its water conservation efforts.

If you have any questions, please let us know.

Thank you.

## Ordinance

### AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF DACULA CHAPTER 18 INCLUDING FINDINGS ON PLUMBING CODE FOR WATER EFFICIENCY, SUBMISSION OF PROPOSED AMENDMENT TO DCA, AND RELATED PURPOSES

**WHEREAS** the current minimum water efficiency requirements for buildings in the City of Dacula jurisdiction is the Georgia State Minimum Standard Plumbing Code (“Georgia Plumbing Code”) as approved and adopted by the Georgia Department of Community Affairs (“DCA”) from time to time;

**WHEREAS** the City of Dacula like all local governments in the State of Georgia is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements when needed that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors;

**WHEREAS** the long-term availability, reliability, and resiliency of water supplies is a critical need of the City of Dacula and water efficiency is essential to meeting this need;

**WHEREAS** the “Local Amendments to Plumbing Code” shown in Attachment A are more stringent than the Georgia Plumbing Code on water efficacy because the amendments require even more efficient uses of water and provide clarifications on existing allowable practices;

**WHEREAS**, based on its local climatic, geologic, and topographic factors included in the regional water resources plan prepared by the Metropolitan North Georgia Water Planning District (“Metro Water District”), of which the City of Dacula is a part, water conservation is especially important to the City of Dacula and the Metro Water District;

**WHEREAS** the City of Dacula has become aware that more water-efficient technologies have become widely available at comparable prices and performance to the water-efficient technologies currently required as the minimum in the Georgia Plumbing Code;

**NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS**

1. The governing body of the City of Dacula finds that, based on local climatic, geographic, topographic, and public safety factors included in the Metro Water District’s plans, it is justified in adopting local water efficiency requirements more stringent than the Georgia Plumbing Code;
2. The City of Dacula is considering codifying these water efficiency requirements in the local code as an amendment to the Georgia Plumbing Code in the form of the Local Amendments to Plumbing Code shown in Attachment A; and
3. The City of Dacula is directing its staff to submit this ordinance and the Local Amendments to Plumbing Code to DCA for review and comment within 60 days as required by O.C.G.A. § 8-2-25(c)(1).
4. After said comment period, if no objection, response or recommendation is filed, the amendments to the City’s Code of Ordinances shall be adopted, approved and included in the City Code effective January 1, 2024.
5. The City Administrator, Assistant City Administrator, and Director of Planning and Economic Development are further authorized to correct typographical errors in the text of the existing

City Code, to remove conflicting provisions, to update the City Code , and to produce and publish a final codified version of the City Code with the amendments and revisions outlined herein.

6. In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

7. All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SO ORDAINED by the governing authority of the City of Dacula, this \_\_\_\_\_ day of August, 2023.

AYES: \_\_\_\_  
NAYES: \_\_\_\_

ATTEST: \_\_\_\_\_  
HUGH D. KING, III  
MAYOR, CITY OF DACULA

\_\_\_\_\_  
BRITTNI NIX,  
CITY ADMINISTRATOR

**Attachment A**

**LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY**

Amendment to local code of ordinances Chapter 18, Article 1, Section 18-20 & 18 - 200. Effective January 1, 2024, the Georgia State Minimum Standard Plumbing Code has been amended by the City of Dacula as follows:

**Amend Chapter 18, Article II, Section 18-20 Definitions.** Add in alphabetical order the following definitions:

*Kitchen Faucet or Kitchen Faucet Replacement Aerator* means it allows a flow of no more than 1.8 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1. (add to Sec 18-20).

*Lavatory Faucet or Lavatory Faucet Replacement Aerator* means it allows a flow of no more than 1. gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.(Add to Sec. 18 - 20).

*Shower Head* means a showerhead that allows a flow of no more than the average of 2.0 gallons of water per minute at 80 pounds per square inch of pressure, is listed in the WaterSense Specification for Showerheads and meets the US Department Definition of Energy definition of showerhead.

**Amend Chapter 18, Article I, Section 18-21.** Add the following language:

Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in 18-20 to 18-25 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 18-21 (1).

**Amend Chapter 18, Article I, Section 18-21 (1) b 1.**

1. The single flush water closet (including gravity, pressure-assisted, and electro-hydraulic tank types) and the average flush volume does not exceed 1.28 gallons.

**Add Chapter 18, Article I, Section 18-21 (2) a.**

- a. A hand-held shower spray is a shower head. As a point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each showerhead individually meets the maximum flow rate, the WaterSense requirements, and the US Department of Energy's definition of the showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

**Amend Chapter 18, Article I, Section 18-21 (5).**

(5) Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.

**Add Chapter 18, Article I, Section 18-21 (6).**

(6) Consumption tolerances shall be determined from referenced standards.

**Add Chapter 18, Article I, Section 18-21 (7).**

(7) For The flushometer valves and flushometer tanks, the average flush volume does not exceed 1.28 gallons.

**Add Chapter 18, Article I, Section 18-21 (8).**

(8) See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.

**Add Chapter 18, Article I, Section 18-21 (9).**

**Clothes Washers.** Residential clothes washers shall be in accordance with the Energy Star program requirements.

**Add Chapter 18, Article IV, Section 18-21 (10).**

**Cooling Tower Water Efficiency.**

- a. **Once-Through Cooling.** Once-through cooling using potable water is prohibited.
- b. **Cooling Towers and Evaporative Coolers.** Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.
- c. **Cooling Tower Makeup Water.** Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO<sub>3</sub> exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

**Add Chapter 18, Article I, Section 18-21 (11).**

TABLE 18-21  
 MAXIMUM FLOW RATES AND CONSUMPTION FOR  
 PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY <sup>b</sup>
Lavatory faucet and replacement aerators, private	WaterSense Labeled & 1.2 gpm at 60 psi <sup>f</sup>
Lavatory faucet, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead <sup>a</sup>	WaterSense Labeled & 2.0 gpm at 80 psi <sup>f</sup>
Kitchen faucet and replacement aerators	1.8 gpm at 60 psi <sup>f</sup>
Urinal	0.5 gallon per flushing cycle <sup>f</sup>
Water closet	1.28 gallons per flushing cycle <sup>c, d, e, f</sup>

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,  
 1 pound per square inch = 6.895 kPa.

**Add Chapter 18, Article I, Section 18-21 (12).**

**Exceptions:**

1. Blowout design water closets having a water consumption not greater than 3<sup>1</sup>/<sub>2</sub> gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4<sup>1</sup>/<sub>2</sub> gallons (17 L) per flushing cycle.
4. Laundry tray sinks and service sinks.
5. Emergency showers and eye wash stations.

**Add Chapter 18, Article IV, Section 18-202 (C).**

**Avoiding Water Waste Through Design.** All new landscape irrigation systems shall adhere to the following design standards:

- (1) Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.



(2) Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.

(3) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.

(4) Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

**Add Chapter 18, Article IV, Section 18-202 (d).**

**(d) Landscape Irrigation System Required Components.** All new landscape irrigation systems shall include the following components:

(1) A rain sensor shut-off installed in an area that is unobstructed by trees, roof overhangs, or anything else that might block rain from triggering the rain sensor shutdown.

(2) A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.

(3) Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.

(4) Except for landscape irrigation systems serving a single-family home, all other systems must also include:

(a) a WaterSense irrigation controller; and

(b) at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.

**Add Chapter 18, Article IV, Section 18-209. Definitions.**

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

*Flow sensor* means an inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

*Lawn or Landscape Irrigation system* means an assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

*Master shut-off valve* means an automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the

WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system

*Pressure regulating device* means a device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

*Rain sensor shut-off* means an electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

*WaterSense irrigation controller* is a weather-based or soil moisture-based irrigation controller labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

*WaterSense spray sprinkler bodies* means a sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

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## **ARTICLE II. WATER-CONSERVING PLUMBING FIXTURES<sup>1</sup>**

### **Sec. 18-19. Purpose of provisions.**

It is the purpose of this article to require the use of ultra-low-flow plumbing fixtures in all new construction, or when replacing plumbing fixtures during renovation or remodeling of existing buildings, and to require the labeling of plumbing fixtures with information regarding the flow rates for the purpose of conserving water to maintain the integrity of drinking water supplies and reduce wastewater flows.

(Code 1993, § 13.16.010; Ord. of 10-2-1990, § 1)

### **Sec. 18-20. Definitions.**

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

*Commercial building* means any type of building other than residential.

***Kitchen Faucet or Kitchen Faucet Replacement Aerator* means it allows a flow of no more than 1.8 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.**

***Lavatory Faucet or Lavatory Faucet Replacement Aerator* means it allows a flow of no more than 1. gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.**

*Plumbing fixture* means any toilet, urinal, showerhead, bathroom, lavatory and kitchen faucet and replacement aerators.

*Residential building* means any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.

***Shower Head* means a showerhead that allows a flow of no more than the average of 2.0 gallons of water per minute at 80 pounds per square inch of pressure, is listed in the WaterSense Specification for Showerheads and meets the US Department Definition of Energy definition of showerhead.**

*Toilet* means any fixture consisting of a water-flushed bowl with a seat, used for the disposal of human waste.

*Urinal* means any fixture consisting of a water-flushed bowl used for the disposal of human waste.

(Code 1993, § 13.16.020; Ord. of 10-2-1990, § 2)

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<sup>1</sup>State law reference(s)—Water efficiency requirements, O.C.G.A. § 8-2-1 et seq.; flow-rate restrictions on plumbing fixtures, O.C.G.A. § 8-2-3.

## Sec. 18-21. Standards for plumbing fixtures.

**Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in 18-20 to 18-25 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 18-21.**

No plumbing fixture shall be installed which does not meet the standards listed in this section. This includes all plumbing fixtures installed in newly constructed buildings or when replacing plumbing fixtures during remodeling or renovation of existing buildings, except as noted in section 18-23. The standards are as follows:

- (1) A water closet or toilet that:
  - a. Is a dual-flush water closet that meets the following standards:
    1. The average flush volume of two reduced flushes and one full flush may not exceed 1.28 gallons;
    2. The toilet meets the performance, testing, and labeling requirements prescribed by the following standards, as applicable:
      - (i) American Society of Mechanical Engineers Standard A112.19.2-2008; and
      - (ii) American Society of Mechanical Engineers Standard A112.19.14-2006 Six-Liter Water Closets Equipped with a Dual Flushing Device"; and
    3. Is listed to the WaterSense™ Tank-Type High Efficiency Toilet Specification; or
  - b. Is a single-flush water closet, including gravity, pressure assisted, and electro-hydraulic tank types, that meets the following standards:
    - ~~1. The average flush volume may not exceed 1.28 gallons;~~
    - 1. The single flush water closet (including gravity, pressure-assisted, and electro-hydraulic tank types) and the average flush volume does not exceed 1.28 gallons.**
    2. The toilet must meet the performance, testing, and labeling requirements prescribed by the American Society of Mechanical Engineers Standard A112.192/CSA B45.1 or A112.19.14; and
    3. The toilet must be listed to the WaterSense™ Tank-Type High Efficiency Toilet Specification;
- (2) A shower head that allows a flow of no more than an average of 2½ gallons of water per minute at 60 pounds per square inch of pressure;
  - a. A hand-held shower spray is a shower head. As a point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each showerhead individually meets the maximum flow rate, the WaterSense requirements, and the US Department of Energy's definition of the showerhead. However, multiple shower heads are not recommended for water efficiency purposes.**
- (3) A urinal and associated flush valve that:
  - a. Uses no more than one-half gallons of water per flush;
  - b. Meets the performance, testing, and labeling requirements prescribed by the American Society of Mechanical Engineers Standard A112.19.2/CSA B45.1;

- c. For flushing urinals, meets all WaterSense™ specifications for flushing urinals; and
  - d. Where non-water urinals are employed, complies with American Society of Mechanical Engineers Standard A112.19.3/CSA B45.4 or American Society of Mechanical Engineers Standard A112.19.19/CSA B45.4. Non-water urinals shall be cleaned and maintained in accordance with the manufacturer's instructions after installation. Where non-water urinals are installed, they shall have a water distribution line roughed-in to the urinal location at a minimum height of 56 inches (1,422 mm) to allow for the installation of an approved backflow prevention device in the event of a retrofit. Such water distribution lines shall be installed with shut-off valves located as close as possible to the distributing main to prevent the creation of dead ends. Where non-water urinals are installed, a minimum of one water-supplied fixture rated at a minimum of one water supply fixture unit shall be installed upstream on the same drain line to facilitate drain line flow and rinsing;
- (4) A lavatory faucet or lavatory replacement aerator that allows a flow of no more than 1½ gallons of water per minute at a pressure of 60 pounds per square inch in accordance with American Society of Mechanical Engineers Standard A112.18.1/CSA B.125.1 and listed to the WaterSense™ High-Efficiency Lavatory Faucet Specification; and
- ~~(5) A kitchen faucet or kitchen replacement aerator that allows a flow of no more than two gallons of water per minute.~~
- (5) Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.**
- (6) Consumption tolerances shall be determined from referenced standards.**
- (7) For The flushometer valves and flushometer tanks, the average flush volume does not exceed 1.28 gallons.**
- (8) See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.**
- (9) Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.**
- (10) Cooling Tower Water Efficiency.**
- a. **Once-Through Cooling.** Once-through cooling using potable water is prohibited.
  - b. **Cooling Towers and Evaporative Coolers.** Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.
  - c. **Cooling Tower Makeup Water.** Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO<sub>3</sub> exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

**(11) Table 18-21**

**TABLE 18-21  
MAXIMUM FLOW RATES AND CONSUMPTION FOR  
PLUMBING FIXTURES AND FIXTURE FITTINGS**

<b>PLUMBING FIXTURE OR FIXTURE FITTING</b>	<b>MAXIMUM FLOW RATE OR QUANTITY<sup>b</sup></b>
Lavatory faucet and replacement aerators, private	WaterSense Labeled & 1.2 gpm at 60 psi <sup>f</sup>
Lavatory faucet, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead <sup>a</sup>	WaterSense Labeled & 2.0 gpm at 80 psi <sup>f</sup>
Kitchen faucet and replacement aerators	1.8 gpm at 60 psi <sup>f</sup>
Urinal	0.5 gallon per flushing cycle <sup>f</sup>
Water closet	1.28 gallons per flushing cycle <sup>c, d, e, f</sup>

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,

1 pound per square inch = 6.895 kPa.

(12) Exceptions

1. Blowout design water closets having a water consumption not greater than 3<sup>1</sup>/<sub>2</sub> gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4<sup>1</sup>/<sub>2</sub> gallons (17 L) per flushing cycle.
4. Laundry tray sinks and service sinks.
5. Emergency showers and eye wash stations.

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**ARTICLE IV. CONSERVATION MEASURES RELATING TO LAWN AND LANDSCAPE IRRIGATION<sup>2</sup>**

**Sec. 18-200. Summary.**

It is a violation of the City Code of Dacula to water a lawn or landscaped area in a manner that wastes water or causes a substantial amount of runoff including causing water to fall on sidewalks, driveways, or other areas not considered lawns or landscapes. It is recommended that citizens have their irrigation system inspected annually, by a certified inspector, to ensure that the irrigation system is working properly, as well as, maintain their irrigation system to prevent waste by repairing broken, missing, or misdirected sprinkler heads. Beginning January 1, 2009, rain and freeze sensors are required on all new automatic sprinkler systems. Rain and freeze sensor shut-off switches are defined as electric devices that detect and measures rainfall amounts and temperature and override the cycle of an irrigation system so as to turn off such system when a predetermined amount of rain has fallen or temperatures near or fall below 32 degrees Fahrenheit. Only freeze sensors are required for golf courses, public facilities or recreation areas, and/or irrigation systems dependent upon a nonpublic water source.

(Ord. of 12-29-2008 , § 1)

**Sec. 18-201. Purpose.**

Lawn and landscape irrigation practices within the City of Dacula, especially during the summer months, can cause a waste of valuable water resources. The purpose of this section is to mandate that water be used for lawn and landscape irrigation in a manner that prevents waste, conserves water resources for their most beneficial and vital uses, and protects the public health.

(Ord. of 12-29-2008 , § 1)

**Sec. 18-202. Lawn and landscape irrigation restrictions.**

- (a) A person commits an offense if he knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by the person in a manner that causes:
  - (1) A substantial amount of water to fall upon impervious areas instead of upon the lawn or landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or
  - (2) An irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

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<sup>2</sup>Editor's note(s)—Sections 1 and 2 of an ordinance adopted Dec. 29, 2008 , added provisions to the Code, but did not specify manner of inclusion. Therefore, at the discretion of the editor, said provisions have been included as art. IV, §§ 18-200—18-208 herein.

- (b) A person commits an offense if, on premises owned, leased, or managed by him/her, if he/she knowingly operates a lawn or landscape irrigation system or device that:
- (1) Has any broken or missing sprinkler head; or
  - (2) Has not been properly maintained in a manner that prevents the waste of water.
- (c) **Avoiding Water Waste Through Design. All new landscape irrigation systems shall adhere to the following design standards:**
- (1) **Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.**
  - (2) **Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.**
  - (3) **Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.**
  - (4) **Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.**
- (d) **Landscape Irrigation System Required Components. All new landscape irrigation systems shall include the following components:**
- (1) **A rain sensor shut-off installed in an area that is unobstructed by trees, roof over hangs, or anything else that might block rain from triggering the rain sensor shutoff.**
  - (2) **A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.**
  - (3) **Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.**
  - (4) **Except for landscape irrigation systems serving a single-family home, all other systems must also include:**
    - (a) **a WaterSense irrigation controller; and**
    - (b) **at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.**

(Ord. of 12-29-2008 , § 1)



### **Sec. 18-203. Rain sensing devices and freeze gauges.**

- (a) Any new irrigation system (commercial or residential) installed within the City on or after January 1, 2009 must be equipped with a rain sensing device. A freeze gauge is also required.
- (b) Any irrigation system installed before January 1, 2009 shall be required to install a rain sensing device and freeze gauge when an irrigation system is repaired or replaced.
- (c) The following constitute violation of this section:
  - (1) Installation, causing or permitting the installation of a new irrigation system in violation of subsection 18-203(a); or
  - (2) Operating, causing or permitting the operation of an irrigation system that does not comply with subsection 18-203(a); or
  - (3) Operating, causing or permitting the operation of an irrigation system that does not comply with subsection 18-203(b).

(Ord. of 12-29-2008 , § 1)

### **Sec. 18-204. Variances.**

The City may, in special cases, grant variances from the provisions of subsection 18-202(a) or section 18-203 to persons demonstrating extreme hardship and need. The City may grant variances only under all of the following circumstances and conditions:

- (1) The applicant must sign a compliance agreement on forms provided by the City, and approved by the City administrator, agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.
- (2) Granting of a variance must not cause an immediate significant reduction in the Gwinnett County water supply.
- (3) The extreme hardship or need requiring the variance must relate to the health, safety, or welfare of the person requesting it.
- (4) The health, safety, and welfare of other persons must not be adversely affected by granting the variance.

(Ord. of 12-29-2008 , § 1)

### **Sec. 18-205. Revocation of variances.**

The City may revoke a variance granted when the City determines that:

- (a) The conditions of section 18-204 are not being met or are no longer applicable;
- (b) The terms of the compliance agreement are being violated; or
- (c) The health, safety, or welfare of other persons requires revocation.

(Ord. of 12-29-2008 , § 1)

### **Sec. 18-206. Penalties.**

The City administrator and his or her designee are hereby authorized and directed to monitor compliance with the above restrictions, issue a citation which imposes up to a \$1,000.00 fine at which such restrictions are not observed, as follows:

- (a) The first time a customer or consumer violates the above restrictions, a notice to comply will be issued to the owner, leasee, or manager of the property.
- (b) The second time that a customer or consumer fails to comply with the above restrictions; a citation shall be issued imposing up to a \$100.00 fine.
- (c) The third time that a customer or consumer fails to comply with the above restrictions; a citation shall be issued imposing up to a \$300.00 fine.
- (d) The fourth time of noncompliance, a summons can be served upon the citizen or consumer to appear before the judge of Dacula Municipal Court.

(Ord. of 12-29-2008 , § 2)

### **Sec. 18-207. Appeal.**

Any person aggrieved or affected by any decision hereunder may appeal to the City administrator of the City of Dacula, or his/her designee, for relief or reconsideration. Any person aggrieved or affected by any decision of the City administrator relating to the application of these regulations may file an appeal with the mayor and council of the City of Dacula within 30 days of the decision of the City administrator. Appeals shall only be granted where unique circumstances are such that application of these regulations would create an undue hardship to the property owner.

(Ord. of 12-29-2008 , § 2)

### **Sec. 18-208. Modification of restrictions.**

The City administrator may modify or cancel the above restrictions or add additional restrictions from time to time as the emergency conditions affecting the water system may worsen or abate.

(Ord. of 12-29-2008 , § 2)

### **Sec. 18-209. Definitions**

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

*Flow sensor* means an inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

*Lawn or Landscape Irrigation system* means an assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

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*Master shut-off valve* means an automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system

*Pressure regulating device* means a device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

*Rain sensor shut-off* means an electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

*WaterSense irrigation controller* is a weather-based or soil moisture-based irrigation controller labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

*WaterSense spray sprinkler bodies* means a sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

# memo

To: Mayor and City Council of Dacula  
 From: Stephen Mayer, Finance Director  
 Date: August 3, 2023  
 Re: Refund Authorization Request – Overpayment of Property Taxes and Reassessment of Property Values

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During the month of July, there were three requests for refunds totaling \$9.76.

Two refunds are a result of property value reassessments performed by the County's Tax Assessor's Office. One refund is the result of the overpayment of property taxes.

As the Mayor and City Council are the taxing authority for the City, staff is requesting your approval for the following:

Sprint/T-Mobile	6.63	PO Box 85022	MCR Reassessment 6/1/23 to 6/30/23
RAI Trade Marketing Services Company	2.93	PO Box 2959	MCR Reassessment 6/1/23 to 6/30/23
Wilmer Bennett	.20	2940 Mobley Dr	Overpayment of property tax
<b>Total</b>	<b>\$9.76</b>		

Matthew P. Benson  
Catherine W. Davidson  
Gerald Davidson, Jr.\*  
Brian T. Easley  
Rebecca B. Gober  
Christopher D. Holbrook  
Jessica P. Kelly

Shane M. Lanham  
Jeffrey R. Mahaffey  
Steven A. Pickens  
Gabrielle H. Schaller  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

Writer's e-mail: slanham@mptlawfirm.com

June 20, 2023

**VIA EMAIL TO:**

Brittni Nix, City Administrator  
City of Dacula  
442 Harbins Road  
Dacula, Georgia 30019

RE: Our Client/Applicant: Maple Multi-Family Land, LP  
Case # 2022-CD-COC-02

Dear Ms. Nix:

The purpose of this letter is to request that the City Council waive the twelve-month waiting period for our client to re-file a change of conditions application on the property which was the subject of the above-referenced change of conditions application. This application went before the City Council on February 2, 2023 and was denied. Pursuant to Section 1708 of The Zoning Resolution of the City of Dacula, the twelve-month waiting period may be waived by the City Council and a re-application may be considered after at least six months from the date of last action by the City Council.

Sincerely yours,

MAHAFFEY PICKENS TUCKER, LLP

*Shane Lanham*

Shane M. Lanham

**TO:** Mayor and City Council of the City of Dacula

**FROM:** Brittni Nix, City Administrator

**DATE:** July 21, 2023

**SUBJECT:** Time lapse waiver request for Stanley Road (Ref: 2022-CD-COC-02)

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Mahaffey Pickens Tucker, LLC has submitted a time lapse waiver request on behalf of Maple Multi-Family Land, LP for Stanley Road (Ref: 2022-CD-COC-02) for your consideration.

On February 2, 2023, City Council considered a change of conditions application for a planned mixed-use development. Application 2022-CD-COC-02 was denied.

The waiver requests permission for the applicant to re-apply prior to the 12-month wait period per Section 1708 of the Zoning Resolution:

Section 1708. Lapse of Time Requirement for an Amendment, Variance or Special Use Permit Re-application. The following shall apply to the applicable re-application:

*If an application is denied by the Mayor and City Council, as appropriate, no application or re-application for the same Zoning Map amendment, Variance, or Special Use Permit affecting the same land or any portion thereof shall be acted upon within twelve (12) months from the date of last action, unless such twelve (12) month period is waived by the Mayor and City Council as appropriate, and in no case may such an application or re-application be reconsidered in less than six (6) months from the date of that action by the City Council, as appropriate. Administrative variances shall not be subject to this time lapse requirement as outlined in Article XV, Section 1508.*

Approval of the waiver would allow the change of conditions application to be heard by City Council as soon as October 5, 2023.

## RESOLUTION

**WHEREAS**, the Mayor and City Council of the City of Dacula, has projected a budget for 2023 to provide for reasonable and necessary services to the Citizens of the City of Dacula;

**WHEREAS**, the Gwinnett County Tax Assessors Office has completed or will complete the 2023 Tax Digest for property within the City of Dacula;

**WHEREAS**, the City of Dacula's millage rate for 2023 tax should be **4.557** mills in order to provide for services to the citizens of Dacula as proposed to be budgeted;

**WHEREAS**, the proposed **4.557** mills does exceed the rollback rate as defined in O.C.G.A. § 48-5-32.1;

**WHEREAS**, a public notice of the five-year tax levy and proposed tax increase was published and three public hearings were held on **July 19, 2023** and **August 3, 2023** as required by O.C.G.A. § 48-5-32 and O.C.G.A. § 48-5-32.1;

**WHEREAS**, the Mayor and City Council of the City of Dacula is the governing authority of said City; and

**WHEREAS**, the Mayor and City Council of the City of Dacula authorized City staff to perform direct billing and collection of Ad Valorem Property Taxes and Solid Waste Fees effective **November 4, 2021**;

**NOW, THEREFORE** be it resolved that the Mayor and City Council of the City of Dacula adopt a 2023 ad valorem tax millage rate of **4.557** mills on all subject property; and

IT IS FURTHER RESOLVED by the Mayor and City Council that the billing date for Ad Valorem Property Taxes and Solid Waste Fees is **October 1, 2023** and that the collection of said bill is due to the City of Dacula **December 1, 2023**. City staff is hereby authorized and instructed to prepare and issue tax bills no later than October 1, 2023.

**SO RESOLVED**, this **3<sup>rd</sup> day of August 2023**.

GEORGIA, GWINNETT COUNTY

I, Brittni Nix, City Administrator, City of Dacula, do hereby certify that the foregoing resolution was duly passed at a public meeting of the Mayor and City Council on the **3<sup>rd</sup> day of August 2023.**

I do further certify that the foregoing is a true exact copy of the minutes of said meeting.

This, the **3<sup>rd</sup> day of August 2023.**

\_\_\_\_\_  
Hugh D. King, III, Mayor

\_\_\_\_\_  
Brittni Nix, City Administrator

CITY OF DACULA



**PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2023**

COUNTY: **Gwinnett** TAXING JURISDICTION: **Dacula**

ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2022 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2023 DIGEST
REAL	342,970,760	41,559,280	18,294,320	402,824,360
PERSONAL	14,783,300		229,670	15,012,970
MOTOR VEHICLES	1,495,220		191,710	1,686,930
MOBILE HOMES	46,320		0	46,320
TIMBER -100%			0	0
HEAVY DUTY EQUIP			0	0
GROSS DIGEST	359,295,600	41,559,280	18,715,700	419,570,580
EXEMPTIONS	16,339,422		1,942,912	18,282,334
NET DIGEST	342,956,178	41,559,280	16,772,788	401,288,246
	<b>(PYD)</b>	<b>(RVA)</b>	<b>(NAG)</b>	<b>(CYD)</b>

2022 MILLAGE RATE: **4.806**

2023 MILLAGE RATE: **4.557**

**CALCULATION OF ROLLBACK RATE**

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2022 Net Digest	PYD	342,956,178	
Net Value Added-Reassessment of Existing Real Property	RVA	41,559,280	
Other Net Changes to Taxable Digest	NAG	16,772,788	
2023 Net Digest	CYD	401,288,246	(PYD+RVA+NAG)
2022 Millage Rate	PYM	4.806	PYM
Millage Equivalent of Reassessed Value Added	ME	0.498	(RVA/CYD) * PYM
Rollback Millage Rate for 2023	<b>RR - ROLLBACK RATE</b>	<b>4.308</b>	PYM - ME

**CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES**

If the 2023 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	4.308
	2023 Millage Rate	4.557
	<b>Percentage Tax Increase</b>	<b>5.78%</b>

**CERTIFICATIONS**

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

-----  
Chairman, Board of Tax Assessors Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

-----  
Tax Collector or Tax Commissioner Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2022 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2022 is \_\_\_\_\_

**CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION**

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2022 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2022 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

-----  
Responsible Party Title Date

**NOTICE  
CITY OF DACULA**

The Mayor and Council of the City of Dacula, Georgia do announce that the millage rate will be set at a meeting to be held at Dacula City Hall on August 3, 2023 at 6:30PM and pursuant to the requirements of O.C.G.A. §48-5-32 does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

**CURRENT 2023 PROPERTY TAX DIGEST AND 5 YEAR HISTORY OF LEVY**

	2018	2019	2020	2021	2022	2023
Real & Personal	211,665,140	227,635,610	258,516,240	270,248,950	357,754,060	417,837,330
Motor Vehicles	2,923,510	2,391,360	2,050,080	1,619,930	1,495,220	1,686,930
Mobile Homes	50,440	47,080	46,320	46,320	46,320	46,320
Timber - 100%	0	0	0	0	0	0
Heavy Duty Equipment	2,524	0	18,520	8,310	0	0
Gross Digest	214,641,614	230,074,050	260,631,160	271,923,510	359,295,600	419,570,580
Less Exemptions	12,440,930	13,488,295	13,909,358	15,423,988	16,339,422	18,282,334
<b>NET DIGEST VALUE</b>	<b>202,200,684</b>	<b>216,585,755</b>	<b>246,721,802</b>	<b>256,499,522</b>	<b>342,956,178</b>	<b>401,288,246</b>
Gross Maintenance & Operation Millage	4.8060	4.8060	4.8060	4.8060	4.8060	4.5570
Less Rollback (Local Option Sales Tax)						
<b>NET M&amp;O MILLAGE RATE</b>	<b>4.8060</b>	<b>4.8060</b>	<b>4.8060</b>	<b>4.8060</b>	<b>4.8060</b>	<b>4.5570</b>
<b>TOTAL M&amp;O TAXES LEVIED</b>	<b>\$971,776</b>	<b>\$1,040,911</b>	<b>\$1,185,745</b>	<b>\$1,232,737</b>	<b>\$1,648,247</b>	<b>\$1,828,671</b>
Net Tax \$ Increase	\$91,983	\$69,135	\$144,834	\$46,992	\$415,511	\$180,423
Net Tax % Increase	10.46%	7.11%	13.91%	3.96%	33.71%	10.95%

**NOTICE OF PROPERTY TAX INCREASE**

Every few years, the Gwinnett County Tax Assessor is required to review the assessed value of property in the county. When the trend prices of properties that have recently sold in the county indicate there has been a change in the fair market value of such property, the Tax Assessor may adjust the value of the real property located in Gwinnett County. This process is known as property reassessment.

The Dacula Mayor and Council has carried out a deliberate strategy over the last several years to keep City taxes low without negatively impacting the quality of the City services provided to its citizens. By adopting a millage rate of 4.557, which is lower than last year, the City of Dacula must advertise a tax increase.

The Mayor and Council of the City of Dacula, Georgia has tentatively adopted a 2023 millage rate which will require an increase in property taxes by **5.78 percent**. All concerned citizens are invited to the public hearing on this tax increase to be held at Dacula City Hall, 442 Harbins Road, Dacula, GA on **July 19, 2023 at 10 a.m. and 5:00 p.m.** Times and places of additional public hearings on this tax increase are at Dacula City Hall, 442 Harbins Road, Dacula, GA on **August 3, 2023 at 6:30 p.m.** This tentative increase will result in a millage rate of **4.557 mills**, an increase of **.249 mills**. Without this tentative increase, the millage rate will be no more than **4.308 mills**. The proposed tax increase for a home with a fair market value of **\$300,000** is approximately **\$28.14** and the proposed tax increase for non-homestead property with a fair market value of **\$300,000** is approximately **\$29.88**.