



CITY OF DAHLONEGA

Council Work Session Agenda

June 15, 2020 4:00 PM

Zoom Platform, Dahlongega City Hall

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 706-864-6133.

OPEN MEETING

TOURISM:

1. Tourism - May 2020
Sam McDuffie, Director

DEPARTMENT REPORTS:

- [2.](#) City Marshal's - May 2020
Jeff Branyon, Chief Marshal
- [3.](#) Community Development – May 2020
Kevin Herrit, Director
- [4.](#) Financial Services – May 2020
Melody Marlowe, Finance Director
- [5.](#) Public Works Department – May 2020
Mark Buchanan, PW Director/City Engineer
- [6.](#) Water & Wastewater Treatment Department - May 2020
John Jarrard, Water/Wastewater Treatment Director

BOARDS & COMMITTEES:

- [7.](#) Cemetery Committee Report May 2020
Mark Buchanan, PWD
- [8.](#) Downtown Development Authority - May 2020
- [9.](#) Main Street- May 2020
Carolyn McDuffie, Main Street Project Coordinator

COMMENTS – PLEASE LIMIT TO THREE MINUTES

ITEMS FOR DISCUSSION:

- [10.](#) Ordinance 2020-11 Special Events and Demonstrations
Bill Schmid, City Manager
 - [11.](#) Intergovernmental Agreement for the sale, Financing and Redevelopment of Certain Owned Properties
TBD
 - [12.](#) Dahlongega Stormwater Utility User Fee Credit Manual
Bill Schmid, City Manager
 - [13.](#) Award Recommendation-Wimpy Mill Pedestrian Bridge and Kayak Launch Construction Tasks
Mark Buchanan
- Clerk Comments
City Manager Comments

City Attorney Comments

City Council Comments

Mayor Comments

ADJOURNMENT



CITY MARSHAL'S OFFICE

CITY OF DAHLONEGA DEPARTMENT REPORT

May-20

Report Title: City Marshal's Report

Report Highlight: During the May reporting period, Deputy Marshal Chris Jones responded to a shoplifting complaint from Walmart. Walmart only had a vehicle photo and a possible name of the subject. Deputy Jones was able to track the vehicle to a residence in Union County. Working with the Union County Sheriff's Office, he located the suspect, obtained a confession, and recovered over \$800.00 in stolen merchandise.

Name, Title: Jeff Branyon, Chief Marshal

Recently Completed:

- The Marshal's Office issued 17 citations, 2 parking warnings and responded to 35 calls for service including four shoplifting investigations, one accident reports and one property damage report. One of the shoplifting cases resulted in felony theft by taking charges.

Underway:

- Budget preparation is underway for FY 2021. The Marshal's Office anticipates the addition of a Deputy Marshal to expand service hours into the evenings and provide more weekend coverage as needed.

Near Term:

- As the budget situation becomes clearer, the Marshal's Office will resume the dilapidated structure initiative.



COMMUNITY DEVELOPMENT

CITY OF DAHLONEGA DEPARTMENT REPORT

5/1/2020

Report Title: Community Development – May 2020

Report Highlight: Planning Commission will start meeting in July (PC meeting – July 13, Public Hearing July 20, Council Decision August 1) and HPC will start meeting in July as well. This will be a full agenda as we have several things to bring forward to both Commissions.

Name and Title: Kevin Herrit, Director

Recently Completed:

- Zoning Map Update
- RTP completion date extension

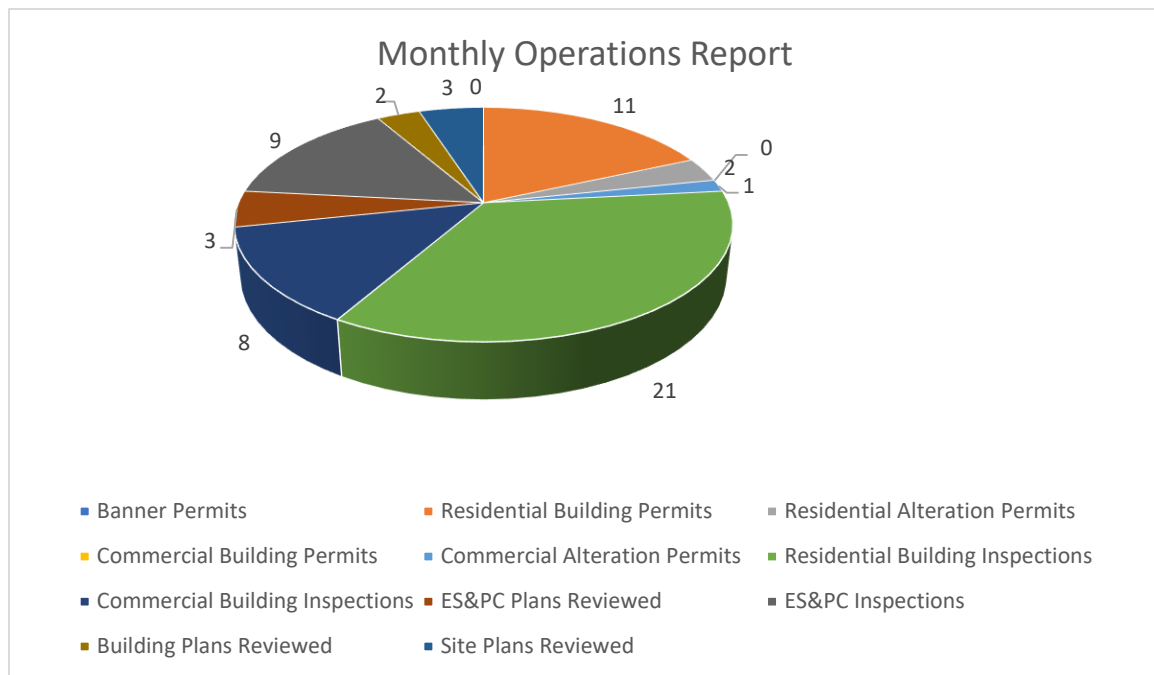
Underway:

- Working on an Corridor overlay district to incorporate design aspects for high traffic and entry points to the city (updating draft to meet city regulation) and design requirements.
- Reviewing parcels within the city limits to determine if they are currently on the Tax Assessors data base for the city.
- Adding tree removal permit, plat applications, variance application, land development application and open/close burial site applications to the online permitting site.
- Creating an application for special events permit from the draft version passed by council for online permitting.
- Creating an online parking permit application for Public Works.

Development Projects:

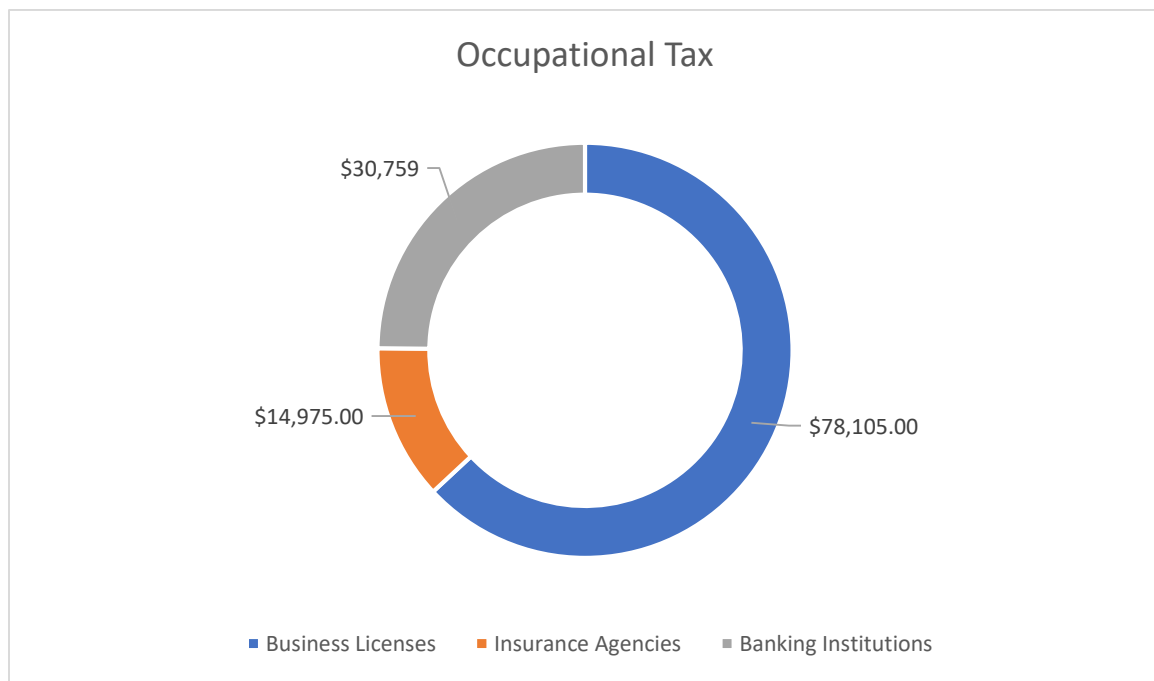
- 40 East Main Street – Brick encasement has been installed and work has moved to the inside with a final rough inspection pending.
- Apartments located off of Vickery have submitted Land Disturbance Permit application. 7th round of Site plans is under review. A clearing and grubbing permit have been issued for this site with the addition of 3 walls to be constructed per the submitted plans.
- The Laurel development has been issued a LDP and is currently working on the framing package.

Monthly Operations Report:



Occupational Tax Certificates:

- To date, Community Development Department has received 369 of the 420 Occupational Tax (Business Licenses) Renewals for 2020 (not including Insurance). 306 Insurance business licenses have responded for 2020. Two of the six banks have submitted their Occupational tax renewals. All renewals notices have been sent out to business owners. 1st round of late notices have been sent out in March.



New Businesses:

- Barn Owl Real Estate – 272 Grove St - Email – metrotomountains@small.com
- Primum 19 LLC – 239 Calhoun RD - Email – primum19llc@gmail.com

Closed Businesses:

- None



FINANCIAL SERVICES

CITY OF DAHLONEGA DEPARTMENT REPORT

5/31/2020

Report Title: Financial Services – May 2020

Report Highlight: Brittany Lee is the new face of City Hall. Brittany began work at the customer service window on May 28 and is a delightful addition to the team.

Name and Title: Melody Marlowe, Finance Director

Recently Completed:

- Complete training on new financial software!
- Create financial reports for Council and management on new software
- Setup City to input information in GMA's Revenue Tracker (recorded historical data with plans to update monthly)

Underway:

- Submit application for UNG Work Study Program to benefit from student assistance in Finance area
- Review finance record retention practices and organize file system
- Assist as needed with consideration and implementation of stormwater utility fee
- Update Capital Asset tracking system to include photographs of assets
- Establish and setup Employee Portal on new software; implement and train employees on benefits and use
- Establish process for emailing utility bills and conduct a paperless billing campaign
- Combine utility accounts for common billing addresses

Near Term:

- Update financial policies
- Review and update City Personnel Policies
- Update purchasing policy to include a vendor preference provision
- Update employee evaluation forms and document procedures for employee review process
- Develop and implement employee meetings to provide appropriate training and update HR forms; promote employee education related to City retirement plans



PUBLIC WORKS

CITY OF DAHLONEGA DEPARTMENT REPORT

May-20

Report Title

Public Works Department Report – May 2020

Report Highlight

COVID-related measures laid out in last month's report continue. Staff is performing daily disinfection of facilities that are currently open to the public.

Name, Title:

Mark Buchanan, PW Director/City Engineer

Recently Completed:

- City Hall Parking Expansion. At the time of this writing, the parking area was nearing completion and only lacked striping. It will support 8 compact vehicles and will not be available to the general public.



- Selection of vendors for all phases/aspects of the Wimpy Mill Picnic Area expansion, kayak launch and pedestrian bridge.
- Selection of a Preliminary Engineering vendor for the Morrison Moore Pedestrian Bridge. City staff is working with GDOT representatives to negotiate a rate in accordance with GDOT policy.
- Mechanic Street sidewalk handrail installation.



Underway:

- Coordination with GDOT and Lumpkin County officials regarding construction of the Hwy60/Oak Grove Road roundabout.
- Memorial Park Cemetery curb repair/storm drain installation and resurfacing by Wimpy Enterprises and Garrett Paving, respectively.
- Columbarium procurement and site preparation activities at Memorial Park Cemetery.
- City Park bathroom renovation.
- Preparation of City Park for resurfacing of trail. This includes fence removal and tree trimming.
NOTE: CITY PARK WILL EXPERIENCE A 6-8 WEEK CLOSURE FOR TRAIL RESURFACING, RE-SEEDING AND BATHROOM RENOVATIONS.
- Coordination of infrastructure construction efforts with contractors of Main Street Hotel.
- Design of Martin Street improvements.
- Residential Recycling alternatives study.
- Barlow Road storm drain construction. Pipe and structure installation is complete. The next phase is curb and gutter installation. Work will continue for several more weeks.
- The City is exploring a partnership with UNG on a project that would provide a sidewalk/pedestrian trail along Morrison Moore Drive from Alumni Drive to South Chestatee. More details to come.

Near Term:

- Expected extension of Barlow Road sidewalk from bus barn to existing sidewalk by UNG.



WATER / WASTE WATER DEVELOPMENT
CITY OF DAHLONEGA DEPARTMENT REPORT
May-20

Report Title: Water & Wastewater Treatment Department Report May 2020

Report Highlight: Rehab work on the Achasta Lift Station has started. The contractor installed the by-pass piping and plans to take the current pumps out-of-service on July 6, 2020. If all goes well with the weather and other unforeseen issues, the facility will be up and running by the middle of August, 2020.

Name, Title: John Jarrard, Water/Wastewater Treatment Director

Recently Completed:

- Repaired piezometer #5 at reservoir dam
- Labeled lower drain ports at reservoir dam
- Repaired reverse flow meter at WTP
- Replaced O-rings on Singer Valve #3
- Repairs to fencing at Owens Farm Lift Station
- Disinfected EQ Tank at WWTP
- Collected/Mailed 129 Priority Pollutants

Underway:

- Chlorine Pump #1 Replacement
- Replacement of effluent valve on Finished Water #2 Pump
- Repairs to diagram in Singer Valve #2
- Updates to Risk Assessment/Emergency Response Plan
- Replacement of both Digestor Aerators (Capital Project)
- Whole Effluent Toxicity (W.E.T.) Testing
- Annual Report on Watershed Protection Program

Near Term:

- Annual Report for Industrial Pretreatment Program
- FY2021 Budget
- THM/HAA Quarterly Samples
- Quarterly Dam Inspection



CEMETERY REPORT

CITY OF DAHLONEGA DEPARTMENT REPORT

5/1/2020

Report Title: Cemetery Committee Report May 2020
Report Highlight: No Activity in May 2020
Name and Title: Mark Buchanan, PWD

Recently Completed:

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Underway:

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Near Term:

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DOWNTOWN DEVELOPMENT AUTHORITY CITY OF DAHLONEGA DEPARTMENT REPORT

5/31/2020

Report Title: Downtown Development Authority Report
Report Highlight: Head House space planning and historic pre-application
Name and Title: Shannon Ferguson, Executive Director

Recently Completed:

- Received final Head House report from consultants at 4PM
- Board voted to run concurrent process for possible historic designation and tax credits while moving forward with architectural/design services
- Contracted with historic preservation planning consultant at WLA Studio
- Worked with historic preservation consultant to complete initial space planning and site plan necessary for Phase 1 application process
- Worked with entire Main Street team to provide July 4th event recommendations for review and approval by the City Council
- Board voted to approve 12-week visioning contract for Georgia Cities Foundation Downtown Renaissance Fellows Program
- Participated in multiple webinars related to COVID-19 business recovery efforts and retail recruitment strategies
- Participated in Chamber COVID-19 recovery task force meetings
- Executed final downtown development revolving loan fund process for Smith House addition
- Executed Holly Theater grant administration contract with Georgia Mountains Regional Commission
- Initial site plan for old school property designed and scheduled for board review at June meeting

Underway:

- Working with consultants to complete Head House Phase 1 pre-application for submittal to State Historic Preservation Office (anticipated submittal between June 1-12)
- Identifying potential architecture firms with historic preservation experience for Head House renovations
- FY2021 budget preparations
- Conducting meetings with three potential developers for the old school property
- COVID-19 cleaning Monday-Friday, twice daily at Hancock Park by entire DDA/Main Street team
- Notifying property owners of visioning work being done by the UGA graduate student via the Downtown Renaissance Fellows Program
- DDA strategic planning preparations

Near Term:

- Phase 1 pre-application submission



MAIN STREET

CITY OF DAHLONEGA DEPARTMENT REPORT

6/1/2020

Report Title: Main Street- May 2020
Report Highlight: July 4th planning
Name and Title: Carolyn McDuffie, Main Street Project Coordinator

Recently Completed:

- Execution of pre-event planning DDA sponsored events such as the Farmer's Market, App. Jam and First Fridays.
- Ongoing research and collaboration with other Main Street programs relating to COVID-19 operations.
- Detailed event analysis meetings in partnership with DDA Director evaluating upcoming events.
- Creating a more user-friendly website for Dahlonaga Main Street/DDA. Current video, photos and original content are all to be expected with website improvements.
- Curating social media content to focus on the modified reopening of Dahlonaga's DDA District and business within the city limits.
- Creation of surveys and internal messaging to better understand the needs of Dahlonaga's businesses
- Creation of saturated social media content calendar featuring merchants' websites, curbside pick-up, and other diversified business practices.
- Creation of City of Dahlonaga/Dahlonaga Main Street COVID-19 graphics and posts.
- Removal of outdated content and irrelevant information from the City Hall & DDA sites.
- Update of Special Event application on City Hall and DDA sites.

Underway:

- Coordinating and modifying July 4th plans and scheduling.
- Developing press releases, community memos and other informational material for July 4th
- Creating all graphics and print media for July 4th events in house with assistance from DDA intern
- Strategic planning of advertising, promotions, and scheduling of upcoming DDA sponsored events including Farmers Market, First Friday, and Appalachian Jam
- Assisting city leadership with the development and implementation of a new event permitting process
- Organization and review of internal processes as they relate to event management to begin a best practice guide for Dahlonaga events
- Creation of seasonal slideshows for City Hall Lobby
- COVID-19 updates on the City Hall & DDA sites

Near Term:

- Publication of monthly City Limits newsletter



RESOLUTIONS & ORDINANCES

DATE: June 15, 2020
TITLE: Ordinance 2020-11 Special Events and Demonstrations
PRESENTED BY: Bill Schmid, City Manager

AGENDA ITEM DESCRIPTION:

Amend text of Ordinance 2020-11 Special Events and Demonstrations. The addition of these additional phrases of "or his/her designee" in several places, allows for the work being performed to be delegated to other persons.

HISTORY/PAST ACTION:

Ordinance 2020-11: Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

FINANCIAL IMPACT:

RECOMMENDATION:

Approve Amended Ordinance 2020-11 Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

SUGGESTED MOTIONS:

Approval of Amended Ordinance 2020-11 Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

ATTACHMENTS:

Amended Ordinance 2020-11: Special Events and Demonstrations Regulations; Exhibit A: Permit Requirement/ Application/ Processing

Ordinance 2020-__

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA, GEORGIA WHICH APPEARS IN THE PUBLICATION OF THE CODE OF THE CITY OF DAHLONEGA, GEORGIA AT CHAPTER 28: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE IV: SPECIAL EVENTS BY AMENDING AND REPLACING DIVISION 1 WITH A NEW DIVISION 1 ENTITLED: PERMITS FOR SPECIAL EVENTS AND DEMONSTRATIONS AND BY AMENDING DIVISION 2: PICKETING AND DIVISION 3: PUBLIC ASSEMBLIES AND PARADES TO DELETE THEIR CONTENT AND FOR EACH OF THEM NOW TO BE TITLED "RESERVED."

Short title: "special events and demonstrations regulations"

WHEREAS, the City Council of Dahlonega, Georgia desires to establish procedures and standards governing the use of public property by non-City organizations and individuals for the purpose of conducting events; and

WHEREAS, the City Council of Dahlonega, Georgia desires to ensure the preservation of public convenience in the use of City streets and outdoor areas; and

WHEREAS, the City Council of Dahlonega, Georgia desires to preserve public order and safety; and

WHEREAS, the City Council of Dahlonega, Georgia desires to defray administrative expenses associated with certain types of uses; and

WHEREAS, the City Council of Dahlonega, Georgia desires to protect the rights of persons and groups to organize and participate in peaceful assemblies to express their political, social, religious or other views on City streets, other public ways, parks and other public lands subject to reasonable restrictions designed to protect public safety, persons and property and accommodate the interest of persons not participating in such assemblies; and

WHEREAS, the City Council of Dahlonega, Georgia desires to enact rules and regulations for applications to any person or entity intending to hold or sponsor an event on any City-owned or leased property.

NOW, THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that the Code of the City of Dahlonega, Chapter 28, Article IV, is hereby amended by replacing the title and content of Division 1 with a new Division 1 title and new content, and by amending Division 2 and Division 3, to delete their content and for each of them now to be titled "reserved.". divisions 1, 2, and 3 shall now read as follows:

DIVISION 1. PERMITS FOR SPECIAL EVENTS AND DEMONSTRATIONS

Sec. 28-88. Definitions.

“Demonstration” means any demonstration, rally, protest, counter-protest, picket, or other similar public assembly conducted on public property, at which one or more individuals are engaged in non-commercial expression protected by the First Amendment of the United States Constitution.

“Event” may refer either to a demonstration or a special event, or to demonstrations and special events, collectively.

“Open flame” means fire whose flame is supported by a wick, oil or other slow-burning means to sustain itself. “Open flame” includes, but is not limited to, flame producing devices such as candles, torches, and juggling or other fire artist equipment; provided, however, that “open burning and open fire” and “open flame” shall not include handheld candles when used for ceremonial purposes, provided that they are not held or used in an intimidating, threatening, dangerous, or harmful manner.

“Prohibited items” shall mean all items prohibited by law from being held, carried, displayed, worn or otherwise used in public, and any item prohibited by event specific regulations or as specified in permit conditions promulgated by the City Manager or his designee.

“Special event” means any activity, such as a sports event, pageant, celebration, historical reenactment, carnival or other entertainment, exhibition, dramatic presentation, fair, festival, race (i.e., run/walk/bike), block party, movie filming, parade, and any other, similar activity conducted by a person or entity other than the City of Dahlonga on public property that is reserved, or is sought to be reserved, as the venue for such activity. The term “special event” shall exclude (i) a gathering people in a park for general recreational or sports activities and (ii) a demonstration, as defined above within this section.

“Sponsor” shall mean the person or persons who sign, or whose authorized representative(s) sign, an application for an event permit and who will be responsible under the permit, if issued, for ensuring that the event will be conducted in accordance with these regulations. Where a purported sponsor is not a legal entity, the sponsor shall be the individual(s) signing the permit application.

Sec. 28-89. Permit required.

- (a) The City Manager is authorized to adopt standard operating procedures that establish an event permit application process to be administered through the City Clerk or her designee. The procedures shall also provide for the grant or denial of permit applications within specified times; establish the grounds for revocation of an approved permit; provide for the

application of reasonable time, place and manner regulations for permitted events; establish reasonable fees, charges, rentals and insurance and indemnification requirements; and restrict the possession or use of prohibited items, as defined herein, during the event. The procedures once promulgated by the City Manager shall be immediately applicable but must be ratified within forty-five days by the City Council in order to remain in effect. Initial procedures promulgated by the Manager and ratified by the City Council are attached hereto and labeled Exhibit A.

- (b) Any person or entity intending to hold or sponsor an event on any City-owned or leased property must first obtain a permit through the City Clerk or her designee, unless (i) the event is exempt from permitting requirements under the standard operating procedures promulgated by the Dahlonaga City Manager, or (ii) such person is holding or sponsoring such event pursuant to a valid permit issued by the City Manager or his designee, pursuant to another Chapter of this Code.
- (c) By accepting a permit issued by the City pursuant to this Article, the Sponsor represents that (1) all information included or presented as part of the permit application was, to the best of the Sponsor's information and belief, complete and correct; (2) that all terms and conditions of such permit have been or will be complied with; and (3) that a copy of the permit will be made available for inspection by any City representative during the event.

Sec. 28-90. Insurance requirements.

- (a) To further the goal of public safety and to protect the City of Dahlonaga and its officers, officials and employees from claims for damage to property or bodily injury occurring during the event, the sponsor of an event shall be required to furnish a general liability and property damage insurance contract insuring the Sponsor's liability for personal injury and death and damages to property resulting from its use of public property. The required general liability and property damage insurance, unless waived in whole or in part, shall be provided in an amount not less than \$1,000,000 (\$2,000,000 aggregate), and the insurance policy shall name the City (including its officers, officials, employees and agents), as additional insured parties to the insurance contract.
- (b) This insurance requirement may be waived, in whole or in part, by the City Manager or his or her designee because: (1) the cost of the insurance will result in a documented financial hardship to the sponsor, or (2) for an event that does not (i) pose a high level of liability risk to the City or a material risk to public safety, and (ii) does not involve any inherently dangerous activity. A written request to waive or modify any insurance requirement must be made by the sponsor at the time a permit application is submitted. An approval or denial of the request will be made in writing to the event sponsor.
- (c) The decision on whether the event poses a high level of liability risk to the City or a material risk to public safety will be based on the following factors: (1) whether the event and planned activities present a risk of personal injury or property damage; (2) whether the event involves a large number of participants relative to the size of the event venue; (3) whether the event involves the preparation and sale of food; (4) the duration of the event;

and (5) whether the event involves transportation or installation of heavy equipment, or the installation of a stage or other temporary structures. Provided however, that, in deciding whether insurance will be required or waived for an event the City Manager or his or her designee shall not consider the number of anticipated onlookers, the potential risk of property damage or bodily injury that may be caused by onlookers, nor the possibility that the event will be controversial in nature.

Sec. 28-91. Violations and penalties.

The following conduct is declared to be unlawful and shall be, upon conviction, punishable as a civil offense with a fine not to exceed five hundred dollars:

- (a) Sponsoring, holding or conducting an event for which a permit is required, without first obtaining a permit;
- (b) Sponsoring, holding or conducting a permitted event on days or at times not authorized by the permit;
- (c) Intentionally providing false, misleading or incomplete information in a permit application;
- (d) Failing to comply with any terms or conditions placed on a permit;
- (e) The failure to comply during an event with any lawful directive of a law enforcement officer, or with any lawfully posted public sign, direction or instruction;
- (f) Climbing, during an event, upon any tree, or any wall, fence, shelter, fountain, statue, or any other structure not specifically intended for climbing purposes;
- (g) Closing any street or public right-of-way during an event, or using any street or right-of-way in a manner that obstructs vehicular or pedestrian passage during an event, without first obtaining permission to close the street from the City and the Georgia Department of Transportation if applicable;
- (h) Holding, carrying, displaying or using any prohibited item as defined herein within the area where a permitted event is taking place, without the prior written consent of the City Manager or his or her designee;
- (i) Throwing or propelling objects of a potentially dangerous nature during an event, including but not limited to rocks, bottles, sticks, staffs, glass objects or cans; and
- (j) Damaging landscaping, plantings, improvements, equipment or structures located on City property where an event is being held.

In addition to the sanctions authorized herein, any person engaging in the unlawful conduct proscribed by this section, may also be held civilly liable for any damages or loss, and may be banned from the future use of City-owned property for a specified period of time.

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical

errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

(Secs. 28-92—28-117. - Reserved.)

DIVISION 2. RESERVED

(Secs. 28-118—28-138. - Reserved.)

DIVISION 3. RESERVED

(Secs. 28-139—28-167. - Reserved.)

Adopted and ordained this ____ day of _____, 2020.

By: _____
Sam Norton, Mayor

Attest: _____
Mary Csukas, City Clerk

Exhibit A

1.1. Permit Requirements.

1.1.1. Events involving 50 or more persons or events in which the sponsor requests space to be reserved may be held only pursuant to a permit issued by the City Manager or his designee. Events involving fewer than 50 persons where no space is requested to be reserved do not require a permit. A demonstration involving 50 or more persons which occurs without prior planning or announcement for the purpose of an immediate and spontaneous response to a recent occurrence, may take place without a permit if (i) it is otherwise a lawful assembly conducted in accordance with the regulations set forth in section 1.3.8.b herein; (ii) the group will not unreasonably interfere with other scheduled events or other events taking place concurrently; (iii) the demonstration does not block streets or access to City property including but not limited to city parks; and (iv) the demonstration does not pose a threat to public safety. A demonstration occurring more than 48 hours after the event to which it is responsive will not qualify as a spontaneous demonstration, even without prior planning or announcement. Sponsors of events outside this window must apply for and receive a permit for an event expected to draw 50 or more persons.

1.1.2. Wherever these regulations specify that a particular use or activity may be conducted only pursuant to a permit, such permit shall be required in order for that use or activity to be lawful.

1.2. Permit Applications In cases where a permit for an event is required:

1.2.1. Permit applications may be obtained from the City Clerk or her designee.

1.2.2. Applications for permits shall be submitted by the event sponsor in writing, on a form provided by the City, so as to be received by the City Clerk or her designee at least (i) twenty (20) days in advance of any event, if not requiring street closure, removal of parking, or provision of public safety personnel, or (ii) thirty (30) days in advance of any event, if requiring street closure, removal of parking, or provision of public safety personnel. This time may be extended beyond thirty (30) days if the street closure involves a route governed by the Georgia Department of Transportation. These periods may be reduced by the City Manager with respect to demonstrations only if, upon consultation with the City Marshal/Police Chief, Fire Chief or other appropriate public safety officials, the size and nature of the proposed demonstration will not reasonably require commitment of City resources or personnel in excess of that which are normally available or which can reasonably be made available within the necessary time period, and review of the permit by all appropriate personnel for the purposes contemplated by these ordinances is feasible within the necessary time period. In all cases, sponsors are encouraged to submit requests for permits as far in advance of any event as possible (but not to exceed 14 months).

Previously permitted annually recurring events with no changes from prior approved event elements are subject to summary staff approval.

a. Each application shall specify (i) the name, address and telephone number of a contact person for the sponsor, (ii) the nature of the event, (iii) the date when the event is to be conducted, (iv) the times when the event is to begin and end, and the approximate times when assembly for, and disbanding of, the event are to take place, (v) the location(s) and/or route of the event and any assembling or disbanding areas, as well as any related stands or other structures to be used in the event, (vi) the approximate number of persons, animals, and vehicles that will participate in the event, (vii) whether the sponsor will invite, publicize or advertise the event to groups and other persons that the sponsor does not directly represent, (viii) a description of the types of animals, the types of vehicles to be used, the number of bands and other musical units and sound trucks to be used, and the number, type, and size of banners, placards, and signs to be used, (ix) the number of persons who will be designated by the sponsor to monitor the event, and (x) any other information required by these regulations.

b. Any permit grant will be based on the information provided in the application being, and remaining, complete, accurate and not containing any material omissions regarding the nature of the event, any structures or items to be used during the event, or any activities to be conducted during an event, which information constitutes conditions and limits on the event. Sponsor will notify the City as soon as practicable if any information in the application is no longer complete or accurate and provide a revised application containing the updated information. The City will promptly review the revised application and notify the sponsor whether the permit will stand, or be revoked, modified or subject to additional conditions or limits. The sponsor will be responsible for notifying the anticipated attendees of any applicable conditions and limits placed on an event and any relevant subject matter of these regulations directly applicable to their conduct at an event, such as the list of prohibited items and the allotted time and location for an event and its initial staging and dispersal, if applicable.

c. Each application must be accompanied by all required fees and deposits and signed by all sponsors responsible for the event unless, with respect to an application for a demonstration only, the sponsor claims in the application a bona fide financial hardship and the sponsor demonstrates to the City Manager by reasonable evidence including supporting financial documents and records indicating that the monetary obligations imposed by these regulations on the event would render the sponsor not reasonably able to conduct the demonstration, in which event the City Manager may waive, in whole or in part, compliance with the monetary obligations, including the obligations of indemnification, imposed by

these ordinances to the extent necessary to enable the sponsor to conduct the demonstration.

d. The sponsor of (i) an event at which at least 500 people will or may be expected to attend, or (ii) a special event for which admission fees will be charged shall provide the City with the location and number(s) of people who attended the past three events staged by the sponsor (or the sponsor's officers, directors or other principals). This will assist City officials and public safety personnel in planning for any services which may be necessary in connection with the event, including by contacting counterparts in other jurisdictions for the purpose of assessing the appropriate levels of such services.

1.3. Permit Processing.

1.3.1. Permit applications for events will be approved in order of receipt. The use of a particular area is allocated in order of receipt of completed applications (including any applicable fees or charges); however, the application of a sponsor who applies for a hardship fee waiver or reduction will not be considered incomplete due to non-payment of any fees or charges unless and until a determination is made that any fees or charges are due and owing from the sponsor and the due date for the fee has passed without the payment having been made. Unless otherwise provided by these regulations, no applications shall be accepted more than fourteen months prior to the proposed date of an event. Upon receipt of a permit application, the City Clerk or her designee shall promptly deliver a copy of such application to the City Manager or his designee, the Downtown Development Authority, the Police Chief/City Marshal, the Fire Chief, Public Works Director and any other City officials whom the City Manager may, from time to time, designate as reasonably necessary to receive and review permit applications, or their respective designees. Such officials shall promptly deliver to the City Manager or his designee their recommendations with respect to granting or denying the requested permit, or any modifications, conditions or limits upon which issuance of the permit should be based.

1.3.2. Reserved.

1.3.3. Permit Application Fees. An application fee shall be paid by the sponsor of every proposed event for which a permit is required. The permit fee shall be based solely on the cost of processing the application but not to exceed \$300.00. Other segments of the City's ordinances and these regulations may require direct financial commitment by the sponsor beyond the processing fees for the application. If a permit is denied or revoked, the application fee will not be refunded.

1.3.4. Requests for Information. Before or after permit issuance, the City Manager or his or her designee may request from the sponsor such additional information with respect to a proposed event as reasonably deemed necessary for evaluating the proposed event's compliance with these regulations and the impact of the proposed event upon public safety, persons, and property, and the interests of persons not participating in the event being able to use City streets, sidewalks, and other public ways to travel to their intended destinations,

City parks for recreational purposes, and other City lands for their intended purposes unreasonably impaired. The sponsor's failure to timely provide such additional information constitutes grounds for denial of a permit request or the modification, conditioning or limiting of a permit.

1.3.5. Grounds for Rejecting or Revoking a Permit. A permit may be denied, or its grant may be conditioned or limited by the City Manager, or an issued permit may be revoked upon the following grounds:

a. Receipt of Multiple Requests: a fully executed application for the same time and place has been received at an earlier time, reserving an area for an event or activities which do not reasonably permit multiple events in the particular area.

b. Reserved.

c. Incompatible Use: the proposed event is of such a nature or duration that it cannot reasonably be accommodated in the particular area applied for; would be inconsistent or incompatible with the purpose(s) for which the area sought to be reserved is normally used, or with other uses of the area sought to be reserved.

d. Failure to Meet Conditions: the application proposes activities contrary to one or more of the purposes, conditions or limits specified within these regulations.

e. No Responsible Person: there is no person authorized to sign an application on behalf of the sponsor applying for a permit and/or there is no person willing or able, as demonstrated to the City Manager by reasonable evidence, to accept responsibility for and perform the sponsor's obligations set forth in these regulations, including, without limitation, the sponsor's indemnification obligations.

f. Reserved.

g. Failure of the Event to be Consistent with the Application: The City Manager reasonably determines at any time, following consultation with the Police Chief/City Marshal, the Fire Chief, or other appropriate City officials, that any material information set forth in the permit application is incorrect or misleading, or has become since the submission of the application incorrect or misleading and the permit must be revoked, modified, conditioned or limited consistent with these regulations.

h. Prohibited Items: Prohibited items are not allowed at events and an event permit will be denied or revoked if at any time it appears that prohibited items will be used, or are being used, during an event, and the City has not granted special permission in the permit covering such use. If any prohibited item is used during the demonstration, such use will be unlawful and the permit's allowance of such use shall be automatically revoked. The person responsible for the unlawful use of the item will be directed by law enforcement to leave the demonstration area, and any

person refusing to do so shall be subject to arrest for trespassing. Nothing in these regulations shall prohibit a disabled person from carrying, possessing or using a wheelchair, cane, walker, or similar device necessary for providing mobility so that the person may participate in a permitted event. Nothing in these regulations shall prohibit certified law enforcement officers or other public safety officials acting in their official capacity from carrying or possessing materials, weapons and/or devices used in the performance of law enforcement duties. Prohibited items shall be identified by event specific permit conditions promulgated by the City Manager.

i. A permit may be denied if, taking into account the size and nature of the proposed event, the City Manager does not have sufficient time to evaluate the proposed event's potential impact upon public safety, persons and property, and the interests of persons not participating in the event being able to use City streets, sidewalks, and other public ways to travel to their intended destinations, City parks for recreational purposes, and other City lands for their intended purposes.

1.3.6. Modifying or Placing Conditions or Limits on Permit Grants. A permit may be modified or its grant may be conditioned or limited by the City Manager where necessary to meet the requirements of these regulations or to further their purposes. Such conditions and limits may include, for example, requiring the event to be relocated to an alternative venue if doing so is required to safely accommodate the number of anticipated attendees or type of event; provided, however, that with respect to demonstrations only, the City Manager shall take into account whether the alternative venue is suitable for communicating the content of the demonstration. The City reserves the right to limit the number of persons allowed at events based on the location or nature of the event, and to require that the sponsor provide a certain number of individuals, who may be volunteers within sponsor's organization, to act as crowd managers to assist with ensuring that the assembly is and remains lawful and in compliance with these regulations and liaising with City officials prior to and during the event. However, this does not give sponsors the authority to employ individuals to perform law enforcement functions without complying with state and local licensure or other requirements. Reasonable content neutral time, place and manner restrictions may be imposed also.

1.3.7. Notice of Decision.

a. Applicants shall be notified of the City's approval or denial of a permit for an event as soon as reasonably practicable after the date on which the application was received. The City may also issue approval of a permit for an event conditioned upon the sponsor's accepting modifications, conditions or limits imposed on the event consistent with these regulations.

b. Unless denied or modified within 10 business days following the submission of a completed permit application, or within thirty (30) business days if the event requires a street closure, removal of parking, or provision of public safety personnel, all requests for demonstration permits shall be deemed granted, subject

to the conditions and limits set forth in the permit and these regulations, so long as the area proposed for the demonstration had not been reserved by another person prior to the date on which the permit would be deemed granted in accordance with this section 3.4.7(b). The applicant must provide GDOT approval of closure of state or federal highways at the time of filing the application for a permit. If not provided, the application will be deemed incomplete until the GDOT approval is provided.

c. All denials of requests for, or conditional approvals of, demonstration permits shall include a reasonably detailed description of the reason for the denials or the modifications, conditions or limits, and specific instructions for how an appeal of the denial or conditional approval can be submitted to the Mayor.

1.3.8. Permit revocation.

a. An issued permit for an event may be revoked by the City Manager upon a finding of a violation, or a reasonably anticipated violation, of any rule, ordinance, law, regulation and/or condition or limit of the permit, or a finding that a permit application was not complete or accurate or had a material omission of fact when granted, or a finding that the information in the permit application has become, or is reasonably likely to become, incomplete, inaccurate or to contain a material omission. Immediately upon such a revocation, the City Manager shall send a written notice to the sponsor at the sponsor's address in the permit application, specifying the reason for the revocation.

b. During the conduct of an event, a permit may be revoked by the ranking police/Marshal or other public safety supervisory official in charge, and the event attendees dispersed, if the event is unlawful, prohibited items are being used, there exists an imminent likelihood of violence or other threat to public safety endangering persons or threatening to cause significant property damage, or if the City has declared either a state of emergency or an unlawful assembly covering the area in which such demonstration is being or will be held. Upon such revocation, the sponsor and the other sponsor attendants shall communicate the need to disperse the demonstration to the attendees.

c. When a permit has been granted, or is deemed to have been granted pursuant to these regulations, the City Manager may revoke, modify, condition or limit the permit for any reason for which it could have been denied, modified, conditioned or limited originally.

d. Except for permits revoked during demonstrations, all revocations of demonstration permits shall include a reasonably detailed description of the reason for the revocation and specific instructions for how an appeal of the revocation can be taken, and shall be served personally or by certified mail, with a copy sent by fax or e-mail at the sponsor's request.

1.3.9. Appeals.

a. Except for permits revoked during demonstrations, an appeal of the denial, conditional approval or revocation of a demonstration permit may be made to the Mayor or his designee in writing, and shall include a statement of the basis for the objection to the denial, conditional approval or revocation.

b. The Mayor or his designee shall make a decision on appeal expeditiously and, if practicable, at least three (3) business days prior to the date the demonstration is planned to commence, and shall explain in writing the reasons for the decision.

Submitted By: _____
Bill Schmid, City Manager

Ratified this, ____ day of _____, 2020.

By: _____
Sam Norton, Mayor

Attest: _____
Mary Csukas, City Clerk



CITY COUNCIL AGENDA REPORT

DATE: June 15, 2020
TITLE: Intergovernmental Agreement For the sale, financing and redevelopment of certain owned properties
PRESENTED BY: TBD

AGENDA ITEM DESCRIPTION:

This Intergovernmental Agreement is to provide for the development of strategy for the redevelopment and revitalization of the Head House property, so as to preserve the historic significance, enhance the downtown district of the City, to promote public purposes, and to develop trade, commerce, industry and employment opportunities in the City.

HISTORY/PAST ACTION:

FINANCIAL IMPACT:

The financial impact is referenced in paragraph 7 of the instrument. The impact is to be determined as part of the Development Plan. The currently anticipated use of the property is for DDA office space on the upper floor with a restaurant on the main floor. The lease of the lower floor is designed to offset a portion of the debt service on the property.

RECOMMENDATION:

SUGGESTED MOTIONS:

ATTACHMENTS:

Intergovernmental Agreement

INTERGOVERNMENTAL AGREEMENT
FOR THE SALE, FINANCING AND REDEVELOPMENT
OF CERTAIN CITY OWNED PROPERTIES

This Intergovernmental Agreement (the “Agreement” or the “Conveyance IGA”) is made and entered into this ____ day of _____, 2020 by and between the City of Dahlonega, a political subdivision of the State of Georgia, (hereinafter referred to as “City”) and the Downtown Development Authority of the City of Dahlonega, Georgia (hereinafter referred to as “DDA”).

W I T N E S S E T H:

WHEREAS, the City is a political subdivision of the State of Georgia and the DDA is a public body corporate and politic created pursuant to the provisions of O.C.G.A. § 36-42-1, et seq.; and

WHEREAS, pursuant to Article IX, Section III, Paragraph I of the Constitution of the State of Georgia, the City and DDA are authorized to enter into Intergovernmental Agreements for periods not exceeding fifty (50) years in connection with the activities which these entities are authorized to undertake; and,

WHEREAS, pursuant to Article IX, Section VI, Paragraph III of the Constitution of the State of Georgia, the DDA is authorized to further activities to promote public purposes to develop trade, commerce, industry, and employment opportunities within the City of Dahlonega; and,

WHEREAS, the DDA is authorized pursuant to O.C.G.A., §36-42-8(a)(8) to make application directly or indirectly to any municipal government or agency or to any other source,

whether public or private, for loans, grants, guarantees, or other financial assistance in furtherance of the DDA's public purposes and to accept and use the same upon such terms and conditions as are prescribed by such municipal government or agency or other source; and,

WHEREAS, the City, pursuant to the City Charter as codified at Article I, Section 1.10, of the Code of the City of Dahlonega, has the power to acquire, lease and dispose of real property in the public interest; and,

WHEREAS, the DDA, pursuant to O.C.G.A., Section 36-42-8(a)(4) has the power to acquire by sale, lease or transfer real property in fulfillment of its purposes; and,

WHEREAS, the City owns and controls the real property and improvements thereon located at 47 Park Street South Dahlonega, Georgia 30533, Lumpkin County tax parcel D11086 (the "Property"); and,

WHEREAS, the Property has historical significance to the City of Dahlonega but is currently underutilized and has the potential to provide much needed office space for the DDA and new downtown commercial space adding to the vitality, and sense of place and community; and

WHEREAS, the City desires the creation of a development plan (the "Development Plan") for the redevelopment of the Property in a manner that will preserve the historic significance of the Property, add needed office/commercial space in the historic downtown area and spur additional development opportunities and create jobs in the City; and,

WHEREAS, the City desires to enter into an Intergovernmental Agreement with the DDA to provide for the development of a strategy for the redevelopment and revitalization of the Property, so as to preserve the historic significance, enhance the downtown district of the City, to promote public purposes, and to develop trade, commerce, industry and employment opportunities in the City; and,

WHEREAS, the DDA agrees to manage and develop a strategy for the revitalization and redevelopment of Property, subject to the approval of both the DDA and the City; and

NOW THEREFORE, in consideration of the mutual promises, covenants and undertaking set forth herein, and detailed in the aforesaid recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the City and the DDA do agree as follows:

1.

The City shall retain all title and interest in the Property until such time as the sale, lease or transfer of the Property to the DDA pursuant to the Development Plan approved by both Parties.

2.

The DDA, in conjunction with architects, historic preservation and other consultants, shall use its best practices to create a Development Plan for the revitalization and redevelopment of the Property, to preserve the Property's historic significance, enhance the downtown district of the City, promote public purposes, and develop trade, commerce, industry and employment opportunities in the City.

3.

The DDA shall use its best efforts to prepare and submit to the City for review and approval such Development Plan for the Property, including a budget for the revitalization and redevelopment of the Property pursuant to such Plan.

4.

The DDA shall review and approve for submission to the City, for the City's review and

approval, any and all development plans for the Property.

5.

Both the City and the DDA agree to consider the use of such tools as are available to them to assist in funding public infrastructure or public improvement necessary for the development of the Property or any funding gaps required for the development pursuant to the Development Plan, as they may determine to enhance the downtown district of the City, and/or promote public purposes, and/or develop trade, commerce, industry and employment opportunities in the City.

6.

Upon approval of the Development Plan by the City, the City agrees to sell, lease or transfer the Property to the DDA pursuant to the Development Plan.

7.

The City agrees to provide such financial assistance for the revitalization and redevelopment of the Property as are provided for in the Development Plan and in such form as the City finds financially reasonable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed in three counterparts each to be considered as an original by their authorized representative, on the day and date hereinabove written.

[EXECUTION ON FOLLOWING PAGE]

CITY OF DAHLONEGA

By: _____

Its: Mayor

**DOWNTOWN DEVELOPMENT AUTHORITY
OF THE CITY OF DAHLONEGA, GEORGIA**

By: _____

Its: Chairman



CITY COUNCIL AGENDA REPORT

DATE: June 15, 2020
TITLE: Dahlongega Stormwater Utility User Fee Credit Manual
PRESENTED BY: Bill Schmid, City Manager

AGENDA ITEM DESCRIPTION:

Review for consideration before adoption in conjunction with the Ordinance

HISTORY/PAST ACTION:

Council Resolution 2020-10

FINANCIAL IMPACT:

Additional revenue source reducing General Fund burden

RECOMMENDATION:

Review for items recommended for further work by staff/consultant

SUGGESTED MOTIONS:

Informational - none at this time

ATTACHMENTS:

Draft Storm Water Credit Manual

City of Dahlonega Stormwater Utility

Stormwater Utility User Fee Credit Manual

MAY 2020

TABLE OF CONTENTS

SECTION 1 – GENERAL INFORMATION	2
DEFINITIONS	2
SUMMARY OF STORMWATER USER FEE CREDITS.....	6
STORMWATER USER FEE CREDIT POLICIES	7
STORMWATER UTILITY USER FEE CREDIT APPLICATION PROCEDURES.....	8
SECTION 2 – CREDIT POLICY AND PROCEDURES	10
TREE PLANTING	11
LOW-IMPACT PARCEL.....	13
NO DIRECT DISCHARGE.....	15
SEPTIC TANK MAINTENANCE.....	16
NATURAL AREA PRESERVATION	17
RESIDENTIAL GI/LID PRACTICES	18
NON-RESIDENTIAL GI/LID PRACTICES	19
WATERSHED STEWARDSHIP	21
STORMWATER / WATER QUALITY EDUCATION PROGRAM	22
NPDES INDUSTRIAL STORMWATER GENERAL PERMIT COMPLIANCE.....	24
NON-GSMM STORMWATER FACILITY/DETENTION POND CREDIT	25
GSMM STORMWATER FACILITY/DETENTION POND.....	27
STORMWATER USER FEE CREDIT APPLICATION FORMS & OTHER MISCELLANEOUS FORMS	29

SECTION 1 – GENERAL INFORMATION

Stormwater Utility (SW Utility) user fee credits are made available to private and public entities that undertake specific stormwater management activities to reduce their impact/demand on the City of Dahlongega (City) Stormwater Management Program (SWMP) and the associated costs that would otherwise be expended by the City SWMP. If a customer enacts a specific credit activity that is approved by the City, then the customer will receive a credit on their monthly stormwater user fee bill. Credits will be periodically reviewed by the City for compliance with the applicable standards in the City of Dahlongega SW Utility Credit Manual (the Manual). Credits are given for both structural and non-structural stormwater management activities and include, but are not limited to, the following: detention ponds, stormwater controls, best management practices (BMPs), education programs, stormwater runoff infiltration, watershed stewardship and other approved activities as determined/defined by the City.

The Manual outlines the criteria and procedures for the City of Dahlongega SW Utility customers to secure and maintain a stormwater user fee credit(s) for their property/customer account. An approved SW Utility user fee credit will result in a reduction of the customer's monthly stormwater user fee charge. Implementation of the credit activities by the customer should reduce the impact of stormwater runoff from the subject property on the City's stormwater management system, and corresponding cost to the City to provide SWMP services to that customer. The credit is only applicable for City approved stormwater BMPs, activities and/or programs that are properly designed, constructed (or implemented) and maintained in accordance with this Manual.

Definitions

The definitions included in the SW Utility Ordinances will be adopted herein by reference.

Billing Unit (BU): means the stormwater user fee charge billing unit increment of 1,000 square feet, or any portion thereof, of impervious surface.

Credit: means a reduction in the amount of a customer's stormwater user fee charge in recognition of a customer's efforts to mitigate the stormwater runoff impact that developed property has on the City stormwater management services and systems, and/or the efforts of a customer to offset the City's cost for implementation of stormwater management program related activities.

Customers of the Stormwater Utility: shall include all persons, properties, and entities serviced by and/or benefitting from the services provided by the City's stormwater management program and the Stormwater Utility. These services include, but are not necessarily limited to, the Stormwater Utility's administration, management, maintenance, expansion, and improvement of the stormwater management systems for the handling and disposal of stormwater runoff from private and public properties, and the regulation of the public and private stormwater management systems, controls, facilities, and activities.

Dwelling Unit: shall mean a structure, regardless of the type or method of construction, which contains one (1) or more bedrooms, a bathroom, and cooking facilities, designed for occupancy by a one or more person(s) regardless of relationship, living as a single-family unit.

Georgia Stormwater Management Manual (GSMM): shall refer to the 2016 technical guidance document (Vol. 2 – Technical Guidance) governing stormwater management design, construction and long-term maintenance activities in Georgia. The GSMM can be found by using the following link: <https://atlantaregional.org/natural-resources/water/georgia-stormwater-management-manual/>.

Green Infrastructure (GI): shall refer to the concept whereby sustainable water resources management practices are implemented for land development (and re-development) projects in an effort to protect, restore, or mimic the natural water cycle. GI typically involves the use of landscape features to store, infiltrate and/or evaporate stormwater runoff. GI works in concert with Low Impact Development (LID) and the concept is commonly referred to as GI/LID.

Impervious area: shall mean and have the same definition as impervious surface.

Impervious surface: means those areas which prevent or impede the infiltration of stormwater into the soil in the manner in which it entered the soil, in natural conditions, prior to development and causes stormwater runoff to collect, concentrate or flow in a manner materially different from what would occur if the land were in an unaltered/undeveloped natural condition. Common impervious surfaces include, but are not limited to, rooftops, buildings or structures, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, awnings and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.

Improved property (or developed property): means property altered from its natural state by construction or installation of more than five hundred (500) square feet of impervious and/or partially impervious surfaces.

Low Impact Development (LID): shall refer to an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible to preserve, maintain and/or restore a watershed's hydrologic and ecological functions. LID can be characterized as a sustainable storm water practice that employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that manages stormwater as a resource. Typical GI/LID practices include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.

Non-Single Family Residential (NSFR) Property: shall mean a developed parcel of land that consists of various non-residential land uses including, but not limited to: (1) multi-family, commercial (including mixed commercial & residential), office/institutional, public, transportation, industrial, manufacturing and storage buildings and facilities; (2) parking lots, parks, public and private schools, universities and hospitals; (3) streets, roads, water and wastewater treatment plants; and (4) any other form of use not specifically defined as a detached single family residential property (DSFR).

Parcel: shall mean a designated parcel or tract, established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

Partial impervious surface: shall mean those areas which allow for limited infiltration of rainfall and surface water runoff into the soil in the manner that is more similar to natural conditions

than “impervious surface” as defined above. Partial impervious surfaces influence and affect stormwater runoff such that the runoff is collected, concentrated and/or flows in a manner that is materially different from what would occur if the land were in an unaltered natural condition. Common partial impervious surfaces include, but are not limited to, compacted gravel and/or compacted soils.

Private stormwater management systems and facilities: shall mean those natural and manmade channels, swales, ditches, rivers, streams, creeks, branches, reservoirs, ponds, drainageways, inlets, catch basins, pipes, headwalls, storm drains, lakes and other physical works, properties and improvements which transfer, control, convey or otherwise influence the movement of stormwater runoff or water quality, for which operation and maintenance is the responsibility of the owner or successor or assignee thereof, and which have not been conveyed or dedicated to the City for future maintenance.

Public stormwater management systems and facilities: shall mean that portion of the drainage system consisting of natural and/or man-made structures, within the political boundaries of the city which channel or convey storm water from its point of collection to a point of discharge, owned by the City, over which the City has a legal right of access, have been formally dedicated to and accepted by the City for maintenance, or over which the City exercises dominion and control.

Single-Family Residential (SFR) Property: shall mean a developed property containing one residential structure with no more than two dwelling units in or attached thereto, situated upon a single lot of record. Improved property may be classified as SFR even if supplemental accessory structures are present such as garages, carports, storage buildings, guesthouses, servants or caretakers’ quarters, cottages or barns, or the presence of a commercial use within the residence, as long as such use does not result in significant additional amounts of impervious surfaces. SFR properties shall not include improved property containing structures used primarily for non-residential purposes; manufactured homes located within manufactured home parks where the land is owned by someone other than the owners of the manufactured homes; residential condominium developments with more than two units; or vacant/undeveloped property.

Stormwater management services: mean all water quality and water quantity related services provided by the City which relate to the following:

- (1) Transfer, control, conveyance or movement of stormwater runoff through the incorporated portions of the City;
- (2) Maintenance, repair and replacement of existing stormwater management systems and facilities;
- (3) Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs;
- (4) Regulation of the use of stormwater management services, systems and facilities; and
- (5) Compliance with applicable State and Federal stormwater management regulations and permit requirements;

(6) Other services as deemed appropriate by the City.

Stormwater management systems and facilities: mean those natural and manmade channels, swales, ditches, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, headwalls, storm sewers, public streets, curbs and gutters, lakes and other physical works, properties and improvements which transfer, control, convey, detain, retain, treat or otherwise influence the movement of stormwater runoff.

Stormwater Utility Manager: means the person appointed by the City Manager to administer the provisions of this article.

Stormwater user fee charge: means the periodic user fee charge for the provision of stormwater management services imposed pursuant to this Article of the *Dahlongega Stormwater Utility Ordinance*. This term shall exclude special charges to the owners and/or tenants of particular properties for services, systems or facilities related to stormwater management, including, but not limited to, charges for development plan review, inspection of development projects, and other stormwater management related services provided by Dahlongega for which a corresponding fee is collected for the service rendered.

Summary of Stormwater User Fee Credits

Table 1 summarizes the user fee credits available to the SW Utility customers. Please refer to the ensuing sections of this document for further details on the various credits, policies, procedures, etc. Per City policy, the maximum user fee credit that a customer account can receive is **50%**.

Table 1: Stormwater User Fee Credit Summary				
Credit Description	Credit Term	Potential Stormwater User Fee Credit Customer Types and Amount		
		Single Family Residential (SFR)	Non-Single Family Residential (NSFR)	Stormwater User Fee Credit
User Fee Credits				
Tree Planting	5 years	x		10% - 20%
Low-Impact Parcel	5 years	x	x	25%
No Direct Discharge	5 years	x		(Up to) 50%
Septic Tank Maintenance	5 years	x	x	10%
Natural Area Preservation	5 years	x	x	(Up to) 20%
Residential GI/LID	5 years	x		20%
Non-Residential GI/LID	5 years		x	(Up to) 50%
Watershed Stewardship	5 years		x	5%
Stormwater /Water Quality Education Program	5 years		x	50%
NPDES Industrial Stormwater General Permit	5 years		x	30%
Stormwater Facility (i.e. Detention Pond, Retention Pond) ^{1,2}				
Non-GSMM Stormwater Facility/Detention Pond	5 years		x	15 - 25%
GSMM ³ Stormwater Facility/Detention Pond	5 years		x	50%

¹ Residential customers that are part of a larger common development (or subdivision) can collectively apply for credits related to the detention pond credit with approval from the SW Utility Manager.

² Stormwater facilities must be properly maintained and operating in accordance with their original design for a facility to be eligible for credit.

Stormwater User Fee Credit Policies

The City has established the following general policies regarding consideration and approval of stormwater user fee credits. Please refer to applicable sections of the City SW Utility Ordinances for additional guidance and requirements pertaining to the stormwater user fee credits.

- Applications for a stormwater user fee credit for existing facilities may be submitted to the City at any time.
- Approved credits will be applied to the customer's next stormwater user fee bill following approval.
- Applications for a stormwater user fee credit associated with new development (or redevelopment) sites may be submitted once the BMP is constructed and the BMP has been inspected by representatives of the City.
- Credits are only approved for (and applied to) eligible customers that meet applicable criteria as set forth in the Manual. The stormwater user fee is being assessed on an individual customer account basis as outlined in the City SW Utility Ordinances. Therefore, credit applications must be made by the entity that owns the property and/or is responsible for payment of the utility account. If the responsible entity for payment of SW Utility user fee changes, the new customer must re-apply for the credit with the City regardless if the term has expired or is still active. The new customer may be able to rely on some (or all) of the information from a previous credit application package, but it will be the responsibility of the applicant to verify the information within the submitted credit application package.
- A group of customers cannot apply for a credit except as stipulated below. An eligible customer is defined as a property or site that contributes stormwater runoff to the qualifying stormwater control and/or BMP located on the same property/site via natural and/or manmade conveyance systems. If a group of properties/sites are served by a single BMP or systems of BMPs, then the credit can be applied to the customer on whose property/site which the BMP resides. This applicant will be referred to as the primary applicant. If the primary applicant provides a memorandum of agreement (MOA) between the primary applicant and another customer(s) for which the BMP(s) provides adequate treatment for the applicable credit, the City will consider application of the credit to all customers named in the MOA. The credit shall be applied to all applicants until such time as the primary applicant notifies the City that the MOA is no longer in effect or the term of the credit expires, whichever occurs sooner. If the MOA is revoked by the primary applicant, the credit shall only apply to the primary applicant.
- A residential homeowner's association (HOA), or a common development such as a multi-family apartment complex, which has its own properly designed, constructed, and maintained stormwater BMP(s) should contact the City SW Utility Manager to determine if the HOA members, or common development customers, are eligible for a credit. For the purposes of the credit, the BMP(s) must be located on a parcel that is platted within the common development and owned by the HOA (or a single property owner within the subdivision or common development).
 - For the purposes of awarding the credit, the credit being applied for must be met for the entire common development and must meet the Manual criteria.

- Any resulting credit awarded will be divided among eligible customers within the HOA or the common development.
- BMPs located on City owned property are not eligible for credits. Additionally, BMPs that the City maintains through a dedicated maintenance easement or other legal agreement though lying within private property cannot be used by the customer for credit purposes. Please refer to the City's SW Utility Ordinances for further clarification regarding the City's extent of service policy and its scope of responsibility
- During the credit term outlined in the Manual, the City has the right to conduct inspections and/or inquiries to the applicant to ensure conformance to the Manual criteria. If the BMP facility or program is not functional or is not being maintained, the City has the authority to void the credit on the next billing cycle. Before a credit is re-instated, the customer will have to reapply for the credit as outlined in this manual.
- The term of the credit is five years from the date that stormwater utility charges begin accruing. Credits will expire at the end of the fifth year of the cycle, or December 31, 2025, regardless of when during that cycle they were approved.
- The City may utilize a certification process for customer accounts that have received a credit to certify that the existing credit is still in place at the end of its five-year term. This certification process will require the customer to demonstrate that their property is still eligible for a credit and continues to meet the criteria outlined in the Credit Manual. Failure of the customer to certify his/her credit as required by the City policy could result in credit revocation. The City will develop the annual certification procedure and make it available to customers via the City website and other methods as deemed appropriate. However, it will be the responsibility of the customer to ensure compliance with the annual certification requirement.

Stormwater Utility User Fee Credit Application Procedures

The following is an overview of the stormwater user fee credit application procedures that a customer should follow to obtain and maintain credits. All of the credits in this Manual require an application, and some of the credit applications require engineering analysis to demonstrate and verify credit eligibility. The credits associated with engineering analysis are identified in the Manual along with the credit application forms. The City requires that these calculations be performed, signed, and sealed in accordance with the appropriate Georgia professional certification provisions outlined herein (i.e. engineer, surveyor, landscape architect, etc). The procedure for submitting a credit application generally includes the following tasks:

1. Obtain a copy of the Credit Manual from the City and determine what (if any) credits the customer may be eligible to apply for and fill out the required application materials.
2. If required by the credit, retain a Georgia Professional Engineer, Landscape Architect, and/or Land Surveyor to perform the required technical analysis.
3. Submit the completed credit application with all sections appropriately filled out and attach all the required supporting documentation.
4. The City may elect to perform an inspection of the customer's site and proposed activity, or to review the non-structural practice being implemented, to ensure conformance to the

Manual criteria. As such, the customer must grant the City a Right-of-Entry or access easement as part of the application and approval process.

5. The City will review complete application packages and notify the customer if the request is approved or denied within 30 days of receipt of the application. Incomplete application packages will not be considered by the City and will be returned to the customer for completion and/or revision.
6. If the credit is approved, the stormwater user fee credit will be applied, starting with the next customer billing cycle. If the City representative does not approve of the customer's application, the City will send a letter to the customer explaining why the credit application was not approved.

SECTION 2 – CREDIT POLICY AND PROCEDURES

Listed below are the stormwater user fee credits that SW Utility customers are eligible to apply for and secure. Customers should follow the credit application procedures outlined herein for each credit they desire to secure.

- Tree Planting
- Low-Impact Parcel
- No Direct Discharge
- Septic Tank Maintenance
- Natural Area Preservation
- Reduced SFR Footprint
- Residential GI/LID
- Non-Residential GI/LID
- Watershed Stewardship
- Stormwater / Water Quality Education Program
- NPDES Industrial Stormwater General Permit
- Non-GSMM Stormwater Facility Detention Pond
- GSMM Stormwater Facility/Detention Pond

Tree Planting

Eligible Customer Classes: SFR and NSFR

Credit Description

The City desires to promote and encourage an expansive and healthy tree canopy throughout the City. Although most property owners are well aware of the value of planting trees with respect to aesthetics, property values, and decreased energy costs, many do not know that planting and preserving trees can also improve water quality and stormwater management overall. Trees intercept large amounts of rain on their surface areas (leaves, branches, and trunks) and absorb rainfall through their root systems that mitigates the impacts of stormwater runoff quantity and quality.

The customer must address the following to establish eligibility for a Stormwater Utility user fee credit associated with tree planting and/or tree preservation:

1. Plant and/or preserve trees above and beyond the minimum requirements as documented in the City's Tree Ordinance
2. In the case of new development or redevelopment projects, a proposed plan should include at least 10% more than is required by the ordinance to be eligible for a user fee credit.
3. In the case of existing sites that desire to retrofit new trees into the site, City staff must approve the plan prior to installation of trees.
4. Trees planted or located within the City Street Right of Way or other City owned property do not qualify for a user fee credit.
5. The City may utilize aerial photography or any other means to assess existing tree canopy on existing lots or to assess the historical tree canopy for a site.
6. Trees must be planted and preserved properly and be maintained in good, healthy condition to continue to receive a user fee credit.

Eligible Credit

The maximum user fee credit for the Tree Planting Credit has been established at 20%.

New Development / Redevelopment Sites: A SW Utility customer can achieve the 20% maximum through a combination of increased density and/or caliper size for the proposed tree planting plan. In general, the criteria to secure this credit is to develop a proposed tree planting/landscape plan that exceeds the minimum requirements by at least 10%. A proposed plan that exceeds the minimum standards by more 10% will be eligible for a credit of the same percentage, up to 20%. For example, if the customer proposed to exceed the ordinance minimum standards by 15%, then that customer would receive a 15% credit on their stormwater user fee. The applicant should work with City staff to determine the total credit percentage for their site/account based on: (1) the minimum tree planting/landscaping ordinance requirements; (2) the proposed exceedance of the minimum requirements; and (3) the calculations associated with the applicable requirements.

Existing Development: Where the stormwater user fee customer wishes to plant trees to receive credit, the customer shall receive a 1% credit for each tree planted per acre of total property, up to 20%. Where the total property area is less than one acre, credit shall be awarded at 1% per tree planted. The applicant must follow the requirements for caliper size and species as specified in the City's Tree Ordinance. An applicant desiring to go this route should consult with the City prior to initiating any tree planting or landscape modification plans for an existing site. The applicant must have their tree planting plan approved by the City prior to installation of any trees or before credit is awarded.

Stormwater User Fee Credit Application Supporting Documentation (New Development or Redevelopment Projects)

The customer shall provide the City with a plan to illustrate how the applicant intends to meet or exceed the minimum standards of the City's Tree Ordinance. Review the proposed tree planting and landscape plan with the City staff and SW Utility Manager to ensure that all applicable City Codes are adhered to and to document the extent to which the proposed plan exceeds the minimum standards.

For new developments/redevelopments, at the conclusion of the field work, prepare a post-construction as-built survey of the work performed and ensure that it is consistent with the approved credit application. Submit as-built to the City and the City will perform an inspection to ensure the activities completed adhered to the approved plan.

Low-Impact Parcel

Eligible Customer Classes: SFR and NSFR

Credit Description

There are some properties/sites in the City where the total impervious area footprint is relatively small as compared to the gross parcel area. The ratio of impervious surface to gross parcel area can result in reduced stormwater runoff impacts since a majority of the parcel is undeveloped.

A credit shall apply to customers who can prove that their parcel meets the “low-impact” development criteria presented herein. The low impact parcel credit criteria are summarized in Table 2:

Table 2: Stormwater User Fee Credit Criteria for Low-Impact Parcels	
Parameter	Requirements*
Total Impervious Area (%)	Must be less than 10% of total site area
Total Site Area (Acres)	Must be greater than 2 acres

Each customer that wishes to apply for this credit shall be responsible for calculating the total site area and impervious surface area. Each customer shall utilize the following procedures:

- Determine the total gross area of the parcel. The gross area must be a minimum of two (2) acres.
- Determine the total impervious area for the parcel. This can be determined through a site survey or by using aerial imagery. Upon request, the City can provide this information for existing SW Utility customers. The impervious area shall include the structure, driveway, loading dock, sidewalk (do not include the sidewalk in the City right of way), pool deck, patio, shed, or any other accessory impervious area. The total amount of impervious surface must be less than 10% of the total gross area of the parcel. Total gross area includes both pervious and impervious areas.
 - total parcel area (TPA)
 - impervious area (IA)
 - Calculation: $IA / TPA = 0.10$ (or less)

Eligible Credit

If the parcel meets all the requirements above, the customer would be eligible for a credit of 25% off their total stormwater user fee charge.

Stormwater User Fee Credit Application Supporting Documents

The customer shall provide a site plan or map showing the total gross parcel area and the total impervious surface area. Total impervious surface area shall be detailed to include which portion pertains to the structure, driveway, sidewalk, and other accessory areas that do not allow for infiltration of rainfall and runoff. This information should be documented in the form of a plan and aerial image that will allow City personnel to verify the measurements, calculations and other pertinent information.

No Direct Discharge

Eligible Customer Classes: SFR and NSFR

Credit Description

A property or site that does not contribute a discernable amount of stormwater runoff to the City's public drainage system either directly or indirectly shall be eligible for a No Direct Discharge stormwater user fee credit, if it meets the criteria outlined in this Manual.

The No Direct Discharge credit is typically available to those residential and non-residential property owners (or customers) who can demonstrate that stormwater runoff, after leaving the property, does not drain/discharge to a City-owned drainage facility and/or system and ultimately drains/discharges to the drainage system of another local government, or a waterway that is not considered part of the City's public drainage system, such that the site discharge never flows through the City of Dahlonega public drainage system at any point downstream. This type of condition would most likely exist for properties that abut the City limits and stormwater runoff discharges into Lumpkin County.

Eligible Credit

A credit of up to 50% off the stormwater user fee charge is available for No Direct Discharge for a period of five years. The total credit may be reduced if only a portion of the site drains to the City's public drainage system. For example, if half the customer's property drained to City of Dahlonega's system and half drained to the Lumpkin County system, that customer would be eligible for a 25% (or half of 50%) credit off their stormwater user fee charge.

Stormwater Credit Application

The customer shall provide the City the necessary information pertaining to the drainage conveyance from their property to the appropriate downstream points. This information should be documented in the form of a topographical based drainage map or plan.

Septic Tank Maintenance

Eligible Customer Classes: SFR and NSFR

Credit Description

Residential and non-residential customers are eligible for a stormwater user fee credit if the customer conducts approved maintenance activities on existing septic systems located on the customer's property. SW Utility customers with septic systems can receive a credit by having their septic tanks pumped out on a regular basis (minimum of every five years). Customers would be eligible to receive the credit for the period of five years after the septic tank was pumped out. The customer must submit documentation to the City in the form of a receipt from a properly licensed hauler of septic wastes. It is the customer's responsibility to confirm that the hauler has secured the required State and/or Local permits and license to haul and dispose of septic wastes. Customers may re-apply for this credit at the end of every five-year credit term. The septic system maintenance credit will be applied to the customer applying for the stormwater user fee credit.

There shall only be one stormwater user fee credit issued per customer account in which regular maintenance is conducted on the septic system and it shall only be good for a period of five years. It is the customer's responsibility to contact a licensed hauler of septic wastes and submit the necessary documentation that the septic system maintenance has been conducted.

The customer shall continue to conduct maintenance on the septic system at a minimum of every five years in order to qualify and receive the stormwater user fee credit on a continual basis. Renewal of the stormwater user fee credit shall be in accordance with the criteria outlined in this Manual.

Eligible Credit

A maximum credit of 10% off the stormwater user fee charge is available for five years for approved septic tank maintenance activities.

Stormwater User Fee Credit Application Procedures

The customer shall secure the pertinent documentation from a licensed hauler of septic waste. For the purposes of securing a credit, a receipt from the hauler will be sufficient if the receipt contains the date the maintenance was performed, the address of the property matching the address on the stormwater user fee credit bill, and the name of the company performing the work. The work must have been performed within five years of the application date.

Natural Area Preservation

Eligible Customer Classes: SFR and NSFR

Credit Description

The City will grant a stormwater user fee credit for those customers that provide for Natural Area Preservation in accordance with the criteria outlined in this Manual. In order for a customer to be eligible for this credit, the customer must demonstrate that at least one acre of contiguous green space will be preserved. In general, lands that would likely qualify for natural area preservation credit must be in its undeveloped land in its natural state.

In order for a SW Utility customer to qualify for this credit, the natural area must be permanently protected through a conservation easement or other deed restriction, or the land set aside and permanently protected as part of a conservation subdivision development.

Eligible Credit

The customer would be eligible to receive a 1% credit for every 1% of the total area of the property that is permanently protected. The customer could receive a maximum of up to a 20% credit for Natural Area Preservation for an unlimited period of time.

Stormwater User Fee Credit Application Procedures

The customer shall provide the City the necessary information which documents that the site conditions meet the applicable criteria for this credit. This information should be documented in the form of a site plan and map, which is prepared and sealed by a Georgia Professional Engineer or Land Surveyor, unless otherwise approved by the SW Utility Manager. A copy of the conservation easement agreement or deed restriction that creates the permanent protection must also be included.

Residential GI/LID Practices

Eligible Customer Classes: Residential

Credit Description

Residential SW Utility customers are eligible for a stormwater user fee credit if the customer implements an eligible, City approved Residential GI/LID practice in a single residential lot. These GI/LID practices may include, but are not necessarily limited to, practices such as rain barrels, cisterns, rain gardens, bio-retention cells, pervious pavements, etc. The City wishes to encourage the installation of these types of stormwater management GI/LID practices to promote and encourage more environmentally responsible and sustainable residential development within the City. The City believes that the customer should first consider which practices are the most appropriate to their parcel and are encouraged to contact the City SW Utility Manager to select the most appropriate Residential GI/LID practice(s) for their site.

A credit shall apply to those customers who can prove that their property has successfully installed an appropriate Residential GI/LID practice. Each customer that wishes to apply for this credit shall work with the City to establish the effectiveness of the Residential GI/LID practice and the customer will be responsible for providing the necessary information in support of the user fee credit application.

Eligible Credit

If the parcel meets all the requirements above, the customer would be eligible for a credit of 20% off their stormwater user fee for a period of five years.

Stormwater User Fee Credit Application Supporting Documentation

The customer shall identify the GI/LID practice or BMP to be utilized and ensure it is designed, maintained, and operated in accordance with general stormwater management requirements outlined in the GSMM and this Manual. The customer shall provide a photograph of the installed practice on their property. City staff reserves the right to inspect the property to ensure that the practice is properly installed prior to issuing a credit.

Non-Residential GI/LID Practices

Eligible Customer Classes: NSFR

Credit Description

Customers are eligible for the full GI/LID stormwater user fee credit, if the customer can demonstrate that the on-site GI/LID stormwater management practices can successfully infiltrate the first 1.0" of rainfall in accordance with the GSMM Infiltration standards. Customers may be able to qualify for a partial credit if they can demonstrate that the GI/LID practice infiltrates less than the first 1.0" of stormwater runoff.

The infiltration associated with GI/LID practices must be appropriately documented through technical analysis by a qualified professional (i.e. engineer, surveyor, landscape architect), and must meet the standards of the GSMM and ACC's Post Construction Stormwater Runoff Management Ordinance.

The customer shall continue to conduct maintenance as per the maintenance plan provided with the original application. The customer may reapply for the credit every five years. If a customer is reapplying for a GI/LID Infiltration credit and site conditions have not changed since the original application, the application only needs to include a copy of the original hydrological study and certification that all maintenance has been performed per the maintenance plan for re-issuance of the credit. If site improvements or changes have been made to the property, then the hydrology study will need to be updated to document compliance with the Manual criteria.

The customer shall continue to conduct maintenance as per the maintenance plan provided with the original application. The customer may reapply for the credit every five years. If a customer is reapplying for a Stormwater Runoff Infiltration credit and site conditions have not changed since the original application, the application only needs to include a copy of the original hydrological study and certification that all maintenance has been performed per the maintenance plan for re-issuance of the credit. If site improvements or changes have been made to the property, then the hydrology study will need to be updated to document compliance with the Manual criteria.

Eligible Credit

A credit of up to 50% off the stormwater user fee charge is available for stormwater infiltration for a period of five years. The total credit may be reduced if part of the site does not infiltrate stormwater to the standards outlined above.

Stormwater User Fee Credit Application Procedures

The customer shall provide a hydrology report prepared by and sealed by a Georgia Professional Engineer or Registered Land Surveyor or Registered Landscape Architect demonstrating compliance with the requirements and criteria outlined herein:

- Pre-Development runoff rates and volumes leaving the property prior to development.

- Post-Development runoff rates and volumes leaving their property in its current, developed condition.
- Documentation regarding site groundwater table conditions and the impacts (if any) those conditions have on surface water infiltration.
- Description of the methods and calculations utilized to develop the predictions of pre-development and post-development flow rates and volumes.
- Description of the stormwater controls and other site improvements that have been implemented to reduce the post-development runoff rates and volumes.
- Description of the stormwater controls and GI/LID practices utilized along with supporting data demonstrating that the site conforms to the infiltration and water quality standards for an individual site development as outlined in the GSMM.
- Maintenance plan for those site features necessary to maintain the reduction in stormwater runoff discharge rates and volumes to pre-development runoff conditions or less.

Watershed Stewardship

Eligible Customer Classes: NSFR

Credit Description

SW Utility customers are eligible for a stormwater user fee credit if the customer participates in a City approved local watershed stewardship event. Eligible events are set up, organized, and executed through a partnership with the City. There shall only be one stormwater user fee credit certificate issued per property/customer account regardless of the number of participants. NSFR customers seeking this credit will have to demonstrate that at least 10 individuals or 10% of their staff or attendees (whichever is less) participated in this event to receive a credit.

In general, eligible watershed stewardship activities may include community programs such as Adopt-A-Stream, City approved Rivers Alive or Great American Cleanup Day (or other City approved stream clean up events), City-approved Storm Drain Marking, etc. Other eligible credit programs may be added in the future, but customers should verify activity eligibility with the City SW Utility Manager in advance. The customer can only receive one watershed stewardship event credit during each year.

Eligible Credit

A 5% credit off the stormwater user fee charge is available for the Watershed Stewardship Credit for a period of five years.

Stormwater User Fee Credit Application Documentation

The customer shall provide the appropriate certificate for the Watershed Stewardship Program event. This information must certify the number of participants and provide the total number of staff, attendees, students, or congregants. Attendance at events not sponsored by the City may can be transferable to the City's stormwater user fee credit program, if approved by the City SW Utility Manager.

Stormwater / Water Quality Education Program

Eligible Customer Classes: NSFR (Public & Private Education Institutions)

Credit Description

The City encourages and supports the efforts of both public and private organizations to educate and inform the public on the importance of water resources management issues. In an effort to further encourage this type of educational activity, the City shall offer a stormwater user fee credit to eligible customers that meet the criteria outlined in this Manual.

The Water Resources Education Program credit shall be made available to all public or private educational institutions that meet the criteria set forth herein and that conduct approved educational activities as part of their day-to-day curriculum. Eligible institutions would include, but not necessarily be limited to, Lumpkin County Public Schools (inside the City), private schools, and public and private universities located inside the City limits.

In order to be eligible for this credit, the education program taught must be consistent with the City's stormwater management program and must also be pre-approved by the City SW Utility Manager.

- The credit shall be available to eligible customers that teach at least 500 students in an approved Water Resources Education Program, unless otherwise approved by the SW Utility Director.
- The program should address the following elements: stormwater runoff/pollution prevention, water quality, water conservation, and/or recycling.

Eligible Credit

Approved credit applications will result in the award of a 50% credit to the customer's stormwater user fee. The "per customer account" credit may not total more than 50% and credit may only be applied to the property where the educational activities are taught. Credits cannot be applied to administrative facilities, dormitories, bus lots, parking lots, and other impervious areas that are not associated with the educational facility where the approved environmental classes are taught.

Stormwater User Fee Credit Application Procedures

The following information shall be provided to the City in order to receive approval of the Water Resources Education Program credit:

- The person responsible for the customer account shall certify to the City SW Utility Manager that a water resources-based curriculum is being taught at the facility and the details regarding the program.
- Name of the customer applying for the credit.
- Address of site (property) and the point of contact.
- Approximate number of participants that have been taught the approved curriculum.

NPDES Industrial Stormwater General Permit Compliance

Eligible Customer Classes: NSFR

Credit Description

Properties that operate a facility that must secure coverage per its Standard Industry Code (SIC) under the NPDES Industrial Stormwater General Permit are eligible for a stormwater user fee credit. Customers can receive a stormwater user fee credit by complying with applicable NPDES Industrial Stormwater General Permit requirements for industrial facilities. Implementation of the applicable compliance requirements assists the City in addressing water quality impairment issues at the source prior to discharge into the City's publicly-owned drainage system and/or State Waters. If the customer has properly secured coverage under the NPDES Industrial Stormwater General Permit, and is in compliance with all applicable requirements, i.e. development and implementation of a Stormwater Pollution Prevention Plan (SWP3), a credit application may be filed with the City to secure a credit.

In order to maintain the credit, the customer shall send a copy of an annual report of compliance to the City SW Utility Manager each year. Failure to make the required submittals could result in forfeiture of the stormwater user fee credit.

Eligible Credit

The credit amount available for NPDES Industrial Stormwater General Permit compliance is 30% off the stormwater user fee charge for a period of five year.

Stormwater User Fee Credit Application Procedures

The customer shall complete the application and include the required documents that verify compliance with the NPDES Industrial Stormwater General Permit. At a minimum, the documentation attached to the credit application shall include the following items below:

- Customer address and facility point of contact
- Copy of the current NPDES Industrial Stormwater Permit Notice of Intent (NOI)
- Copy of the annual report of compliance
- Copy of the SWP3
- Certification by the responsible party/permit holder that the NOI is current and the SWP3 is being implemented
- An executed Right of Entry Agreement.

Non-GSMM Stormwater Facility/Detention Pond Credit

Eligible Customer Classes: NSFR*

** SFR customers that are part of a larger common development (or subdivision) that has a privately maintained storm water control that was designed and constructed under the then current storm water design regulations can collectively apply for the credits related to the GSMM Stormwater Facility/Detention Pond Credit, after consultation with the SW Utility Manager to establish eligibility.*

The Non-GSMM Stormwater Facility/Detention Pond Credit has been designed for older detention ponds that were approved and constructed under design that differ from the GSMM.

The overall goal of City is to give a credit to eligible customers that are reducing the impact of stormwater generated by their property. By reducing the peak discharge of stormwater from their property, the property owners/customer reduces the burden they impose on the City drainage system and the downstream receiving waterway. The credit shall only be applied to that portion of the property served by the detention basin.

Credits are available under the following general conditions and criteria:

- A maximum of 15% credit on the water quantity charge is available for customers that can demonstrate that their facility is in good working order and that routine maintenance of the facility has been and will continue to be conducted in accordance with professional standards.
- A maximum of 20% credit on the water quantity charge is available to customers that can demonstrate that the peak stormwater discharge rate for the 10-year storm from their stormwater retention/detention facility for a post developed site condition (Q_{post}) is no more than the peak stormwater discharge rate before development (Q_{pre}) (i.e. $Q_{post} = Q_{pre}$).
- A maximum of 25% credit on the water quantity charge is available to customers that can demonstrate that the peak stormwater discharge rate for the 10-year storm from their stormwater retention/detention facility for a post developed site condition (Q_{post}) is at least 10% less than the peak stormwater discharge rate before development (Q_{pre}) (i.e. a Q_{post} is 10% less than Q_{pre}).
- The City reserves the right to establish the applicable credit for situations that may fall between the various criteria outlined above.

In order to maintain eligibility for the credit, the customer must properly maintain the onsite stormwater controls that were documented in the user fee credit application for the term specified in the Manual. Furthermore, all stormwater control design, construction and maintenance shall be done in strict accordance with the City's current ordinances and design standards related to stormwater management.

Stormwater User Fee Credit Application Procedures

The customer shall follow the procedures below when applying for the detention pond user fee credit: The customer shall provide a hydrology report (or comparable document) prepared by and sealed by a Georgia Professional Engineer or Georgia Registered Land Surveyor or Registered Landscape Architect demonstrating compliance with the requirements and criteria outlined herein. The customer shall submit an executed Right of Entry Agreement, an ongoing

maintenance plan, and documentation that the facility/detention pond has been properly maintained to the City.

GSMM Stormwater Facility/Detention Pond

*Eligible Customer Classes: NSFR**

**SFR customers that are part of a larger common development (or subdivision) that has a privately maintained storm water control that was designed and constructed in accordance with the GSMM can collectively apply for the credits related to the GSMM Stormwater Facility/Detention Pond Credit, after consultation with the SW Utility Manager to establish eligibility.*

Credit Description

The Unified Stormwater Sizing Criteria as defined in the GSMM is an integrated approach to addressing stormwater runoff impacts associated with both water quality and quantity issues. Each of the unified stormwater sizing criteria are intended to be used in conjunction with the others to address overall stormwater runoff impacts site. When used as an overall set of criteria, the unified stormwater sizing criteria control and manage the entire range of stormwater runoff events from the smallest storm events to the largest storm events (i.e. the 100-year storm). The four stormwater runoff treatment levels described in the GSMM unified stormwater sizing criteria include water quality, channel protection, overbank flood protection, extreme flood protection, and runoff reduction. Table 3 presents each treatment level/criteria with a description of each, as provided in the GSMM.

Table 3: GSMM Unified Stormwater Sizing Criteria		
Treatment Level/ Criteria	Maximum Available Credit	Criteria Description
1. Runoff Reduction	20%	Attempt to infiltrate up to the first 1.0 inches of rainfall for the site. Per the GSMM, the purpose of this criteria treatment level is to reduce the volume of stormwater runoff by infiltrating it prior to collection, treatment, detention, and discharge. In most cases, if this criteria is fully met, criteria 2 is not necessary as its intent is already achieved.
	or	
2. Water Quality	10%	Capture and treat the first 1.2 inches of runoff, or the remaining amount of runoff that is not infiltrated under criteria 1. Per the GSMM, this equates to providing water quality treatment for the runoff associated with 85% of annual storm events with a goal reducing average annual post-development TSS loadings by 80%.
3. Channel Protection/ Aquatic Resources Protection	10%	Provide extended detention of the 1-year storm event released over a period of 24 hours to reduce bankfull flows and protect downstream channels and aquatic resources from erosive velocities and unstable flow conditions.
4. Overbank Flood Protection	10%	Provide peak discharge control of the 25-year storm event such that the post-development peak rate does not exceed the predevelopment rate to reduce overbank flooding.
5. Extreme Flood Protection	10%	Evaluate the effects of the 100-year storm on the stormwater management system, adjacent property, and downstream facilities and property. Manage the impacts of the extreme storm event through detention controls and/or floodplain management.

Note: The criteria description for each stormwater runoff treatment level is in general accordance with information published in the GSMM.

Credits are available under the following general conditions and criteria:

- This credit is not available for any portion of a parcel where a No Direct Discharge credit was secured unless otherwise approved by the SW Utility Manager.
- The stormwater facility must be in good working order and the customer must demonstrate that routine maintenance of the facility has been and will continue to be conducted in accordance with professional standards.
- The credit shall only be applied to that portion of the property served by the storm water facility.

The customer shall continue to conduct maintenance as per the maintenance plan provided with the original application. The customer may reapply for the credit every five years. If a customer is reapplying for the unified stormwater sizing criteria user fee credit and site conditions have not changed since the original application, the application only needs to include a copy of the original design information and certification that all the necessary maintenance has been performed per the maintenance plan for re-issuance of the credit. If significant changes to the site layout and/or site stormwater controls has occurred then the City may request that the design information be updated to document compliance with the Manual criteria.

Eligible Credits

A maximum credit of up to 50% off the stormwater user fee charge is available if a customer can achieve compliance with all five of the unified stormwater sizing criteria described herein.

Stormwater User Fee Credit Application Procedures

The customer shall provide a hydrology report (or comparable document) prepared by and sealed by a Georgia Professional Engineer or Georgia Registered Land Surveyor or Registered Landscape Architect demonstrating compliance with the requirements and criteria outlined herein. The customer shall submit the user fee credit application, an executed Right of Entry Agreement, an ongoing maintenance plan, and documentation that the facility/detention pond has been properly maintained to the City.

Stormwater User Fee Credit Application Forms & Other Miscellaneous Forms

Stormwater user fee credit applications are required to secure approval of all credits offered in this Manual. The forms and documents attached to the appendices are summarized below.

- Appendix A includes the credit application forms for the residential stormwater user fee credits described in this Manual.
- Appendix B includes the credit application forms for the non-residential stormwater user fee credits described in this Manual.
- Appendix C includes miscellaneous forms required as part of the stormwater user fee credit application process, including a Right-of-Entry Agreement.

APPENDIX A: SFR Stormwater User Fee Credit Application Forms

APPENDIX A

City of Dahlonega SW Utility SFR Customer Stormwater User Fee Credit Application Form

Instructions:

Fill out this form completely. One application must be submitted for each customer account. Follow the steps outlined in the applicable section of this Manual. Attach all appropriate documentation to support this request, as outlined herein.

Fill out and attach appropriate documentation. Mail completed form (with attachments) to:

City of Dahlonega
Attn: SW Utility Manager
465 Riley Road
Dahlonega, GA 30533

I hereby request City of Dahlonega to review this application for a stormwater user fee credit(s). I further authorize the City to investigate the site characteristics of the above identified parcel for the purpose of evaluation for a stormwater user fee credit(s). I certify that I have authority to make such a request and grant such authority for the City staff (or their designee) to evaluate this property for the purposes of approval or denial of the user fee credit. The attached information is true and correct to the best of my knowledge and belief. I agree to provide corrected information should there be any change in the information provided herein.

_____ Type or print name	_____ Property Owner	_____ SW Utility Account No.
_____ Signature	_____ Date	

This form must be signed by an individual person who is responsible for the site operations and/or payment of the monthly utility bill. If the responsible person is not an individual person then the form must be signed by an officer, director, partner, or registered agent with authority to execute instruments for the customer account.

Approval:

_____ SW Utility Manager	_____ Date	_____ SW Utility Account No.
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APPENDIX A

Residential Customer Stormwater User Fee Credit Application/Renewal Form

	Credit Description
	Residential GI/LID Practices
	Low Impact Parcel
	No Direct Discharge
	Septic Tank Maintenance
	Natural Area Preservation
	Residential GI/LID

General Customer Information:

Customer Name:	
Stormwater Utility Account Number:	
Mailing Address:	
Mailing City/Zip:	
Contact Phone/Fax Number:	
Contact E-mail Address:	

Property Information:

Parcel/Property Address (number and street):	
Parcel/Property Address (city and state and zip):	
Parcel Identification Number:	
Parcel/Property Location/Development:	
Authorized Contact, if different than Customer:	

APPENDIX B: NSFR Stormwater User Fee Credit Application Forms

APPENDIX B

City of Dahlonega SW Utility NSFR Customer Stormwater User Fee Credit Application Form

Instructions:

Fill out this form completely. One application must be submitted for each separate customer account. Multiple stormwater controls/credit requests may be included in the application for a single customer location/account. Please ensure all stormwater management facilities have properly designed and constructed and continue to be properly maintained. Attach all the necessary documentation to support the user fee credit request. Documentation shall include, but not necessarily limited to, the following:

1. Facility site plan with stormwater facilities/controls with delineated drainage areas.
2. Description of stormwater control facilities.
3. Appropriate pages from Volume 2 of the GSMM (latest version) identifying design requirements for each on-site stormwater control.
4. Documentation that the stormwater control facilities meet one or more criteria for the stormwater user fee credit(s).
5. Appropriate professional certification(s), if required per this Manual.
6. Pertinent regulatory compliance documentation, if applicable.
7. Completed Right-of-Entry Agreement (if applicable) and/or a maintenance plan (if applicable) per the requirements of this Manual.
8. Other pertinent information to support the user fee credit request.

Mail completed the completed form as well as the necessary attachments and supporting documentation to:

City of Dahlonega
Attn: SW Utility Manager
465 Riley Road
Dahlonega, GA 30533

I hereby request City of Dahlonega to review this application for a stormwater user fee credit(s). I further authorize the City to investigate the site characteristics of the above identified parcel for the purpose of evaluation for a stormwater user fee credit(s). I certify that I have authority to make such a request and grant such authority for the City staff (or their designee) to evaluate this property for the purposes of approval or denial of the user fee credit. The attached information is true and correct to the best of my knowledge and belief. I agree to provide corrected information should there be any change in the information provided herein.

Type or print name

Owner

SW Utility Account No.

Signature

Date

APPENDIX B

City of Dahlonega SW Utility Non-residential Stormwater User Fee Credit Application Form (continued)

This form must be signed by an individual person who is responsible for the site operations and/or payment of the monthly utility bill. If the responsible person is not an individual person then the form must be signed by an officer, director, partner, or registered agent with authority to execute instruments for the customer account.

Approval:

_____	_____	_____
SW Utility Manager	Date	SW Utility Account No.

APPENDIX B

NSFR Customer Stormwater User Fee Credit Application/Renewal Form

	Type Credit
	Tree Planting
	Low Impact Parcel
	No Direct Discharge
	Septic Tank Maintenance
	Natural Area Preservation
	Non-Residential GI/LID Practices
	Watershed Stewardship
	Stormwater/Water Quality Education Program
	NPDES Industrial Stormwater General Permit
	GSMM Stormwater Facility/Detention Pond
	Non-GSMM Stormwater Facility/Detention Pond

General Customer Information:

Customer Name:	
SW Utility Account Number:	
Mailing Address:	
Mailing City/Zip:	
Contact Phone/Fax Number:	
Contact E-mail Address:	

Property Information:

Parcel Address (number and street):	
Parcel Address (City, State and Zip):	
Parcel Identification Number:	
Parcel Location/Name of Development:	
Authorized Property Owner Contact (if different than Customer Name above):	

APPENDIX C: Right of Entry Form

APPENDIX C

Right of Entry Agreement – Stormwater User Fee Credit(s) Evaluation

STATE OF GEORGIA, LUMPKIN COUNTY

I/We _____, the owner and/or tenant (circle which one or both) of the property commonly identified as _____, City of Dahlonega , Lumpkin County, State of Georgia, do hereby grant and give freely and without coercion, the right of access and entry to said property to City of Dahlonega , its agents, contractors, and subcontractors thereof, for the purpose of performing necessary evaluations of onsite stormwater facilities, controls and site activities related to stormwater runoff management on the _____ (hereinafter “facility”) located on Land Lot _____ in City of Dahlonega , Georgia.

The undersigned agrees and warrants to waive and hold harmless City of Dahlonega , its agents, employees, contractors, and subcontractors, for damage of any type, or any claim or action, either legal or equitable that might arise out of any activities on the above described property that are conducted by City of Dahlonega , its agents, employees, contractors and subcontractors, pursuant to this Agreement.

In consideration of this Right of Entry Agreement and the rights granted to City of Dahlonega herein, the receipt and sufficiency of which is hereby acknowledged, City of Dahlonega agrees, to perform only visual evaluations, and review pertinent facility records and information, necessary to verify stormwater user fee credit eligibility. I/We, will not/have not receive(d) any compensation for this Right of Entry Agreement.

For the considerations and purposes set forth herein, I set my hand this _____ day of _____ 20____.

Operator or Owner (identify which one)

Witness

Address

Notary

Address

My Commission Expires

City Acknowledgement:

City SW Utility Manager

Date



CITY COUNCIL AGENDA REPORT

DATE: June 5, 2020
TITLE: Award Recommendation-Wimpy Mill Pedestrian Bridge and Kayak Launch Construction Tasks
PRESENTED BY: Mark Buchanan

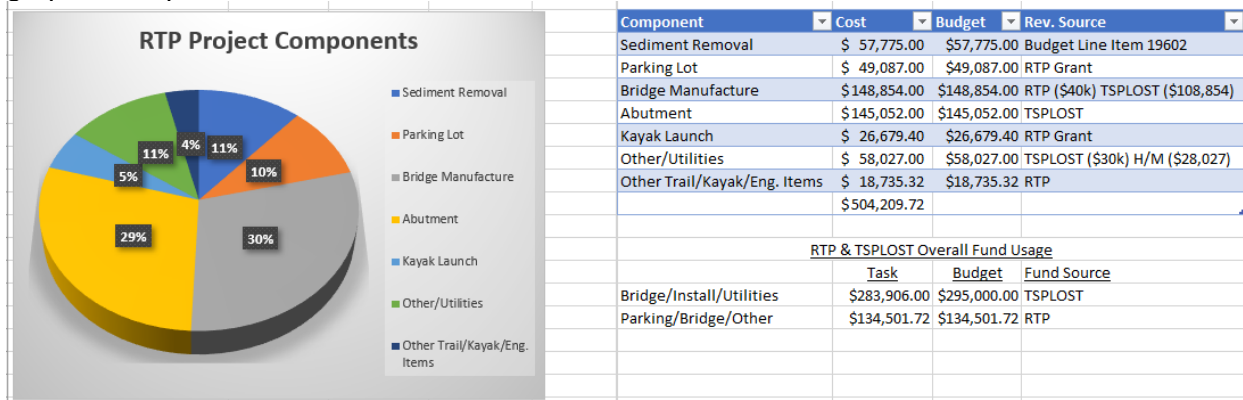
AGENDA ITEM DESCRIPTION:

The Wimpy Mill Pedestrian Bridge and Kayak Launch Project, funded through a combination of TSPLOST, Hotel/Motel Tax, the Recreational Trails Program grant and previously budgeted line items consists of five major components: Parking lot construction, Pedestrian Bridge manufacture and delivery, Bridge installation, ADA compliant dock construction & delivery and sediment removal at the reservoir. Staff has collected quotes for each of these components and summarized them on the spreadsheet below with apparent low bidders shown near the bottom.

Wimpy Mill Pedestrian Bridge & Kayak Launch Project						
Quotes						
VENDOR:	Parking Lot Construction	Bridge Manufacturing	Abutment Construction/ Bridge Installation	Kayak Launch/Dock	Bond	Sediment Removal
Contech Engineered Solutions		\$182,320.00				
Bridge Brothers		\$148,854.00				
Wheeler		\$190,100.00				
Gordian	\$115,763.47	\$	485,690.25		\$ 8,660.00	\$ 57,984.68
Riversand Inc.						\$ 57,775.00
North Georgia Concrete	\$111,844.60		\$ 162,957			
Vertical Earth	\$ 98,111.09		\$ 276,644			
Square Deal Enterprises, Inc.	\$ 49,087		\$ 145,052			
EZ Dock (Sole Source)*				\$26,679.40		
Apparent Low Bid	\$ 49,087	\$148,854.00	\$ 145,052	\$26,679.40		\$ 57,775.00
* ShoCo Marine is the exclusive distributor in our region for the EZ Dock kayak launch with Transfer Guide Bench and Grab Rail.						

Funding sources for these tasks vary and are shown in the table below on the right. Each task will

use a funding source appropriate for its designated use. Some tasks pull from multiple sources while some sources supply multiple tasks. The overall project cost is shown at \$504,209.72. A graphical depiction of each task's share of the total cost is shown below, left.



HISTORY/PAST ACTION:

None

FINANCIAL IMPACT:

Each of the funding sources is indicated in the table above, right. Tasks stay within budget for each source.

RECOMMENDATION:

Staff recommends award of the Wimpy Mill Pedestrian Bridge and Kayak Launch Project to the four apparent low bidders noted in the "Apparent Low Bid" row of the top table for the five items described at the respective amounts indicated.

Also, Staff requests Council to reaffirm their approval of the City's acceptance of the terms of the Recreational Trails Program (RTP) grant.

SUGGESTED MOTIONS:

Motion to reaffirm approval of the City's acceptance of the terms of the Recreational Trails Program grant.

Motion to award the Wimpy Mill Pedestrian Bridge and Kayak Launch Project to the four apparent low bidders noted in the "Apparent Low Bid" row of the top table for the five items described at the respective amounts indicated.

ATTACHMENTS:

None.