



**MAYOR AND COUNCIL MEETING
MONDAY, JUNE 01, 2026
6:00 PM
DALTON CITY HALL - COUNCIL CHAMBERS**

A G E N D A

WORK SESSION - 5:00PM:

1. Review of New Ordinance Proposals

REGULAR MEETING – 6:00PM:

Call to Order

Pledge of Allegiance

Approval of Agenda

Public Commentary: *(Please Complete Public Commentary Contact Card for the Record Prior to Speaking - Limit of 3 Minutes/Person)*

Presentations:

1. Staff Reports

Minutes:

2. Mayor & Council Minutes of May 18, 2026

New Business:

3. Review of (1) New 2026 Alcohol Beverage Application
4. Resolution 26-16 Authorizing the Adoption and Approval of the Fiscal Year 2026-2027 Annual Action Plan Under the Community Development Block Grant (CDBG) Program.
5. Certification of Consistency with Consolidated Plan – City of Refuge ES Grant
6. Amendment to Professional Services Agreement with Consor North America for Mill Line Extension Trail Alignment
7. First Reading Ordinance 26-07 To Amend Chapter 30 Of The 2001 Revised Code of The City of Dalton, Georgia Captioned "Cemeteries"; To Provide for An Effective Date; To Provide for The Repeal of Conflicting Ordinances; To Provide for Severability; And for Other Purposes.
8. First Reading Ordinance 26-08 To hear the request of M.C.W., Inc. to de-annex 0.3 acres located at 2209 Chattanooga, Dalton, Georgia at Tax Parcel 12-158-01-032 out of the City of Dalton into Whitfield County as General Commercial (C-2). Parcel (12-158-01-032).

9. First Reading Ordinance 26-09 To hear the request of John S. Suttles to rezone from Medium Density Single Family Residential (R-3) to Rural Residential (R-5) a tract of land totaling 0.25 acres located on Dozier Street, Dalton, Georgia. Parcel (12-217-07-006).
10. First Reading Ordinance 26-10 To hear the request of Debo's Diner Investments, LLC to rezone from General Commercial (C-2) Cond to General Commercial (C-2) Cond conforming to Dalton Gateway Corridor Overlay District, a tract of land totaling 3.42 acres located at 525 and 527 S. Tibbs Road, Dalton, Georgia. Parcels (12-260-16-000 and 12-260-03-000).
11. First Reading Ordinance 26-11 To hear the request of Love Funeral Home to rezone from Neighborhood Commercial (C-1) to General Commercial (C-2) a tract of land totaling 3.21 acres located at 1402 N. Thornton Avenue, Dalton, Georgia. Parcel (12-160-10-000).
12. First Reading Ordinance 26-12 To Amend Chapter 6 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Alcoholic Beverages" By Striking, Repealing, And Deleting the definition of "Event center" Set Forth In Section 6-1 and Replacing It With A New Definition of "Event Facility"; By Striking, Repealing, And Deleting the definition of "Restaurant" in 6-1 And Replacing It With A New Definition; By Striking, Repealing, And Deleting Only Subsection (a) of Section 6-10 Captioned Possession in Public Places" And Replacing It With A New Subsection (a); By Striking, Repealing, And Deleting Only Subsection (e) of Section 6-110 Captioned "Local Caterer or Concessionaire; Preferred Caterer and Concessionaire"; By Striking, Repealing, And Deleting Section 6-70 Captioned "Eligibility for Pouring License" And Replacing It With A New Section 6-70; By Striking, Repealing, And Deleting Section 6-107 Captioned "Disqualification, Generally" And Replacing It With A New Section 6-107; To Amend Chapter 26 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Businesses" By The Addition Of A New Article XI Captioned "Event Facilities"; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.
13. First Reading Ordinance 26-13 To Amend Chapter 54 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Fire Prevention and Protection" By Deleting Article II Captioned "Fire Prevention Code" In Its Entirety; By The Addition Of A New Article II; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.
14. First Reading Ordinance 26-14 To Amend Chapter 10 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Amusements and Entertainments" By Deleting Article I Captioned "Amusement Machines" and Replacing It With A New Article I; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.
15. Mayoral Appointment of Jackson Sheppard to the Limestone Valley RC&D Board for a 1-year term to expire December 31, 2026.
16. Executive Session - Real Estate

Supplemental Business

Announcements

Adjournment

THE CITY OF DALTON
MAYOR AND COUNCIL MINUTES
MAY 18, 2026

The Mayor and Council held a meeting this evening at 6:05 p.m. at City Hall. Present were Mayor Annalee Sams, Councilmembers Dennis Mock, Julie Locke and Tyree Goodlett and Steve Farrow, City Administrator Andrew Parker and City Attorney Jonathan Bledsoe.

CALL TO ORDER

Mayor Sams called the meeting of the Mayor and Council to order.

PLEDGE OF ALLEGIANCE

Councilmembers led the audience in the Pledge of Allegiance.

APPROVAL OF AGENDA

On the motion of Councilmember Mock, second Councilmember Goodlett, the Mayor and Council approved the agenda unanimously.

PUBLIC COMMENTARY

There were no Public Comments.

PROCLAMATIONS

Historic Preservation Month - May 2026 - Dalton Historic Preservation Commission

Mayor Sams proclaimed May 2026 as Historic Preservation Month in the City of Dalton and recognized the local Historic Preservation Commission for their dedicated efforts.

PRESENTATIONS

Mayor Sams presented Joel Hudson with a plaque for Historic Preservation Commission Outstanding Preservation Project For 2025, for The McCutchen House, 404 S. Thornton Avenue.

Staff Reports

There were no Staff Reports.

MINUTES

The Mayor and Council reviewed the Regular Meeting Minutes of May 04, 2026. On the motion of Councilmember Locke, second Councilmember Mock, the minutes were approved unanimously.

SECOND READING ORDINANCE 26-06 - ENRIQUE MENDEZ GOMEZ REZONING REQUEST

Northwest Georgia Regional Commission Assistant Planning Director Ethan Calhoun presented the request of Enrique Mendez Gomez to Rezone from Heavy Manufacturing (M-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 0.60 acres located on Dogwood Drive, Dalton, Georgia. Parcel (12-216-01-008).

Calhoun stated the property is surrounded predominantly by residential uses, particularly along Dogwood Drive, and has no realistic potential for heavy manufacturing. Calhoun further stated the petitioner intends to develop the site with a single-family detached dwelling, which is the only permitted use in R3. Further Calhoun acknowledged that both staff and the Planning Commission recommended approval. On the motion of Councilmember Farrow, second Councilmember Mock, the Mayor and Council approved the request unanimously.

GEORGIA CLASSIC MAIN STREET MOU FOR 2026-2027 PROGRAM YEAR

Special Events & Community Engagement Coordinator Candace Eaton presented the Georgia Classic Main Street MOU For 2026-2027 Program Year. Eaton stated the agreement renews the City of Dalton's partnership with the Georgia Classic Main Street Program for the 2026–2027 program year. Eaton further stated the MOU outlines the responsibilities of the City, the Downtown Dalton Main Street Board, the Downtown Manager, and the Georgia Department of Community Affairs.

Further Eaton stated the renewal allows Dalton to continue supporting downtown revitalization, economic development, historic preservation, and community engagement efforts, and maintains Dalton's Main Street accreditation, which the city has held since 1981. The partnership continues at no cost to the City. On the motion of Councilmember Mock, second Councilmember Goodlett, the Mayor and Council approved the MOU unanimously.

APPOINTMENT OF MISTY WIMPEY AS COURT ADMINISTRATOR FOR DALTON MUNICIPAL COURT

City Administrator Andrew Parker stated that staff initiated a competitive interview and selection process for hiring a Court Administrator. Parker stated Chief Clerk Misty Wimpey, an internal candidate, emerged as the unanimous recommendation of the interview panel and was named the sole finalist. Parker reported that Wimpey has 21 years of service with the City and has served as Chief Clerk since 2017 and holds multiple professional certifications, including Certified Court Administrator (Georgia Municipal Court Clerks Council) and a Certificate of Court Administration (Georgia Council of Court Administrators).

Lastly Parker stated he is presenting Wimpey for appointment in accordance with Charter Section 2.16, and her finalist status has been publicly advertised for the required 14-day period under state law. On the motion of Councilmember Farrow, second Councilmember Mock, the appointment was approved unanimously.

SIX MONTH EXTENSION TO ALLOW AVAILABILITY OF HANGAR GRANT FUNDS THROUGH DEC 31, 2026

Airport Director Andrew Wiersma presented a request for a six-month extension to GDOT Contract No. 45 related to the Hangar Expansion Project. Wiersma stated that although the project is complete, approximately \$116,000 remains available in the grant and the Airport Authority seeks to use the remaining funds for additional hangar improvements. Note: The current contract expires in June, and the extension would continue the agreement through December 31 of this year. On the motion of Councilmember Mock, second Councilmember Goodlett, the request was approved unanimously.

2025 BUDGET AMENDMENT #7

CFO Cindy Jackson presented the final Budget Amendment for 2025. Jackson stated the Mayor and Council reviewed the Budget Amendment and the mechanics of the TADs in the Finance Committee meeting. On the motion of Councilmember Goodlett, second Councilmember Mock, the Amendment was approved unanimously.

2026 BUDGET AMENDMENT #2

CFO Cindy Jackson presented 2026 Budget Amendment #2 which reduces the General Fund balance by \$817,000, primarily due to carryover grant matches and special election costs. Jackson stated the City is receiving nearly \$2 million in ARC funding for the \$4 million East Morris Street project, along with airport grant adjustments and a \$40,000 CIP transfer to 2020 SPLOST. Total project funding increases to \$4,062,879 across federal, state, and General Fund sources. On the motion of Councilmember Mock, second Councilmember Locke, the Amendment was approved unanimously.

RESOLUTION 26-15 TO APPLY FOR AND ACCEPT GRANT FROM USTA

Recreation Director Steve Roberts presented Resolution 26-15 to apply for and accept Grant funds from USTA to support resurfacing of the City's tennis courts. Roberts stated the grant offers a 50% match up to \$8,000 per court, with a maximum potential award of \$60,000.

Roberts reported that six of the City's 20 courts are in poor condition and may require an overlay system costing approximately \$20,000 per court. Depending on how many courts are included, project costs range from \$120,000 for six courts to around \$200,000 if half the courts are resurfaced. On the motion of Councilmember Mock, second Councilmember Goodlett, the Resolution was approved unanimously.

ANNOUNCEMENTS

City Government Offices Will Be Closed Monday, May 25, 2026 In Observance Of The Memorial Day Holiday.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on the motion of Councilmember Mock, second Councilmember Goodlett the meeting was adjourned at approximately 6:23 p.m.

Bernadette Chattam
City Clerk

Annalee Sams, Mayor

Recorded
Approved: _____
Post: _____



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

Review of (1) New 2026 New Alcohol Application

DEPARTMENT

City Clerk's Office

REQUESTED BY

Deputy Clerk – Gesse Cabrera

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Review of (1) one new 2026 Alcohol Beverage license application recommendations by the Public Safety Commission at its May 19, 2026 meeting.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

2026 ALCOHOL BEVERAGE APPLICATION REVIEW/APPROVAL

PSC MEETING – TUESDAY MAY 19, 2026

M&C MEETING – JUNE 1, 2026

(1) 2026 ALCOHOL APPLICATION(S)

1. Business Owner: Pablos Inc.
d/b/a: Los Pablos Mexican Restaurant
Applicant: Jeannette Rodriguez
Business Address: 116 W. King St.
License Type: Pouring Beer, Distilled Spirits (Restaurant)
Disposition: New
PSC Recommendation: ☒ Approve



MAYOR COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE JUNE 1, 2026

AGENDA ITEM

Resolution 26-16

DEPARTMENT

Finance

REQUESTED BY

Cindy Jackson

REVIEWED/APPROVED BY CITY ATTORNEY?

No

COST NA

FUNDING SOURCE IF NOT IN BUDGET

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

THE CITY OF DALTON HAS BEEN AWARDED \$305,285 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM HUD. THE 2026 ANNUAL ACTION PLAN IDENTIFIES THE ACTIVITIES THIS AWARD WILL FUND WITHIN THE PRIORITIES ESTABLISHED IN THE 5-YEAR CONSOLIDATED PLAN. THIS PLAN HAS BEEN PUBLISHED FOR THE MANDATED 30-DAY CITIZEN PARTICIPATION REVIEW AND COMMENT PERIOD 4-24-26 THR 5-26-26.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

RESOLUTION 26-16

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DALTON, GEORGIA, AUTHORIZING THE ADOPTION AND APPROVAL OF THE FISCAL YEAR 2026-2027 ANNUAL ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

WHEREAS, the City of Dalton has been designated as an “Entitlement Community” and therefore receives direct annual funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program; and

WHEREAS, HUD requires Entitlement Communities to prepare and approve an Annual Action Plan for each of the five years under the Consolidated Plan to establish activities associated with priorities designated under the Consolidated Plan; and

WHEREAS, the Draft Fiscal Year 2026 Action Plan has been published for the HUD-required 30-day citizen participation review and comment period commencing on April 24, 2026 and ending on Monday, May 26, 2026;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Dalton, Georgia that the Fiscal Year 2026 Annual Action Plan be adopted and forwarded to HUD and that approval of the Draft Plan includes responses to citizen comments and any HUD required directives; and that this Resolution shall be effective upon adoption.

NOW, THEREFORE, this Resolution was unanimously adopted by the City of Dalton Mayor and Council on this 1st day of June, 2026.

**CITY OF DALTON,
GEORGIA**

Annalee Sams
Mayor

ATTESTED TO:

City Clerk



2026

ANNUAL ACTION PLAN

300 W. Waugh Street
Dalton, GA 30720

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

Each year, the City of Dalton participates as an Entitlement Grantee in the Community Development Block Grant (CDBG) Program. As recipients of federal grant funds, HUD requires the City of Dalton to produce a Five-Year Consolidated Plan and Annual Action Plan. It also serves as the application for funding for the Community Development Block Grant (CDBG) federal entitlement program that serves low-income individuals and families.

The City of Dalton's Five-Year Consolidated Plan (Con Plan) identifies the community's affordable housing, community development, and economic development needs. It outlines a comprehensive and coordinated strategy for addressing them. The City's current 2024-2028 strategy will focus primarily on devoting federal resources to areas in the city where the greatest concentration of poverty exists. The City of Dalton's third Program Year (PY) 2026 Annual Action Plan will continue to meet these needs.

HUD has established three priority goals for jurisdictions across the country to pursue as part of their consolidated planning efforts: decent housing, a suitable living environment, and providing economic opportunity. The City attains these goals by utilizing CDBG funds consistent with the following performance measures:

Decent Housing: The provision of decent housing assists the homeless and persons at risk of becoming homeless in obtaining housing; retains the existing units in the housing stock; increases the availability of permanent housing in standard condition and affordable cost to low and moderate-income (LMI) families. Decent housing also increases the supply of supportive housing with services needed to enable persons with special needs to live independently and provides affordable housing for low to moderate-income persons in areas that are accessible to job opportunities.

Suitable living environment: The provision of a suitable living environment improves the safety and livability of neighborhoods; increases access to quality public and private facilities and services; reduces the isolation of income groups within a community or geographical area by offering housing opportunities for persons of lower-income and revitalizes deteriorating or deteriorated neighborhoods; restores, enhances, and preserves natural and physical features of unique value for historic, architectural or aesthetic reasons; and conserves energy resources.

Provide economic opportunity: *The provision of expanded economic opportunities creates and retains jobs; establishes, stabilizes, and expands small businesses (including micro-businesses); provides public services concerned with employment; provides jobs to low-income persons living in areas affected by those programs and activities; makes available mortgage financing for low-income persons at reasonable rates using nondiscriminatory lending practices; provides access to capital and credit for development activities that promote the long-term economic and social viability of the community, and provides empowerment and self-sufficiency opportunities for low-income persons to reduce generational poverty in federally-assisted and public housing.*

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The City's 2026 Action Plan discusses the following priority needs that will be carried out with the goal of providing affordable housing, promoting safe and livable communities, and creating self-sustaining opportunities for low and moderate-income households.

- **Affordable Housing**
 - Housing Rehabilitation – Homeowner & Rental Housing
- **Public Facility and Infrastructure Improvements**
 - Sidewalk and Infrastructure Improvements
 - Support services for populations with special needs (e.g., elderly, persons with disabilities)
- **Public Services**
 - Services for the homeless and at-risk populations

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The goals and projects identified in this Annual Action Plan were developed using strategies that have been proven successful, revisions to past approaches, and new strategies where needed. The City of Dalton reported a total of \$381,589.00 in CDBG expenditures to address community development needs in its most recent Consolidated Annual Performance Evaluation Report (CAPER). These resources were invested in low-

and moderate-income neighborhoods, home repair for homeowners, public service programs, public facility improvements, and rental rehabilitation. All CDBG allocations were made in alignment with the priorities identified in the Consolidated Plan and Annual Action Plan. The City's investment pattern reflects a continued commitment to supporting underserved neighborhoods and maintaining critical housing and community development services.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

During PY2026, the City of Dalton held two Public Review Meetings to solicit comments on the 2026 Annual Action Plan at the Mack Gaston Community Center located at 218 N. Frederick St, Dalton, GA 30721 at 10:00 A.M and 1:00 P.M. on Thursday, May 14, 2026. A 30-day comment period commenced on Friday, April 24, 2026, and concluded on Monday, May 25, 2026. The PY2026 Annual Action Plan draft is available for review in hard copy at the City of Dalton City Hall located at 300 W. Waugh Street, Dalton, GA 30722.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

All comments will be included in the Plan following the public comment period.

6. Summary of comments or views not accepted and the reasons for not accepting them

The City of Dalton's CDBG Program Office accepted all comments received during the Public Comment Period and Public Review Meeting.

7. Summary

This Annual Action Plan identifies projects in which the City will use CDBG funds to carry out previously identified priorities established in the City's 2024-2028 Consolidated Plan. Identifying these specific priorities is a product of extensive consultation with community stakeholders combined with data from the U.S. Census and other sources that indicate housing and community development needs in Dalton.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Cindy Jackson	City of Dalton Finance Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Dalton is the lead agency for developing, administering, and reviewing the 2026 Annual Action Plan. The City's Finance Department provides administrative support and oversight. The Annual Action Plan provides an annual strategy to address the City's housing and community development needs with CDBG funds. All CDBG-funded projects are reviewed and monitored by the City's Finance Department for compliance with applicable federal rules and regulations.

Consolidated Plan Public Contact Information

Public concerns, issues, or comments regarding the Consolidated Plan and Annual Action Plan may be directed to:

Ms. Cindy Jackson,
Chief Financial Officer
City of Dalton
300 West Waugh Street
Dalton, GA 30720
Phone: (706) 529-2460
Email: cjackson@daltonga.gov

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

The City developed an outreach effort to maximize input from a large cross-section of stakeholders. This outreach effort included public meetings, neighborhood meetings, published meeting notices, and a web survey conducted in English and Spanish.

Consultation with the community and affected service providers is a fundamental component of the Action Plan process. The City of Dalton consulted with citizens, municipal officials, non-profit agencies, public housing agencies, governmental agencies, and the Continuum of Care in preparing this Plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City of Dalton encouraged citizens to participate in developing this plan and in the review of progress in implementing plan activities. The City particularly encourages involvement by low and moderate-income households residing in areas targeted for program activities for minorities and non-English speaking persons and persons with disabilities. Also, residents of public housing and other assisted housing are encouraged to participate. A special effort is made to assure those low-and moderate-income persons; households in areas supported by program activities and persons with special needs have opportunities to participate. The City will provide translators for non-English speaking persons who request assistance at least seven days before hearings or other meetings in the planning process.

The City held two public meetings through its public participation process to review the draft priorities. The Citizen Participation Section of this plan summarizes the public comments and drafts of the document are posted on the City's webpage and at City Hall.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City of Dalton participates in the Balance of State Continuum of Care administered by the Georgia Department of Community Affairs. At the local level, the City collaborates with the Dalton Whitfield Community Development Corporation (DWCDC) to remain informed of the needs of individuals experiencing homelessness and those at risk of homelessness within the community. Through this partnership, the City and DWCDC share data related to homelessness and coordinate efforts to address regulatory compliance requirements as

they arise. Additionally, DWCDC serves as the lead agency for the Point-in-Time Count, an annual survey conducted each January to assess the number and characteristics of individuals experiencing homelessness in Dalton and Whitfield County.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City coordinates with the Dalton Whitfield Community Development Corporation, a participant in the GA-501 Georgia Balance of State Continuum of Care. The CoC is directly responsible for the following:

- Measuring performance community-wide as it relates to reducing homelessness;
- Developing and managing a centralized or coordinated assessment that addresses housing and services needs for all individuals and families who experience homelessness;
- Preparing and overseeing the application for community funding; and establishing funding priorities.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Agency/Group/Organization		City of Dalton
1	Agency/Group/Organization Type	Other government - Local Grantee Department
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs Chronically Homeless Homeless Needs Families with children Homelessness Strategy Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Dalton is the Grantee and prepares the Annual Action Plan.
Agency/Group/Organization		Dalton Whitfield Community Development Corporation
2	Agency/Group/Organization Type	Housing Services - Housing Services-Elderly Persons Services-Persons with Disabilities Services-homeless Service-Fair Housing

What section of the Plan was addressed by Consultation?

Planning organization
 Neighborhood Organization
 Housing Need Assessment
 Public Housing Needs
 Homeless Needs - Chronically homeless
 Homelessness Strategy
 Market Analysis
 Economic Development

Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?

This agency was consulted for homeless needs and fair housing information. DWCDC provides the City with numbers and reports throughout the year to assist with the community's planning and needs.

3 Agency/Group/Organization

Latin American Association

Agency/Group/Organization Type

Housing
 Services - Housing
 Services-Children
 Services-homeless

What section of the Plan was addressed by Consultation?

Housing Need Assessment
 Homeless Needs - Families with children

Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?

This agency was consulted for housing families' needs with children by invitation to the Public Hearings and emails to nonprofits. Latin American Association recommended the continuation of funds for public service for housing support and counseling.

4	Agency/Group/Organization	Northwest GA Family Crisis Center, INC.
	Agency/Group/Organization Type	Housing Services-Children Services-Victims of Domestic Violence Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency was consulted for the needs of homeless individuals by invitation to the Public Hearings and emails to nonprofits. NWGFCC recommended continuing funds for public service for housing support and counseling for domestic abuse.
5	Agency/Group/Organization	The Housing Authority of the City of Dalton
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City of Dalton consults with the HACD for public housing needs.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

The City did not exclude any agency type or agency during this process.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Georgia Balance of State	Coordinating homelessness services with Continuum of Care priorities
Redevelopment Plan	City of Dalton	Coordinating community development plans with broader plans to redevelop commercial areas

Table 3 – Other local / regional / federal planning efforts

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

During PY2026, the City of Dalton held two Public Review Meetings to solicit comments on the 2026 Annual Action Plan at the Mack Gaston Community Center located at 218 N. Frederick St, Dalton, GA 30721 at 10:00 A.M and 1:00 P.M. on Thursday, May 14, 2026. A 30-day comment period commenced on Friday, April 24, 2026, and concluded on Monday, May 25, 2026. The PY2026 Annual Action Plan draft is available for review in hard copy at the City of Dalton City Hall located at 300 W. Waugh Street, Dalton, GA 30722. The City of Dalton was allocated **\$305,285.00** in CDBG funding for FY2026.

The City implemented the following measures to encourage citizen participation:

- Posted copies of the draft plan in Dalton City Hall and notified the public of the location of the document in the final hearing legal advertisement;
- Published draft plan electronically on the City's website;
- Provided public comment opportunity on the plans at one formal meeting;
- Published all meetings in the local newspaper legal advertisement section;
- Solicited comments from social service agencies;
- Advertised initial and final public hearings in the local newspaper.
- A draft of the Annual Plan for PY2026 was placed on public display for 30 days.
- The City held two public hearings on Thursday, May 14, 2026 to obtain comments on the FY2026 Annual Action Plan and the proposed use of CDBG funds for the 2026 program year. There were no comments received during this meeting.

The City used a combination of empirical research, historical data, and citizen input to set goals identified in this plan.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/ broad community	The City held an initial public meeting held with a total of 2 attendees.	All comments have been incorporated into the Plan	All comments were accepted	n/a
2	Newspaper Ad	Non-targeted/ broad community	The public was notified of the public meetings via a newspaper ad in the Daily Citizen-News	The City did not receive any comments based solely on the newspaper ad.	All comments were accepted	n/a

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Dalton receives CDBG entitlement funding which is administered through the City's Finance Department. The City was allocated a total of \$305,285.00 in CDBG funding for the 2026 program year. The City uses multiple resources to carry out activities that benefit low and moderate-income persons. The City is not a direct HOME Program recipient, Emergency Solutions Grant (ESG) or Housing Opportunities for People with AIDS (HOPWA) recipient. Additionally, the City does not anticipate receiving any program income.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of Con Plan	Narrative Description
			Annual Allocation:	Program Income:	Prior Year Resources:	Total:		
CDBG	Public-Federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$305,285	\$0	\$0	\$305,285	\$610,570	CDBG funding will address housing, community development, and economic development needs in the City. Agencies will leverage CDBG funds with other public social service dollars and private donations.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The federal funding identified above represents annual allocations that support the activities outlined in this Plan. While receipt of these funds cannot be guaranteed—particularly given the current fiscal environment—the City has consistently secured this funding in prior years and anticipates continued receipt of Community Development Block Grant (CDBG) funds throughout the duration of this Plan. The City will continue to promote the strategic leveraging of federal resources to enhance services for residents. Furthermore, the nonprofit organizations receiving support demonstrate sufficient financial capacity, including access to foundation funding and fundraising initiatives, enabling them to leverage CDBG funds effectively and expand services to benefit a greater number of low- and moderate-income individuals.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Not applicable

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Home Repair for Homeowners	2026	2027	Affordable Housing	Citywide	Increase Access to Decent Affordable Housing	\$79,228.00	Homeowner Units Rehabilitated 5
2	Rental Rehabilitation	2026	2027	Affordable Housing	Citywide	Non-Housing Community Development	\$125,000.00	Affordable rental housing benefit 12
3	Public Facility Improvements	2026	2027	Non-Housing Community Development	Citywide	Non-Housing Community Development	\$0	Infrastructure other than housing benefit 0
4	Provide Funding Support for Public Service Programs	2026	2027	Non-Housing Community Development	Citywide	Increase Access to Public Services	\$40,000.00	Persons Assisted 40
5	Fair Housing Education	2026	2027	Non-Housing Community Development	Citywide	Affirmatively Furthering Fair Housing	0.00	Persons Assisted 50
6	Provide Administrative Structure	2026	2027	Administration	Citywide	Planning & Administration	\$61,057.00	Public Services other than housing benefit 1

Table 6 – Goals Summary

Goal Descriptions

Goal Name	Goal Description
Home Repair for Homeowners	Provide housing rehabilitation for low-income homeowners to maintain housing affordability.
Rental Rehabilitation	Improve low-income rental housing units with HVAC repairs through the Housing Authority.
Public Facility Improvements	Improve public facilities including sidewalk repairs, street repairs, parks, walking trails, bike trails, community centers, youth centers, and childcare facilities.
Increase Access to Public Services	Fund projects including supportive services to low and moderate-income households and persons with special needs including recreational activities, educational opportunities, and job skills to youth; and support for job training, substance abuse treatment, mental health services, continuing education, and employment services designed to assist low and moderate-income persons obtain jobs.
Fair Housing Education	Fund projects to provide fair housing education and outreach.
Provide Administrative Structure	Provide the administrative structure for the planning, implementation, and management of the CDBG grant programs as well as other housing, community development, and homelessness programs.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

The City of Dalton is not a participating jurisdiction under the HOME program; however, it will support efforts to preserve affordable housing for low-income families.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City has identified the projects for the 2026 program year in the table below. Additional details are provided in Section AP-38.

Projects

#	Project Name
1	City of Dalton CDBG Planning & Administration
2	NW Georgia Family Crisis Center
3	Latin American Association
4	City of Dalton Housing Authority
5	City of Dalton Residential Housing Rehab Program

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Priority CDBG funding areas in Dalton include areas where the percentage of low to moderate income (LMI) persons is 51% or higher. The City defines “area of minority concentration” and “area of low-income concentration” as those census tracts that have concentrations of minority populations or low-income populations, respectively, statistically and significantly larger than the minority or low-income population for the City as a whole. For the purposes of this Annual Plan, “Minority concentration” is defined as those tracts with greater than 51% low and moderate income.

AP-38 Project Summary

Project Summary Information

1	Project Name	CDBG Planning & Administration
	Target Area	Citywide
	Goals Supported	Provide Administrative Structure
	Needs Addressed	Provide Administrative Structure
	Funding	\$61,057.00
	Description	CDBG Planning & Administration
	Target Date	2026-2027
	Estimate the number and type of families that will benefit from the proposed activities	1
	Location Description	Citywide
	Planned Activities	CDBG Planning & Administration
2	Project Name	Northwest Georgia Family Crisis Center
	Target Area	Citywide
	Goals Supported	Increase Access to Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	\$20,000
	Description	Domestic Violence Client Advocate Salary Assistance
	Target Date	2026-2027
	Estimate the number and type of families that will benefit from the proposed activities	20
	Location Description	Citywide
3	Planned Activities	CDBG Public Service assistance for operating costs
	Project Name	Latin American Association
	Target Area	Citywide
	Goals Supported	Increase Access to Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	\$20,000

4	Description	Family Well-Being Program
	Target Date	2026-2027
	Estimate the number and type of families that will benefit from the proposed activities	20
	Location Description	Citywide
	Planned Activities	CDBG Public Service assistance for operating costs
	Project Name	Dalton Housing Authority
	Target Area	Citywide
	Goals Supported	Rental Rehabilitation
	Needs Addressed	Affordable Housing
	Funding	\$125,000.00
5	Description	Improve low-income rental housing units with HVAC repairs through the Housing Authority.
	Target Date	2026-2027
	Estimate the number and type of families that will benefit from the proposed activities	12
	Location Description	Citywide
	Planned Activities	Improve low-income rental housing units with HVAC repairs through the Housing Authority.
	Project Name	City of Dalton Housing Rehabilitation Program
	Target Area	Citywide
	Goals Supported	Home Repair for Homeowners
	Needs Addressed	Affordable Housing
	Funding	\$79,228.00
	Description	Provide housing rehabilitation for low-income homeowners to maintain housing affordability.
	Target Date	2026-2027
	Estimate the number and type of families that will benefit from the proposed activities	10
	Location Description	Citywide
	Planned Activities	Provide housing rehabilitation for low-income renters to maintain housing affordability.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Dalton receives Community Development Block Grant (CDBG) entitlement funds directly from the U.S. Department of Housing and Urban Development (HUD). Program resources are allocated on a citywide basis, with a strategic emphasis on areas that meet the criteria for low- and moderate-income (LMI) benefit. These areas often overlap with neighborhoods experiencing higher concentrations of minority populations and historically underserved communities.

To inform geographic targeting and ensure compliance with federal requirements, the City utilizes reliable and nationally recognized data sources, including the American Community Survey (ACS), HUD Low- and Moderate-Income Summary Data (LMISD), and Federal Financial Institutions Examination Council (FFIEC) data. These sources support the identification of census tracts and block groups where at least 51 percent of residents are considered LMI.

During the FY 2026 program year, the City will continue to deploy resources throughout its municipal boundaries and has not designated specific target areas for concentrated investment. Instead, funding decisions will prioritize activities that demonstrate a clear benefit to LMI individuals and households, regardless of location within the City.

Geographic Distribution

Target Area	Percentage of Funds
Citywide	80%

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

To generate the greatest impacts, the City will focus efforts citywide in low-income areas. The general priorities and needs are, public services, affordable housing and public facilities & infrastructure that meet the needs of the City's very low-, low- and moderate-income residents.

Federal CDBG funds are intended to provide low and moderate income (LMI) households with viable communities, including decent housing, a suitable living environment and expanded economic opportunities. Eligible activities include community facilities and improvements, housing rehabilitation and preservation, affordable housing development activities, public services, economic development, planning, and administration. The

system for establishing the priority for the selection of these projects is predicated upon the following criteria:

- Meeting the statutory requirements of the CDBG program
- Meeting the needs of LMI residents
- Focusing on LMI areas or neighborhoods
- Coordination and leveraging of resources
- Response to expressed needs
- Sustainability and/or long-term impact
- The ability to demonstrate measurable progress and success

Public facility and infrastructure activities will be provided for areas where the percentage of LMI persons is 51% or higher. CDBG will also be used for beneficiaries that meet criteria under limited clientele beneficiary, such as the elderly, persons with disabilities, the homeless, etc. It is also expected that funding will be provided to assist low- and moderate-income homeowners. Public facilities and infrastructure activities will be based in the qualified census tracts according to the quartile method.

Discussion

N/A

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The City of Dalton will support its affordable housing goals through targeted investments in housing rehabilitation and preservation, with a primary focus on improving the condition, safety, and longevity of existing housing stock. During the FY 2026 program year, the City plans to operate a housing rehabilitation program designed to assist low- and moderate-income homeowners with minor repairs to their homes to allow them to maintain their homes. The City also plans to work with a local nonprofit housing provider to improve HVAC units for senior rental units to allow them to maintain access to decent, affordable housing.

Homeless individuals and families will be supported through the Continuum of Care (CoC), which leads efforts across Northwest Georgia to coordinate outreach, shelter, rapid rehousing, and permanent supportive housing. The City of Dalton will also use CDBG resources to address housing rehabilitation needs, reduce substandard housing, and support public services that improve housing access and stability for low- to moderate-income residents. Partnerships with housing agencies and private developers will help expand the availability of affordable units and ensure long-term affordability.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	22
Special-Needs	0
Total	22

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	12
Acquisition of Existing Units	0
Total	12

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

N/A

AP-60 Public Housing – 91.220(h)

Introduction

The City of Dalton does not own or operate any public housing units. Public housing is managed by the Dalton Housing Authority DBA Wellhoused Dalton, an independent public agency responsible for administering public housing programs within the City's jurisdiction.

Actions planned during the next year to address the needs to public housing

The City of Dalton will continue to collaborate with the Housing Authority of the City of Dalton DBA Wellhoused Dalton and provide support as needed, including potential funding through eligible programs to improve public housing infrastructure, enhance energy efficiency, and maintain safe, quality living conditions for low-income households.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not Applicable – These activities fall under the purview of the Dalton Housing Authority which not funding through HUD.

If the PHA is designated as troubled, describe the way financial assistance will be provided or other assistance

Not Applicable – The Dalton Housing Authority is not designated as a troubled agency.

Discussion

Not Applicable

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

This section outlines the City of Dalton's one-year goals and activities to assess and address the needs of individuals experiencing homelessness and those with special needs. Through its Annual Action Plan, the City will allocate CDBG funding to support local agencies that provide shelter, housing assistance, and supportive services. The City's strategy is built on a collaborative, system-wide approach that engages service providers and community partners to ensure a coordinated response. The primary goal is to help individuals and families achieve permanent housing as quickly and sustainably as possible, while recognizing the need for a range of tailored interventions. These include rapid rehousing, permanent supportive housing, low-barrier emergency shelter access, recovery-oriented transitional housing for individuals with behavioral health or substance use challenges, and transitional housing options for specific populations such as survivors of domestic violence, youth and young adults, and those exiting institutional care. Diversion programs are also supported to prevent homelessness before it occurs. Together, these efforts aim to reduce homelessness, strengthen housing stability, and enhance the quality of life for Dalton's most vulnerable residents.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

The City of Dalton's one-year goals for reducing and ending homelessness focus on expanding access to housing, supporting service providers, and strengthening coordination with regional partners. Through its Annual Action Plan, the City will allocate Community Development Block Grant (CDBG) funds to support agencies that provide emergency shelter, outreach, case management, and other critical services for individuals and families experiencing homelessness and at-risk of homelessness. The City actively collaborates with the regional Continuum of Care (CoC) to ensure a coordinated and data-driven approach. Special populations—such as survivors of domestic violence, unaccompanied youth, seniors, and individuals with disabilities or substance use disorders—will be prioritized through support for transitional and supportive housing programs.

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

While most homeless providers have some outreach services, there is not an agency that exclusively provides outreach services. Dalton continues to support organizations that assess the needs of the homeless to create a more robust social service system to address

unmet needs. The Homeless Point in Time Count, organized by the Dalton Whitfield Community Development Corporation, annually assesses the characteristics of the homeless population in City. This data allows the City to track the changing needs of the homeless. Over the next Consolidated Plan period, the City anticipates collaborating with various local nonprofits organizations to expand services for the homeless and at-risk of homelessness population.

Addressing the emergency shelter and transitional housing needs of homeless persons

The DWCDC will continue to support organizations that address the emergency shelter and transitional housing needs of the homeless to establish a more robust social service system. The GA Balance of State Continuum of Care is responsible for the oversight, planning and operations of the entire CoC. Emergency needs for shelter are handled by local agencies receiving funding through the Georgia Balance of State Continuum of Care.

The City supports increasing housing options and self-sufficiency for the homeless and near homeless by providing support for the following:

- Emergency housing and supportive services for homeless families and individuals;
- Developing transitional housing; and

Preventing persons released from institutions from entering homelessness

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The Georgia Department of Community Affairs (DCA) administers the Emergency Solutions Grant Program and oversee activities for homeless individuals and families in Dalton. DCA has identified rapid re-housing as a priority during the next Consolidated Plan period. The Continuum of Care is continuing to work to reduce length of stay in homelessness. The CoC uses a coordinated housing referral process to refer, prioritize & match participants to CoC housing. Length of Stay is one factor considered when prioritizing. Housing Locators will work with adults and families in shelter to identify housing options and help them move more quickly into permanent housing.

Homeless providers will assist participants to develop independent living skills, increase

income & access services to reduce returns to homelessness. Those existing homeless who are unable to maintain housing on their own will be linked to Permanent Supportive Housing, subsidized housing or family/friends with whom they can live. Homelessness prevention assistance including financial assistance & case management will be provided to those who are at risk of returning to homelessness. Some families or individuals may require only limited assistance for a short period of time, such as emergency food and shelter -- until a first paycheck is received or a medical emergency is past. Others, however, will require more comprehensive and long-term assistance, such as transitional housing with supportive services and job training. Due to limited resources, it is important for agencies to eliminate duplication of effort by local agencies, both in intake and assessment procedures, and in subsequent housing and supportive services.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The Continuum of Care has outlined its discharge policy for assisting persons aging out of foster care, and being release from health care facilities, mental health facilities, and correction facilities. At-risk households with a history of housing instability will receive case management to address barriers & link to mainstream resources such as SNAP, TANF, SSI and mainstream rental assistance programs. The CoC has received significant federal resources for eviction/ homeless prevention due to the pandemic. To ensure households with the greatest risk of homelessness are prioritized for assistance, the CoC developed a Homeless Prevention Index that uses local data on community-level predictors of homelessness to identify census tracts with the greatest need. These facilities and services will be able to meet the needs of families with children, individuals, persons with special health problems, and other characteristics.

Discussion

Not Applicable

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

This section outlines how housing costs and the development or preservation of affordable housing in the City of Dalton may be influenced by local policies, including land use regulations, zoning ordinances, building codes, infrastructure requirements, and return on residential investment. These barriers have been identified through programmatic experience, stakeholder input, and recent findings from the City of Dalton's 2024 Analysis of Impediments to Fair Housing Choice (AI).

While Dalton maintains an active commitment to supporting affordable housing, the following factors have been identified as potential barriers:

- **Zoning and Land Use Restrictions:** Zoning regulations may limit the development of higher-density housing or multifamily units in certain areas, which can restrict affordable housing options.
- **Lack of Incentives for Affordable Development:** The absence of formal incentives (such as density bonuses, fee waivers, or expedited permitting) can deter private developers from pursuing affordable housing projects.
- **Aging Housing Stock:** Much of Dalton's affordable housing consists of older homes in need of rehabilitation. Code requirements and high repair costs can limit preservation efforts.
- **Limited Land Availability:** A shortage of developable land within the city limits can constrain new affordable housing construction and drive up land costs.
- **Public Perception and NIMBYism:** Community resistance to new affordable or multifamily housing developments may affect local decision-making and delay approvals.
- **Infrastructure Costs:** Developers may face high upfront costs to extend infrastructure (water, sewer, roads) to sites suitable for affordable housing, limiting financial feasibility.

These barriers impact both the supply and accessibility of affordable housing for low- to moderate-income households. The City of Dalton will continue working with developers, nonprofit partners, and regional stakeholders to reduce or eliminate these barriers where feasible, including reviewing zoning policies, exploring incentives, and supporting public education on the benefits of affordable housing. A full summary of contributing factors and strategies can be found in the 2024 Analysis of Impediments to Fair Housing Choice, available on the City of Dalton's website.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth

limitations, and policies affecting the return on residential investment

To address and reduce barriers to affordable housing, the City of Dalton plans to take several actions aimed at improving the local housing environment and encouraging the development and preservation of affordable units. These actions include:

- **Reviewing and Updating Zoning and Land Use Regulations:** The City will continue evaluating its zoning ordinances and land use policies to identify opportunities to allow higher-density residential development, promote mixed-use zoning, and expand areas where multifamily and affordable housing can be built by right.
- **Exploring Development Incentives:** The City will explore implementing incentives such as density bonuses, reduced permitting fees, or expedited review processes to attract developers to build affordable and workforce housing.
- **Supporting Rehabilitation of Existing Housing Stock:** The City will continue investing in programs that assist homeowners and landlords with repairs and code compliance, which helps preserve existing affordable units and reduce the risk of displacement.
- **Encouraging Public-Private Partnerships:** The City will work with nonprofit housing developers, community organizations, and private developers to identify available land and financing tools for affordable housing development.
- **Education and Outreach:** The City will engage the community and local stakeholders to address misconceptions about affordable housing and increase public support through education and outreach efforts.
- **Coordination with Regional and State Partners:** The City will coordinate with regional planning agencies and state housing authorities to align funding opportunities and planning efforts that reduce local barriers to affordable housing.

Through these actions, Dalton aims to foster a more inclusive housing environment and support the development of safe, decent, and affordable housing options for low- to moderate-income residents.

Discussion:

Not Applicable.

AP-85 Other Actions – 91.220(k)

Introduction:

The Strategic Plan addresses the issue of meeting underserved needs through a variety of initiatives. Several of these initiatives are proposed for funding in this Annual Plan. As has been the situation in the past and most likely in the future the primary obstacle to these actions is a lack of funding.

Actions planned to address obstacles to meeting underserved needs

To reduce barriers and improve service delivery, the City of Dalton, in coordination with the Georgia Balance of State Continuum of Care (CoC), will support the expansion and use of Homeless Management Information System (HMIS) technology to better connect service providers, improve data sharing, and standardize performance measurement across programs.

The City will also review internal operations to identify opportunities for coordination across departments and programs to more effectively serve low- and moderate-income residents and underserved populations.

In FY 2026, the City will prioritize efforts to:

- Provide rental assistance to help prevent homelessness and housing instability
- Support emergency shelter and services for victims of domestic violence through partnerships with local providers

These actions are intended to improve access to housing resources, enhance service coordination, and ensure that vulnerable populations receive the support needed to achieve housing stability.

Actions planned to foster and maintain affordable housing

Affordable housing will be maintained and encouraged by the continuation of a minor home repair program to assist low-income families with remaining in their homes. To promote affordable housing and fair housing choice, the City will encourage and support fair housing rights for all and provide program funds to conduct outreach and education regarding the Fair Housing Law act of 1968.

Actions planned to reduce lead-based paint hazards

Dalton through the Georgia State Department of Health educates the public on the hazards of lead-based paint and educates parents about protecting their children. In response to

lead-based paint hazards and the limited resources available, the City has planned a steady, long-term response in accordance with Federal lead-based paint standards, other applicable federal regulations, and local property standards. Government assisted housing rehabilitation projects will include the completion of a lead-based paint inspection according to HUD and Environmental Protection Agency (EPA) guidelines.

Actions planned to reduce the number of poverty-level families

Current programs that are designed to assist households with incomes below poverty level are provided by several local nonprofits. The City will continue to direct residents to these agencies for antipoverty assistance programs. The City's highest poverty levels correspond with the target areas for CDBG funding. In the past, the City funded some of the nonprofits for housing needs and will continue in the future.

The Antipoverty Strategy section of the Con Plan is to use CDBG funding to support public service activities and facilities that seek to reduce poverty through training, individual case management, and employment opportunities. The City will also partner with nonprofit agencies in support of affordable housing, work and employment opportunities.

Actions planned to develop institutional structure

The Finance Department manages all aspects of the grant programs perform in a concerted manner. The department recognizes the need to maintain a high level of coordination on projects involving other City departments, County departments, and/or non-profit organizations. This collaboration guarantees an efficient use of resources with maximum output in the form of accomplishments.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Dalton will continue to work with a broad cross-section of public, private, faith-based, and community organizations to identify the needs of its citizens. Dalton will seek opportunities to participate in collaborative groups to streamline the actions of public service agencies to improve the lives of all persons in the city. These groups address a broad range of needs for families including homelessness, public safety, workforce development, literacy, and allocation of other resources. The creation of such an entity will allow local non-profit organizations to focus their efforts collectively and to avoid duplication of services within the City.

Discussion:

Not Applicable

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

Description of CDBG Funds Available	Amount
1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income	80%



MAYOR COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE JUNE 1, 2026

AGENDA ITEM

Certification of Consistency with Consolidated Plan – City of Refuge ES Grant

DEPARTMENT

Finance

REQUESTED BY

Cindy Jackson

REVIEWED/APPROVED BY CITY ATTORNEY?

No

COST NA

FUNDING SOURCE IF NOT IN BUDGET

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

THE CITY OF REFUGE IS APPLYING FOR AN EMERGENCY SOLUTIONS GRANT. TO BE ELIGIBLE, THE CITY OF REFUGE'S PROPOSED PROJECT MUST BE CONSISTENT WITH THE CITY OF DALTON'S 5-YEAR CONSOLIDATED PLAN. THE PROJECT WILL SERVICE INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS WHICH IS CONSISTENT WITH THE OBJECTIVES OF THE CITY'S CON-PLAN. THE GRANT REQUEST IS \$50,000 WITH A CITY OF REFUGE MATCH OF \$100,000 AND WILL SERVE 150 INDIVIDUALS OVER THE GRANT PERIOD.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

Certification of Consistency with the Local HUD Consolidated Plan

Note – Duplicate this form for multiple submissions if requesting ESG funds for projects within multiple Consolidated Plan Jurisdictions

HUD Local Consolidated Plan Jurisdiction (Choose Only One):

- | | | | |
|--|---|--|---|
| ☐ Albany | ☐ Cobb County | ☐ Gainesville | ☐ Savannah |
| ☐ Athens-Clarke | ☐ (including Marietta) | ☐ Gwinnett County | ☐ Valdosta |
| ☐ Atlanta | ☐ Columbus-Muscogee | ☐ Henry County | ☐ Warner Robins |
| ☐ AugustaRichmond | ☒ Dalton | ☐ Hinesville | |
| ☐ Brookhaven | ☐ DeKalb County | ☐ Clayton County | ☐ Not Applicable for |
| ☐ Brunswick | ☐ Fulton County | ☐ Macon | Balance of State |
| ☐ Cherokee County | ☐ (including Roswell) | ☐ Rome | |
| | | ☐ Sandy Springs | |

Certification to the Georgia Department of Community Affairs:

I certify that the proposed project(s) in the 2026 Emergency Solutions Grants Program Application submitted to the Georgia Department of Community Affairs, as indicated below, is/are consistent with this jurisdiction's current, approved Consolidated Plan.

Applicant Legal Name: City of Refuge Dalton, Inc.

Project Name(s): Pathways to Recovery and Opportunity

Project Type: Supportive Services Only

Location(s) of the Project(s): Whitfield County

In accordance with the HEARTH Act of 2009, Consolidated Plan jurisdictions must work to ensure the confidentiality of records pertaining to any individual served by a victim service provider who receives housing or services under any project assisted. The address or location of any family violence facility assisted under this program will, except with written authorization of the person or persons responsible for the operation of such facility and program, not be made public. The term 'victim service provider' means a community-based organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. Such term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

Name of the Federal Program to which the applicant is applying: ☒ **Emergency Solutions Grants** ☐ **HOPWA**

Name of Certifying Jurisdiction: City of Dalton

Typed Name and Title of Certifying Official of the Jurisdiction:

Annalee Sams, Mayor

Signature: _____

Date: 06/01/2026

Please return executed Certification to Applicant. This format designed and administered by the Office of Homeless and Special Needs Housing, GA Department of Community Affairs (DCA), 60 Executive Park South, NE, Atlanta, GA 30329. DCA Contact: LaDrina Jones, (470) 303-9865, email LaDrina.Jones@dca.ga.gov

Overview of the Pathways to Recovery and Opportunity (PRO) Project

City of Refuge Dalton requests Certification of Consistency for its proposed Supportive Services Only project, the Pathways to Recovery and Opportunity (PRO) Project, submitted under the 2026 Georgia Balance of State Emergency Solutions Grant competition. The PRO Project will serve individuals and families experiencing homelessness in Dalton and Whitfield County, with a primary focus on women and children who are fleeing domestic violence, experiencing substance use disorders, or facing severe economic instability.

The project will operate from City of Refuge Dalton's Education and Workforce Development Center and will provide coordinated supportive services that remove barriers to housing stability and employment. Services will include case management, housing navigation, workforce development, substance use treatment delivered on-site through partner agencies, mental health support through partner agencies, transportation, childcare support, life skills training, benefits enrollment assistance, and legal services through a partner provider.

The project is designed as a Standalone Supportive Services Only model for the Balance of State ESG. It will not provide housing support as part of this award and will not serve participants enrolled in a housing program operated by City of Refuge Dalton. The project will instead help participants stabilize through treatment engagement, service planning, and workforce development so they can access permanent housing placements through coordinated entry and external housing partners. The project will also provide limited short-term rental and utility stabilization support where needed to prevent returns to homelessness and support successful housing placements.

The project requests \$50,000 and expects to serve 150 individuals during the operating year. City of Refuge Dalton will meet match requirements through a \$100,000 award from the Appalachian Regional Commission designated for PRO planning and implementation.

How the Project Meets the Objectives of the City's Consolidated Plan

The PRO Project aligns with the City of Dalton's Consolidated Plan priorities by reducing homelessness, preventing housing instability, expanding access to supportive services, and increasing economic mobility for households with low income and high barriers. The project addresses immediate needs that contribute to homelessness and housing loss, including limited income, untreated behavioral health needs, lack of transportation, childcare gaps, and difficulty accessing benefits and employment.

The project advances the Consolidated Plan's housing goals by supporting households to move toward permanent housing and remain stably housed once placed. Staff will coordinate with the local coordinated entry system and partner agencies to connect participants to appropriate housing resources. Case management and housing navigation will help participants complete assessments, gather documentation, communicate with landlords, and resolve barriers that delay housing placement. The project will also provide stabilization supports that strengthen housing retention, including budgeting, tenancy support, transportation, and ongoing follow-up that reduces the likelihood of returns to homelessness.

The project advances the Consolidated Plan's community development and economic objectives by increasing employment readiness and earned income. City of Refuge Dalton will deliver job readiness training, digital literacy instruction, employment coaching, and industry-connected pathways through the Education and Workforce Development Center. The project will also coordinate with local employers and workforce partners to connect participants to job openings and training opportunities that lead to stable wages. These services help residents increase income, reduce reliance on emergency supports, and strengthen the local workforce.

The project supports the Consolidated Plan's emphasis on coordinated systems by integrating services across behavioral health, housing navigation, workforce development, and mainstream benefits. The project will connect eligible participants to Medicaid, SNAP, SSI, and workforce resources while coordinating care with community partners. This approach improves service efficiency, strengthens local partnerships, and increases the likelihood that households achieve long-term stability.

By stabilizing households, increasing income, and reducing repeat episodes of homelessness, the PRO Project delivers measurable community benefit and directly supports the City of Dalton's strategic goals for housing stability, economic resilience, and public well-being.



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

Amendment to Professional Services Agreement with Consor North America

DEPARTMENT

Administration

REQUESTED BY

Andrew Parker

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

Not to Exceed \$82,154

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Amendment to General Professional Services Agreement with Consor North America for Mill Line Extension New Trail Alignment

PHONE
706-278-9500

WEBSITE
www.daltonga.gov

ADDRESS
300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

AMENDMENT TO GENERAL PROFESSIONAL SERVICES AGREEMENT

This Amendment to General Professional Services Agreement (this "Amendment") is made and entered into this ____ day of _____, 20____, and by and between the City of Dalton, a Georgia Municipal Corporation, hereinafter referred to as "CITY", and Consor North America, Inc., hereinafter referred to as "CONSULTANT".

W I T N E S S E T H:

WHEREAS, the parties entered into that certain General Professional Services Agreement dated February 17, 2025 (the "Agreement"), pursuant to which CITY engaged CONSULTANT to perform certain professional services stated in Exhibit A of the Agreement;

WHEREAS, the Agreement was amended previously to allow for additional ecological studies and costs for the same, and to revise the completion date;

WHEREAS, the CITY has paid in full all costs due to date;

WHEREAS, the parties have determined that additional work is required as listed in Exhibit 1 to this Amendment;

NOW THEREFORE, for and in consideration in the sum of ten dollars (\$10.00) and hand paid, the premises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged the parties hereby agree as follows:

1. The parties hereto acknowledge that the above recitals to this Amendment are true and correct, and agree that the same are incorporated by reference into the body of this Amendment.

2. The parties do hereby agree to amend and modify the Agreement to provide that CONSULTANT shall complete the work set forth in Exhibit 1 to this Amendment for the costs set forth in Exhibit 1 to this Amendment, which costs shall not exceed the total sum of \$82,154.00, in addition to the work set forth in the Agreement.

3. The Agreement is hereby amended to provide that completion and delivery of the final plans referenced in Exhibit 1 to this Amendment shall occur no later than December 2, 2026, and final completion of all work contemplated by the Agreement, including work referenced in this Amendment, shall occur no later than June 30, 2027. CONSULTANT shall pay to CITY damages for delay provided for in Paragraph 7 of the Agreement upon failure of CONSULTANT to meet either deadline.

4. Except as herein specifically modified, all of the terms, conditions, and provisions of the Agreement shall remain in full force and effect.

5. This Amendment shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

6. All capitalized terms not defined herein shall have the meanings ascribed to them in the Agreement.

7. Handwritten signatures to this Agreement transmitted by telecopy or electronic transmission (for example, through the use of a Portable Document Format or "PDF" file) shall be valid

and effective to bind the parties so signing. It is expressly agreed that each party to this Amendment shall be bound by its own telecopied or electronically transmitted handwritten signature and shall accept the telecopy or electronically transmitted handwritten signature of the other party to this Amendment. The parties hereto agree that the use of telecopied or electronic signatures for the execution of this Amendment shall be legal and binding and shall have the same full force and effect as if originally signed.

8. This Amendment may be executed in several counterparts, and all such executed counterparts shall constitute the same agreement. It shall be necessary to account for only one such counterpart in proving this Amendment.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year above written.

CITY:
City of Dalton, Georgia

CONSULTANT:
Consor North American, Inc.

By: _____
Title: Mayor

By: _____
Title:

Attest: _____
Title: City Clerk

EXHIBIT 1

May 18, 2026
City of Dalton
300 West Waugh Street
Dalton, GA 30722

**RE: Mill Line Trail Extension Addendum for:
New Trail Alignment**

Dear Mr. Parker,

As per our discussions, we are submitting this addendum to the original agreement, dated February 17, 2025, for the above referenced work; additional survey performed by Lewis & Associates Land Surveying, LLC (LALS); additional ecology field work and memo of findings performed by Edwards-Pitman Environmental, Inc. (EPEI); geotechnical investigation – bridge borings performed by Geo-Hydro Engineers, Inc. (GHI); additional design for horizontal and vertical alignment of the revised trail, additional hydraulic analysis, bridge design for new alignment by Consor.

In general, the new alignment deviates from the original design by travelling along the west face of Mount Rachel, tying into the City's existing trailhead at Chenille Drive, and proceeding north with a proposed pedestrian bridge parallel to the Chattanooga Avenue roadway bridge. It reduces pedestrian conflict points by eliminating one crossing and consolidating crossings at controlled locations, including a stop-controlled crossing at Coronet Drive and a hybrid pedestrian beacon at Chattanooga Avenue.

Survey – Additional Area

Supplemental survey needed to support final alignment development, drainage design, structure coordination, utility identification, property impacts, tie-ins, and final plan production.

Additional Task 1 - Survey Fee: \$14,900

Ecology Survey – Additional Area

It is necessary to conduct further field delineation of the revised trail alignment to verify that there is minimal or no impact to environmentally sensitive areas. See attached for complete scope and fee from EPEI for this additional work.

Additional Task 2 - Ecology Survey Fee: \$8,254

Geotechnical Bridge Borings

The revised trail alignment will create a crossing in a different location over Mill Line Creek than was previously analyzed. This new location will require geotechnical borings to determine the feasibility and design of the pedestrian bridge. It is assumed that there will be 2 borings, each to a depth of 60'.

Additional Task 3 - Geotechnical Fee: \$9,000

Corridor Revision

Consor will complete alignment revisions necessary to establish the final horizontal and vertical geometry for the revised project. This will include revised bridge plans, drainage, EPSC and cross sections.

Consor will perform additional hydraulic design to determine effects of the bridge crossing in a different location over Mill Line and coordinate towards a “No-Rise Memorandum”. It is assumed that given the previous analysis done and general knowledge of the area that a No-Rise is achievable.

Additional Task 4 - Corridor Revision Fee: \$50,000

Fee & Schedule

Based on the scope and assumptions above, the total estimated lump sum fee to perform the tasks outlined in this supplemental proposal is summarized below. Given schedule durations as discussed previously with the City it is expected that the final plans can be delivered prior to the end of the year. It is requested that Consor’s contract duration be extended to **June 30, 2027** to provide accommodation for any additional delays outside of Consor’s control.

Task 1– Survey Additional Area \$14,900

Task 2 – Ecology Survey Additional Area \$8,254

Task 3 – Geotechnical Coordination \$9,000

Task 4 – Corridor Revision \$50,000

Supplement Total: \$82,154

We value our relationship with the city and the opportunity to continue to partner with you and your staff for this project. If you have any questions, please contact me

Sincerely,
Consor North America, Inc.



Sean Mayer, PE, Vice President/Area Principal Southeast Transportation
Phone Number: 615.538.6940 | sean.mayer@consoreng.com



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/2/2025

AGENDA ITEM

Ordinance 26-07 – Cemetery Revision

DEPARTMENT

Public Works Department

REQUESTED BY

Chad Townsend

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

This request is to approve ordinance 26-07, a revision to the Cemeteries section within City ordinance. The revision of the ordinance removes any ambiguities regarding what is permissible on gravesites.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

ORDINANCE 26-07

To Amend Chapter 30 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Cemeteries"; To Provide For An Effective Date; To Provide For The Repeal Of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by the authority of the same, **IT IS HEREBY ORDAINED** as follows:

Section 1.

Chapter 30 of the 2001 Revised Code of the City of Dalton, Georgia, captioned "Cemeteries" is hereby amended by striking, repealing and deleting Section 30-6 and Section 30-7 Chapter 6 in their entirety and substituting in lieu thereof a new Section 30-6 and Section 30-7 which shall read as follows:

Chapter 30 CEMETERIES

ARTICLE I. IN GENERAL

Sec. 30-6. Flowers, trees, and shrubs.

- (a) The city's public works committee in conjunction with the city sexton is authorized to develop, maintain, and amend the West Hill Cemetery Policies and Procedures, which shall provide rules and regulations governing the use and maintenance of the cemetery. The West Hill Cemetery Policies and Procedures may be inspected by the public at the public works department, the clerk's office, or by reviewing the city's website.
- (b) *Artificial flowers.* Artificial arrangements will be removed from the cemetery by the city when they become disarranged, if not in compliance with the West Hill Cemetery Policies and Procedures, or as needed for maintenance or landscaping.
- (c) *New burials.* When a new burial is made on any cemetery lot, all flowers will be removed after ten days, except one artificial arrangement, which may remain provided that said artificial arrangement does not interfere with maintenance or landscaping and provided that it complies with the West Hill Cemetery Policies and Procedures.
- (d) *Seasonal arrangements.* Seasonal arrangements shall be removed no later than the 30 days following any recognized holiday for which such arrangements have been placed. The sexton will remove any item that is not removed by the 31st day following such holiday or any item that is not otherwise in compliance with the West Hill Cemetery Policies and Procedures.
- (e) *Permanent planting.* No permanent planting of any kind is allowed other than common areas planted by the city or its authorized representatives.

- (f) *Removal of detrimental trees and shrubs.* If trees or shrubs situated in any lot in the old section of the cemetery shall by their roots or branches become detrimental to adjacent lots or avenues or unsightly or inconvenient to visitors, the cemetery sexton shall have the right to enter the lot and remove the trees and shrubs or such parts thereof as he shall determine to be detrimental or unsightly or inconvenient.

Sec. 30-7. Permissible Items on Burial Lot

No items shall be placed upon a burial lot except such items as are specifically authorized by this Chapter or the West Hill Policies and Procedures.

Section 2.

This Ordinance shall be effective upon the posting of this Ordinance in two (2) public places in the City of Dalton for five (5) consecutive days following its enactment by the Mayor and Council, the public health, safety, and welfare requiring it.

Section 3.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 4.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this ____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, second by Councilmember _____ and upon the question the vote is ____ ayes, ____ nays and the Ordinance is adopted.

MAYOR/MAYOR PRO TEM

ATTEST:

CITY CLERK



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

The request of M.C.W., Inc. to de-annex 0.3 acres located at 2209 Chattanooga, Dalton, Georgia at Tax Parcel 12-158-01-032 out of the City of Dalton into Whitfield County as General Commercial (C-2). Parcel (12-158-01-032)

DEPARTMENT

Planning and Zoning

REQUESTED BY

MCW Inc.

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Staff recommend approval and Planning Commission unanimously recommended approval with no public opposition.

PHONE
706-278-9500

WEBSITE
www.daltonga.gov

ADDRESS
300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

ORDINANCE 26-08

To De-Annex certain real property of Ralph Eddie Fox Pursuant To Chapter 36, Title 36 Of The Official Code Of Georgia Annotated; To Provide An Effective Date; And For Other Purposes

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of the same, **IT IS HEREBY ORDAINED** as follows:

Section 1:

The area in the City of Dalton as described in Exhibit “A” (the “Property”), which is attached to and incorporated as a part of this ordinance, is hereby de-annexed from the City of Dalton, Georgia and ceases to be a part of said city.

Section 2.

This Ordinance shall be effective on the 1st day of July, 2026.

Section 3.

The acreage of the Property is approximately 0.3 acres. No streets or roads are affected by this de-annexation.

Section 4.

The City Clerk of the City of Dalton, Georgia is instructed to send a report that includes certified copies of this Ordinance, the name of the county in which the property being de-annexed is located and a letter from the City stating the intent to delete the de-annexed area from the Census maps during the next survey and stating that the survey map will be completed and returned to the Census Bureau, Department of Community Affairs, and to the governing authority of Whitfield County, Georgia, within thirty (30) days after the effective date of the annexation as set forth above in Section 2.

Section 5.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 6.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this ____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, second by Councilmember _____ and upon the question the vote is ____ ayes, ____ nays and the Ordinance is adopted.

MAYOR/MAYOR PRO TEM

ATTEST:

CITY CLERK

(Parcel No. 12-158-01-032)

EXHIBIT A

All that tract or parcel of land situated, lying and being in Land Lot 158, 12th District, 3rd Section of Whitfield County, Georgia, and more particularly described as follows:

Beginning at a point south 49 degrees 28 seconds east a distance of 140 feet from the southeast intersection of U.S. Highway 41 and King Road; thence from said POINT OF BEGINNING running along the south right of way of said U.S. Highway 41, south 49 degrees 28 minutes east a distance of 100 feet; thence south 42 degrees 47 minutes west a distance of 151.38 feet; thence north 56 degrees 36 minutes west a distance of 64.34 feet; thence north 29 degrees 47 minutes east a distance of 162.19 feet to the POINT OF BEGINNING. Said tract contains 0.30 acres and is designated as Tax Parcel 12-158-01-032.

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

CITY CLERK
CITY OF DALTON

**DALTON-VARNELL-WHITFIELD COUNTY PLANNING COMMISSION
503 WEST WAUGH STREET
DALTON, GA 30720**

MEMORANDUM

TO: City of Dalton Mayor and Council
Andrew Parker
Jonathan Bledsoe
Jean Price-Garland

FROM: Jim Lidderdale
Chairman

DATE: May 27, 2026

A. To hear the request of M.C.W., Inc. to de-annex 0.3 acres located at 2209 Chattanooga, Dalton, Georgia at Tax Parcel 12-158-01-032 out of the City of Dalton into Whitfield County as General Commercial (C-2). Parcel (12-158-01-032) (City)

The most recent meeting of the Dalton-Varnell-Whitfield County Planning Commission was held on May 26, 2026, at 6:00 p.m. in the Whitfield County Courthouse meeting room. A portion of the agenda included a public hearing concerning the above matter. A quorum of six members of the Planning Commission was present. All legal requirements for advertising and posting the public hearing were met. The petition was represented by Ethan Calhoun.

Public Hearing Summary:

Ethan Calhoun summarized the staff analysis, which recommended approval of the de-annexation Request. There were no further questions for Calhoun.

With no further comments heard for or against, Chairman Lidderdale closed the public hearing at approximately 6:23 PM.

Recommendation:

Chairman Lidderdale sought a motion for the de-annexation request. Chris Shiflett made a motion to approve the de-annexation request. Brad Ramsey seconded the motion. There was a unanimous recommendation to approve the de-annexation (5-0).

**STAFF ANALYSIS
DE-ANNEXATION REQUEST
Unified Zoning Ordinance**

ZONING CASE:

M.C.W., Inc. is seeking de-annexation of a parcel (#12-158-01-032) from The City of Dalton to Unincorporated Whitfield County located at 2209 Chattanooga Road within the General Commercial (C-2) zone district. Dalton's current corporate boundary flanks the subject property along all of its northern boundary, and unincorporated Whitfield County flanks the subject property along its east, south, and western boundaries.

The surrounding land uses and zoning are as follows: 1) All adjacent tracts are zoned and developed for General Commercial (C-2). The subject property's zoning will not be affected by this annexation if it is approved since both the city and the county share a Unified Zoning Ordinance.

CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS

(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.

As stated previously, the zoning of the subject property will not be changed in the event that it is de-annexed from the City of Dalton into unincorporated Whitfield County since the City and County adopted the UZO in 2015. The existing C-2 zoning is appropriate in regard to the existing land use in this area as well as the Comprehensive Plan and Future Development Map. The annexation, if approved, would simply return the subject property to unincorporated Whitfield County jurisdiction. The subject property is flanked on three of its boundaries by unincorporated Whitfield County.

(B) Whether the proposed amendment would adversely affect the economic value or the uses of adjacent and nearby properties.

No impact is expected if this annexation is approved as the subject property's zoning will not change.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.

This annexation will not affect the subject property's use or character.

(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner under the existing zoning.

No impact. The zoning will be the same, but the jurisdiction will change. The property owners have completed an application to de-annex under the 100 percent method, which means it is by the choice of the property owner to be de-annexed.

(E) Whether the proposed amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.

No impact is expected. Service extensions to the area have occurred through the years. Water and sewer utilities are already available to the subject property with no concern for capacity. The annexation of the subject property would have a negligible impact on public utilities for this area. The subject property is served by both city and county emergency response through automatic aid agreements.

(F) Whether the property sought to be annexed is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The subject property is within the Bypass Corridor character area. This character area is shared by both Whitfield County and the City of Dalton. This annexation would have no conflict with the Comprehensive Plan or Future Development Map based on the existing character of the subject property and adjacent zoning and development.

(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an “entering wedge” and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.

This request, if approved, would not create an unincorporated county island, and therefore, should have no impact on service delivery.

(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.

N/A

CONCLUSION: The staff recommendation is that the subject property is compatible for de-annexation into unincorporated Whitfield County. The request is consistent with the Comprehensive Plan, and the uses and zoning of adjacent properties. The subject property’s C-2 zoning will remain due to the Unified Zoning Ordinance shared by the city and county.



April 6, 2026

TO: Matthew Daniel, Fire Department
Cliff Cason, Police Department
Jonathan Bledsoe, The Minor Firm
Chad Townsend, Public Works Department
John Thomas, Dalton Utilities
Ethan Calhoun, NWGRC

FROM: Annalee Sams
Mayor, City of Dalton

Please review this **De-annexation** request and submit your comments within seven days to the City of Dalton City Clerk's Office.

NAME: M.C.W., Inc.
STREET ADDRESS: 2209 Chattanooga Rd.
AMOUNT OF ACREAGE: 0.3
PARCEL NUMBERS: 12-158-01-032
PLAT ATTACHED: YES X NO
ZONING CLASSIFICATION: C-2

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205
Dalton, Georgia 30722



DE-ANNEXATION APPLICATION

I HEREBY REQUEST THE MAYOR AND COUNCIL OF THE CITY OF DALTON TO DE-ANNEX THE PROPERTY DESCRIBED BELOW IN THIS APPLICATION

PLEASE LIST THE APPLICANT NAME REQUESTING DE-ANNEXATION

APPLICANT NAME:	Aaron Gray (M.C.W., Inc)
APPLICANT ADDRESS:	1001 Peregrine Way Dalton, GA 30721
CITY, STATE & ZIP:	Dalton, Ga 30721
TELEPHONE NUMBER:	706-463-1915

PROPOSED PROPERTY TO BE DE-ANNEXED

(1) STREET ADDRESS OF PROPERTY TO BE DE-ANNEXED:	2209 2211 Chattanooga Rd. Dalton, GA 30721
(2) SUBDIVISION OF THE PROPERTY TO BE DE-ANNEXED:	Parcel # 12-158-01-032
(3) LOT(S) NUMBER OF THE PROPERTY TO BE DE-ANNEXED:	Parcel # 12-158-01-032
(4) FUTURE INTENDED USE OF THE PROPERTY TO BE DE-ANNEXED:	RV Park

- PRESENT ZONING CLASSIFICATION City C-2
- PROPOSED AMOUNT OF ACREAGE TO BE DE-ANNEXED 0.3
- TAX MAP NUMBER/PARCEL NUMBER 12-158-01-032
- HOUSING UNITS n/a

- | | | | | | |
|--|---|------------------------------------|---------------------------------|---|--------------------------------|
| (1) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF REGISTERED VOTERS | n/a | | | | |
| (2) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF ADULTS OF VOTING AGE, IF DIFFERENT NUMBER THAN SHOWN IN NUMBER (1) | n/a | | | | |
| (3) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF ADULTS IN THE HOUSEHOLD. | n/a | | | | |
| (4) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF CHILDREN IN THE HOUSEHOLD. | n/a | | | | |
| (5) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF HOUSING UNITS. | n/a | | | | |
| (6) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION PLACE NUMBER OF RESIDENTS IN APPLICABLE BOX. | <table><tr><td>☐ CAUCASIAN</td><td>☐ LATINO</td></tr><tr><td>☐ AFRICAN AMERICAN</td><td>☐ OTHER</td></tr></table> | ☐ CAUCASIAN | ☐ LATINO | ☐ AFRICAN AMERICAN | ☐ OTHER |
| ☐ CAUCASIAN | ☐ LATINO | | | | |
| ☐ AFRICAN AMERICAN | ☐ OTHER | | | | |
| (7) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF PERSONS WHOSE PRIMARY LANGUAGE IS OTHER THAN ENGLISH. | n/a | | | | |

SIGNATURE OF APPLICANT

DATE

4-2-2026

OWNERSHIP VERIFICATION

The undersigned is the / an owner of an interest in the lands described in the attached De-Annexation Application, which proposes to amend the Official Zoning Map of Dalton, Georgia, and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

De-Anney Parcel # 12-158-01-032 for

*Describe parcel or parcels and nature of interest
and percentage of interest*

city to county

I hereby appoint

Aaron Gray

my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment as set forth in the attached de-annexation application.

Eddie Fox

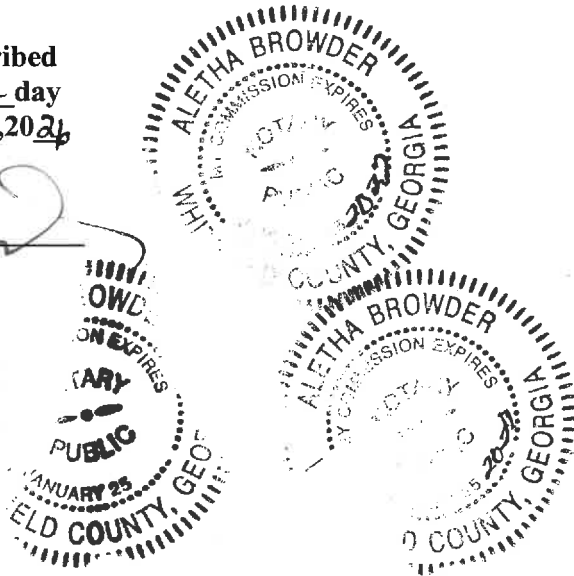
(Owner's Name)

Sworn to and subscribed
Before me, this 1st day
of April, 2021

Aletha Browder

Notary Public

(Seal)



All that tract or parcel of land situated, lying and being in Land Lot 158, 12th District, 3rd Section of Whitfield County, Georgia, and more particularly described as follows:

Beginning at a point south 49 degrees 28 seconds east a distance of 140 feet from the southeast intersection of U.S. Highway 41 and King Road; thence from said POINT OF BEGINNING running along the south right of way of said U.S. Highway 41, south 49 degrees 28 minutes east a distance of 100 feet; thence south 42 degrees 47 minutes west a distance of 151.38 feet; thence north 56 degrees 36 minutes west a distance of 64.34 feet; thence north 29 degrees 47 minutes east a distance of 162.19 feet to the POINT OF BEGINNING. Said tract contains 0.30 acres and is designated as Tax Parcel 12-158-01-032.

After Recording Return to:
Harvard H. Kranzlein, Jr.
Gregory H. Kinnamon, P.C.
P.O. Box 6178
Dalton, GA 30722-6178

Deed Doc: WD
Recorded 08/29/2025 02:11PM
Georgia Transfer Tax Paid : \$90.00
BABS BAILEY
Clerk Superior Court, WHITFIELD County, Ga
Bk 07130 Pg 0383-0385

Pre 1002280

[Space above this line for recording data.]

LIMITED WARRANTY DEED

Georgia, Whitfield County

THIS INDENTURE made this 22nd day of August, 2025, between **M.C.W., Inc.**, a Georgia Corporation, Grantor, and **Ralph Eddie Fox**, Grantee.

The words "Grantee" and "Grantor" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, in hand paid at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said GRANTEE the following described property:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION REFERENCE TO WHICH IS HEREBY MADE AND INCORPORATED HEREIN BY REFERENCE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY.

THIS CONVEYANCE is made subject to all zoning ordinances, rights of way, easements, and restrictions insofar as the same may lawfully affect the above-described property.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said GRANTEE forever, in Fee Simple. The said GRANTOR will warrant and forever defend the right and title to the above-described property unto the said GRANTEE against the lawful claims of all persons.

IN WITNESS WHEREOF, this deed has been duly executed and sealed by Grantor the day and year first above written.

Signed, Sealed and delivered
in the presence of:

Evelyn Ortiz
Unofficial Witness

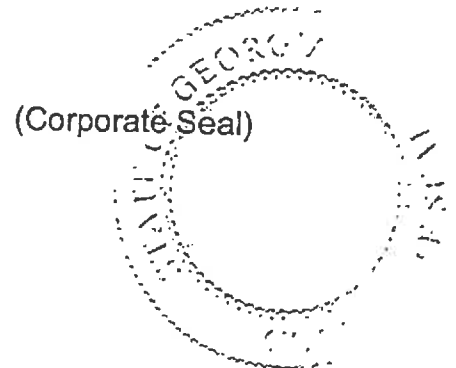
Printed Name: Evelyn Ortiz

[Signature]
Notary Public

M.C.W., Inc.

By: *[Signature]*
Mark Wesley Westfall, President

By: *[Signature]*
Candice Westfall, Secretary



(Corporate Seal)

EXHIBIT "A"**LEGAL DESCRIPTION**

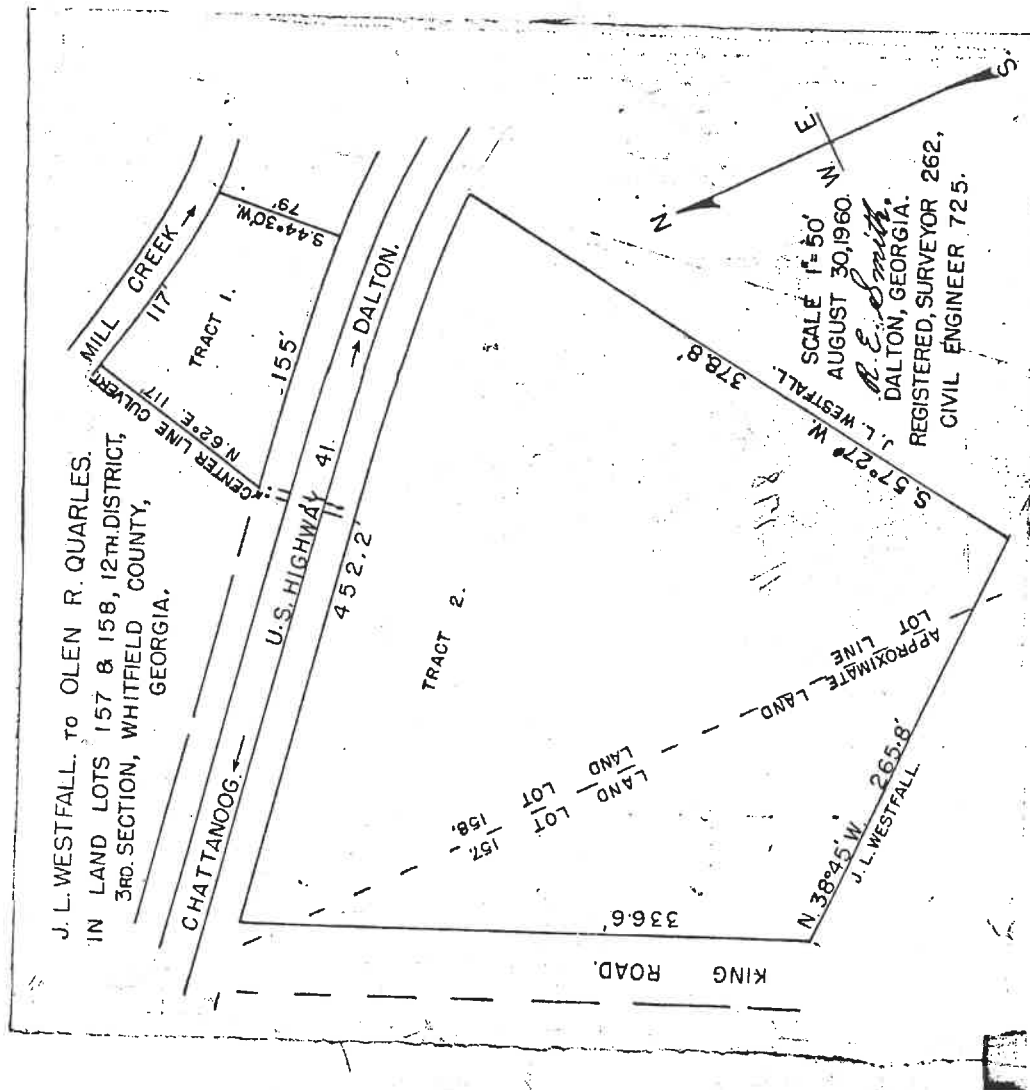
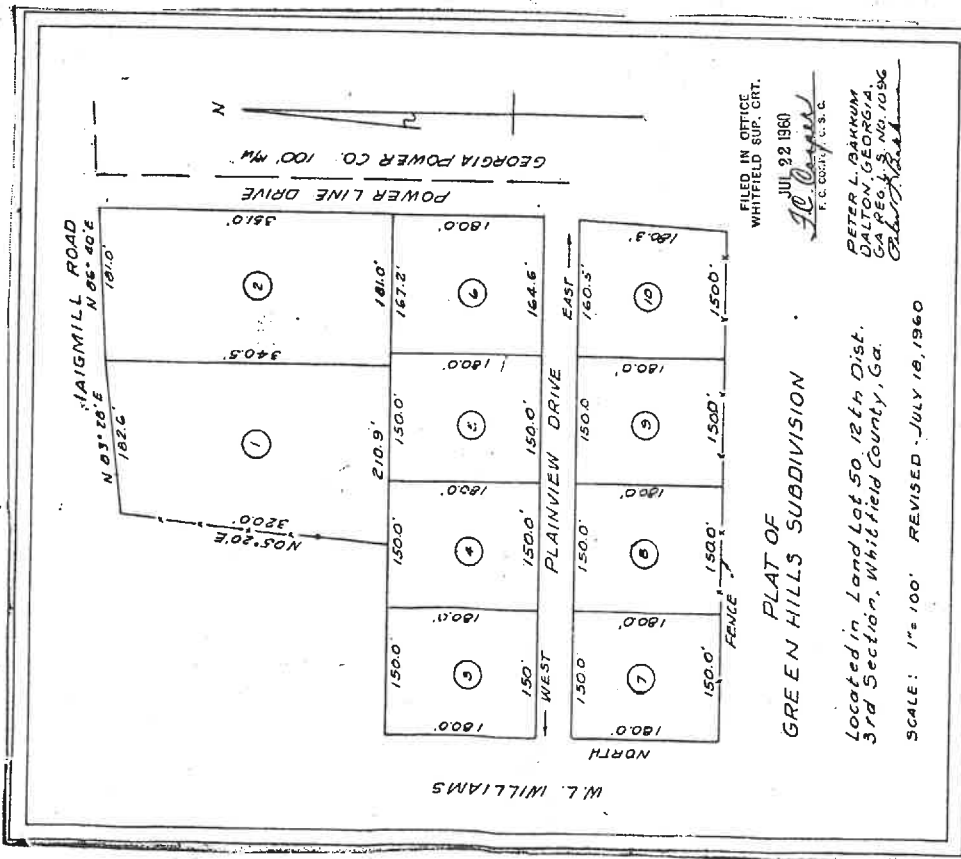
All that tract or parcel of land lying and being in Land Lots Nos. 157 and 158 in the 12th District and 3rd Section of Whitfield County, Georgia, being more particularly described as TRACT 2 according to a plat of survey prepared by R. E. Smith, Georgia Registered Land Surveyor, dated August 30, 1960, and being recorded in Plat Book 4, Page 178, in the Office of the Clerk of the Superior Court of Whitfield County, Georgia, reference to which plat is hereby made and incorporated herein by reference for a more particular description of said property and being more particularly described as follows:

BEGINNING on the south side of U. S. Highway 41 where King Road intersects the same; thence running in a southeasterly direction as measured along the south right of way of U. S. Highway 41, a distance of 452.2 feet to a point; thence leaving said right of way and running thence south 57 degrees 27 minutes west 378.8 feet to a point; thence running north 38 degrees 45 minutes west 265.8 feet to the east side of King Road; thence running in a northeasterly direction along the east side of King Road, a distance of 336.6 feet to the point of beginning.

LESS AND EXCEPT any property conveyed by that certain Warranty Deed from J. Lamar Westfall to Independent Enterprises, Inc. dated December 1, 1964, filed December 5, 1964 in Deed Book 183, page 419, Whitfield County, Georgia Land Records.

LESS AND EXCEPT any property conveyed by Right of Way Deeds to the Department of Transportation as recorded in Deed Book 442, page 229 and Deed Book 986, page 65, Whitfield County, Georgia Land Records.

For deed references see Deed Book 3777, page 139 and Deed from J. L. Westfall to Mark Westfall as recorded in Deed Book 361, page 3, Whitfield County, Georgia Land Records.



Whitfield County Tax Parcel Information

Owner and Parcel Information

Parcel Number 12-158-01-032
Realkey 14893
Property Record Card [Click Here](#)
GIS Map [Map](#)
Owner Name M C W INC
Owner Address 5405 WOODY TRL
Owner Address 2
Owner Address 3
Owner City OOLTEWAH
Owner State TN
Owner Zip 34363
Latitude 34.79613597
Longitude -85.00572338

Property Information

Class Commercial
Strata Lot
Tax District City of Dalton
Neighborhood
Legal Description .30A US 41
Total Acres 0.3
Zoning See GIS Map
GMD\Map Number 056
Subdivision
Subdivision Phase
Subdivision Section 0009
Subdivision Block
Subdivision Lot
Comments:

Appeals Information

This parcel does not have any appeals

Parcel Address

Parcel House Number 2209
Parcel Street Extension
Parcel Street Direction
Parcel Street Name CHATTANOOGA
Parcel Street Units
Parcel Street Type RD

Current Fair Market Value Information

Previous 30000
Current 30000
Land 30000
Residential Improvement
Commercial Improvement
Accessory Improvement
Conservation Use Value

Historical Fair Market Value Information

2023 22500
2022 22500
2021 36225

Exemption Information

Homestead 50
Preferential Year
Conservation Use Year
Historical Year
Historical Val 0
EZ year
EZ Val 0

[GIS Quickmap](#)



For the current GIS map of this parcel, click on the Quickmap to launch the interactive map viewer

Tax Commissioner Information

Before making payment verify the amount due with the Tax Commissioner's office at 706-275-7510

Tax Bill Recipient	M C W INC	Legal Description	.30A US 41
Year	2025	Sale Date	
Parcel Number	12-158-01-032	Taxes Due	345.09
Bill	223146	Taxes Due Date	1/20/2026
Exemption Type		Taxes Paid	345.09
Account No.	7026948	Taxes Paid Date	12/17/2025 3:49:25 PM
Millage Rate	0	Current Due	0
Fair Market Value	30000	Back Taxes	0
Assessed Value	12000	Total Due	0
Prior Years Tax Data	Tax		

Commercial Structure Information

This parcel does not have any commercial structures to display

Residential Structure Information

This parcel does not have any residential structures to display

Accessory Information

This parcel does not have any accessories to display

Sales Information

Grantee	M C W INC	Class	Commercial
Grantor	WESTFALL MARK	Strata	Lot
Sale Price	0	Reason	Structure Full/Partial Removed
Sale Date	9/24/2002	State	N
Deed Book/Page	3777 139	PT-61	-000000
Deed Link	Click Here	Comments	INCLUDES 12-158-01-001 4647 008 (QC) 11/17/05 PT



April 6, 2026

TO: Matthew Daniel, Fire Department
Cliff Cason, Police Department
Jonathan Bledsoe, The Minor Firm
Chad Townsend, Public Works Department
John Thomas, Dalton Utilities
Ethan Calhoun, NWGRC

FROM: Annalee Sams
Mayor, City of Dalton

Please review this **De-annexation** request and submit your comments within seven days to the City of Dalton City Clerk's Office.

NAME: M.C.W., Inc.
STREET ADDRESS: 2209 Chattanooga Rd.
AMOUNT OF ACREAGE: 0.3
PARCEL NUMBERS: 12-158-01-032
PLAT ATTACHED: YES X NO
ZONING CLASSIFICATION: C-2

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205
Dalton, Georgia 30722



DE-ANNEXATION APPLICATION

I HEREBY REQUEST THE MAYOR AND COUNCIL OF THE CITY OF DALTON TO DE-ANNEX THE PROPERTY DESCRIBED BELOW IN THIS APPLICATION

PLEASE LIST THE APPLICANT NAME REQUESTING DE-ANNEXATION

APPLICANT NAME:	Aaron Gray (M.C.W., Inc)
APPLICANT ADDRESS:	1001 Peregrine Way Dalton, GA 30721
CITY, STATE & ZIP:	Dalton, GA 30721
TELEPHONE NUMBER:	706-463-1915

PROPOSED PROPERTY TO BE DE-ANNEXED

(1) STREET ADDRESS OF PROPERTY TO BE DE-ANNEXED:	2209 2211 Chattanooga Rd, Dalton, GA 30721
(2) SUBDIVISION OF THE PROPERTY TO BE DE-ANNEXED:	Parcel # 12-158-01-032
(3) LOT(S) NUMBER OF THE PROPERTY TO BE DE-ANNEXED:	Parcel # 12-158-01-032
(4) FUTURE INTENDED USE OF THE PROPERTY TO BE DE-ANNEXED:	RV Park

• PRESENT ZONING CLASSIFICATION	City C-2
• PROPOSED AMOUNT OF ACREAGE TO BE DE-ANNEXED	0.3
• TAX MAP NUMBER/PARCEL NUMBER	12-158-01-032
• HOUSING UNITS	n/a

(1) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF REGISTERED VOTERS	n/a
(2) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF ADULTS OF VOTING AGE, IF DIFFERENT NUMBER THAN SHOWN IN NUMBER (1)	n/a
(3) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF ADULTS IN THE HOUSEHOLD.	n/a
(4) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF CHILDREN IN THE HOUSEHOLD.	n/a
(5) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF HOUSING UNITS.	n/a
(6) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION PLACE NUMBER OF RESIDENTS IN APPLICABLE BOX.	☐ CAUCASIAN ☐ LATINO
	☐ AFRICAN AMERICAN ☐ OTHER
(7) IF RESIDENTIAL PROPERTY AT THE TIME OF THIS APPLICATION, LIST THE NUMBER OF PERSONS WHOSE PRIMARY LANGUAGE IS OTHER THAN ENGLISH.	n/a

SIGNATURE OF APPLICANT

DATE

4-2-2026

OWNERSHIP VERIFICATION

The undersigned is the / an owner of an interest in the lands described in the attached De-Annexation Application, which proposes to amend the Official Zoning Map of Dalton, Georgia, and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

De-Anney Parcel # 12-158-01-032 for

*Describe parcel or parcels and nature of interest
and percentage of interest*

city to county

I hereby appoint

Aaron Gray

my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment as set forth in the attached de-annexation application.

Eddie Fox

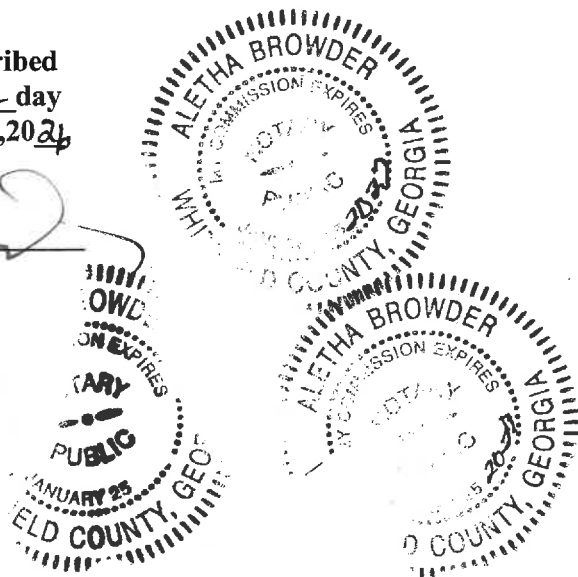
(Owner's Name)

Sworn to and subscribed
Before me, this 1st day
of April, 2021

Aletha Browder

Notary Public

(Seal)



All that tract or parcel of land situated, lying and being in Land Lot 158, 12th District, 3rd Section of Whitfield County, Georgia, and more particularly described as follows:

Beginning at a point south 49 degrees 28 seconds east a distance of 140 feet from the southeast intersection of U.S. Highway 41 and King Road; thence from said POINT OF BEGINNING running along the south right of way of said U.S. Highway 41, south 49 degrees 28 minutes east a distance of 100 feet; thence south 42 degrees 47 minutes west a distance of 151.38 feet; thence north 56 degrees 36 minutes west a distance of 64.34 feet; thence north 29 degrees 47 minutes east a distance of 162.19 feet to the POINT OF BEGINNING. Said tract contains 0.30 acres and is designated as Tax Parcel 12-158-01-032.

After Recording Return to:
Harvard H. Kranzlein, Jr.
Gregory H. Kinnamon, P.C.
P.O. Box 6178
Dalton, GA 30722-6178

Deed Doc: WD
Recorded 08/29/2025 02:11PM
Georgia Transfer Tax Paid : \$90.00
BABS BAILEY
Clerk Superior Court, WHITFIELD County, Ga.
Bk 07130 Pg 0383-0385

Pre 1002280

[Space above this line for recording data.]

LIMITED WARRANTY DEED

Georgia, Whitfield County

THIS INDENTURE made this 22nd day of August, 2025, between **M.C.W., Inc.**, a Georgia Corporation, Grantor, and **Ralph Eddie Fox**, Grantee.

The words "Grantee" and "Grantor" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, in hand paid at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said GRANTEE the following described property:

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THIS CONVEYANCE is made subject to all zoning ordinances, rights of way, easements, and restrictions insofar as the same may lawfully affect the above-described property.

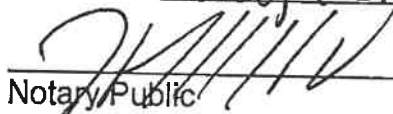
TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said GRANTEE forever, in Fee Simple. The said GRANTOR will warrant and forever defend the right and title to the above-described property unto the said GRANTEE against the lawful claims of all persons.

IN WITNESS WHEREOF, this deed has been duly executed and sealed by Grantor the day and year first above written.

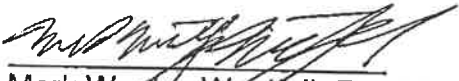
Signed, Sealed and delivered
in the presence of:

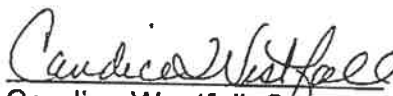

Unofficial Witness

Printed Name: Evelyn Ortiz


Notary Public

M.C.W., Inc.

By: 
Mark Wesley Westfall, President

By: 
Candice Westfall, Secretary

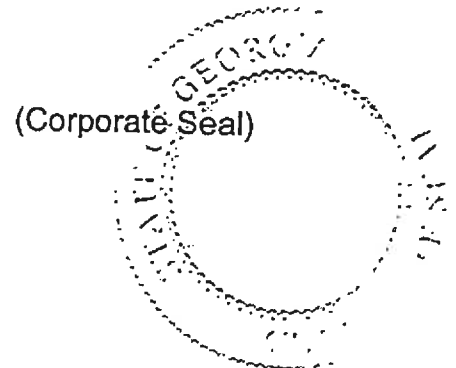


EXHIBIT "A"**LEGAL DESCRIPTION**

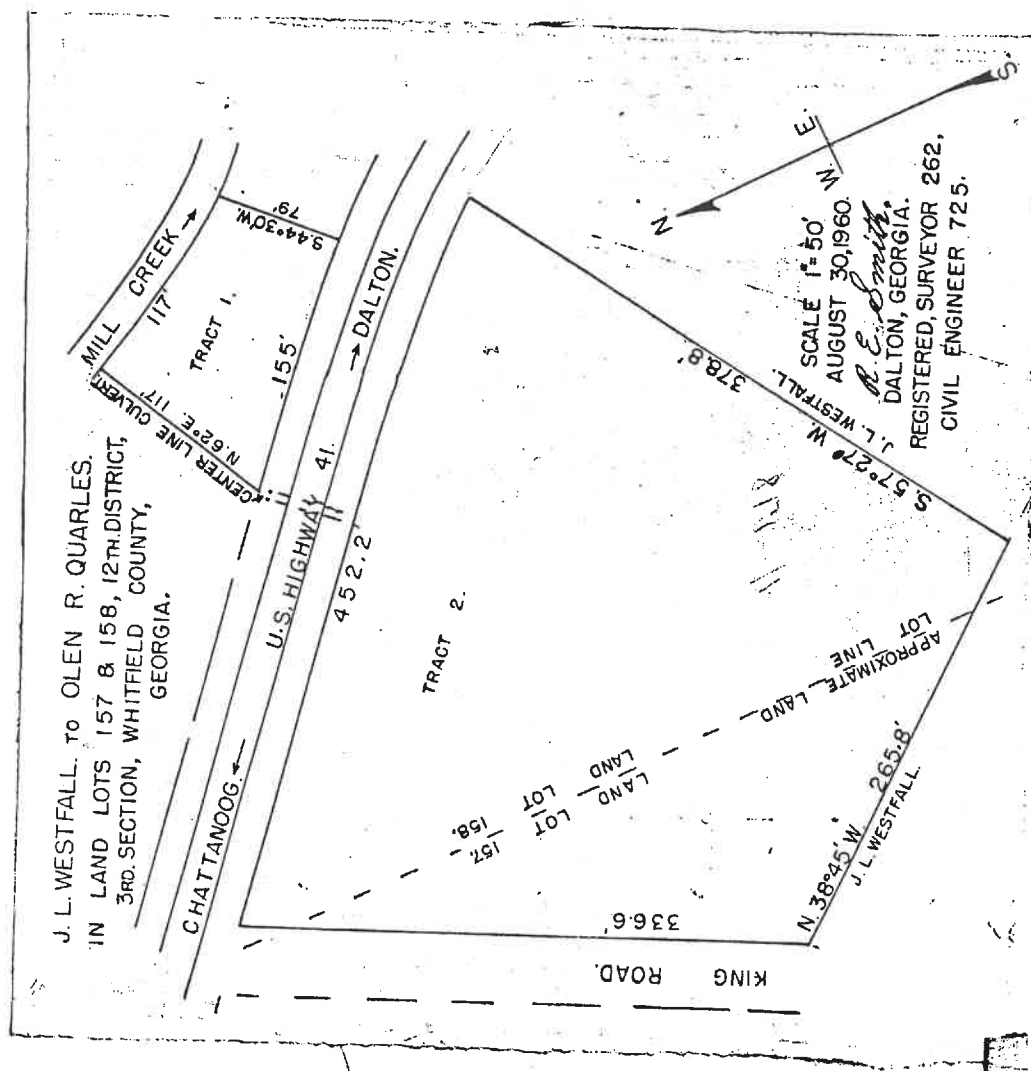
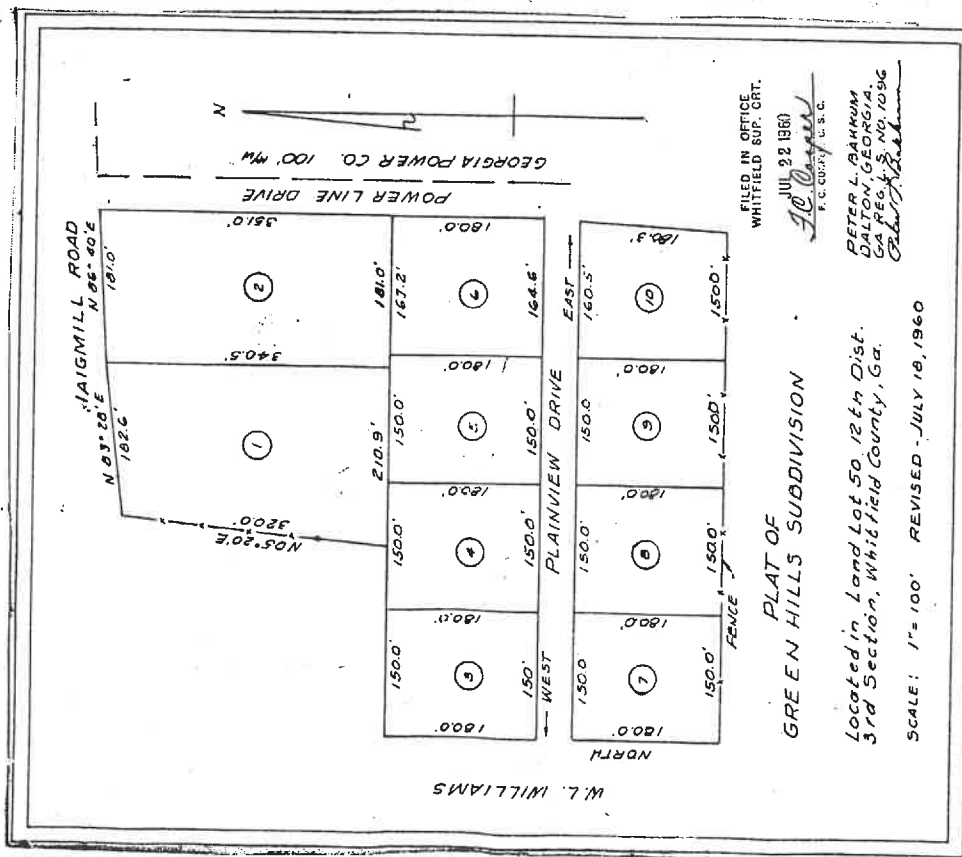
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BEGINNING on the south side of U. S. Highway 41 where King Road intersects the same; thence running in a southeasterly direction as measured along the south right of way of U. S. Highway 41, a distance of 452.2 feet to a point; thence leaving said right of way and running thence south 57 degrees 27 minutes west 378.8 feet to a point; thence running north 38 degrees 45 minutes west 265.8 feet to the east side of King Road; thence running in a northeasterly direction along the east side of King Road, a distance of 336.6 feet to the point of beginning.

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LESS AND EXCEPT any property conveyed by Right of Way Deeds to the Department of Transportation as recorded in Deed Book 442, page 229 and Deed Book 986, page 65, Whitfield County, Georgia Land Records.

For deed references see Deed Book 3777, page 139 and Deed from J. L. Westfall to Mark Westfall as recorded in Deed Book 361, page 3, Whitfield County, Georgia Land Records.



Whitfield County Tax Parcel Information

Owner and Parcel Information

Parcel Number 12-158-01-032
Realkey 14893
Property Record Card [Click Here](#)
GIS Map [Map](#)
Owner Name M C W INC
Owner Address 5405 WOODY TRL
Owner Address 2
Owner Address 3
Owner City OOLTEWAH
Owner State TN
Owner Zip 34363
Latitude 34.79613597
Longitude -85.00572338

Property Information

Class Commercial
Strata Lot
Tax District City of Dalton
Neighborhood
Legal Description .30A US 41
Total Acres 0.3
Zoning See GIS Map
GMD\Map Number 056
Subdivision
Subdivision Phase
Subdivision Section 0009
Subdivision Block
Subdivision Lot
Comments:

Appeals Information

This parcel does not have any appeals

Parcel Address

Parcel House Number 2209
Parcel Street Extension
Parcel Street Direction
Parcel Street Name CHATTANOOGA
Parcel Street Units
Parcel Street Type RD

Current Fair Market Value Information

Previous 30000
Current 30000
Land 30000
Residential Improvement
Commercial Improvement
Accessory Improvement
Conservation Use Value

Historical Fair Market Value Information

2023 22500
2022 22500
2021 36225

Exemption Information

Homestead S0
Preferential Year
Conservation Use Year
Historical Year
Historical Val 0
EZ year
EZ Val 0

[GIS Quickmap](#)



For the current GIS map of this parcel, click on the Quickmap to launch the interactive map viewer

Tax Commissioner Information

Before making payment verify the amount due with the Tax Commissioner's office at 706-275-7510

Tax Bill Recipient	M C W INC	Legal Description	.30A US 41
Year	2025	Sale Date	
Parcel Number	12-158-01-032	Taxes Due	345.09
Bill	223146	Taxes Due Date	1/20/2026
Exemption Type		Taxes Paid	345.09
Account No.	7026948	Taxes Paid Date	12/17/2025 3:49:25 PM
Millage Rate	0	Current Due	0
Fair Market Value	30000	Back Taxes	0
Assessed Value	12000	Total Due	0
Prior Years Tax Data	Tax		

Commercial Structure Information

This parcel does not have any commercial structures to display

Residential Structure Information

This parcel does not have any residential structures to display

Accessory Information

This parcel does not have any accessories to display

Sales Information

Grantee	M C W INC	Class	Commercial
Grantor	WESTFALL MARK	Strata	Lot
Sale Price	0	Reason	Structure Full/Partial Removed
Sale Date	9/24/2002	State	N
Deed Book/Page	3777 139	PT-61	-000000
Deed Link	Click Here	Comments	INCLUDES 12-158-01-001 4647 008 (QC) 11/17/05 PT



Whitfield County

Board of Commissioners

Board Members
Jevin Jensen, Chairman
Barry W. Robbins
Robby Staten
John Thomas
Greg Jones

April 17, 2026

Honorable Annalee Sams
Mayor, City of Dalton
P.O. Box 1205
Dalton, GA 30722

RE: De-Annexation of Tax Parcel No. 12-158-01-032

Dear Mayor Sams:

At the April 13, 2026 Regular Business Meeting of the Whitfield County Board of Commissioners, the Board voted 3-0 to accept Tax Parcel No. 12-158-01-032 into Unincorporated Whitfield County.

Regards,

Blanca Cardona

Blanca Cardona
County Clerk

cc: Jennifer Jones, Interim Chief Appraiser
Jess Hansen, GIS Coordinator
David Metcalf, Emergency Services Director
File



April 13, 2026

RE: De-Annexation Proposal

Parcel # 12-158-01-032, 2209 Chattanooga Rd.

Annalee Harlan Sams
Mayor, City of Dalton

Greetings,

A review of the proposed de-annexation listed above has been completed, it has been determined there would not be a negative impact to the fire protection in the area as a result of such de-annexation approval.

Dalton Fire Department has no objection to de-annexation of the listed property.

Respectfully,

Matt Daniel

Fire Chief

PHONE

706-278-7363

WEBSITE

www.daltonga.gov

ADDRESS

404 School Street
Dalton, Georgia
30722

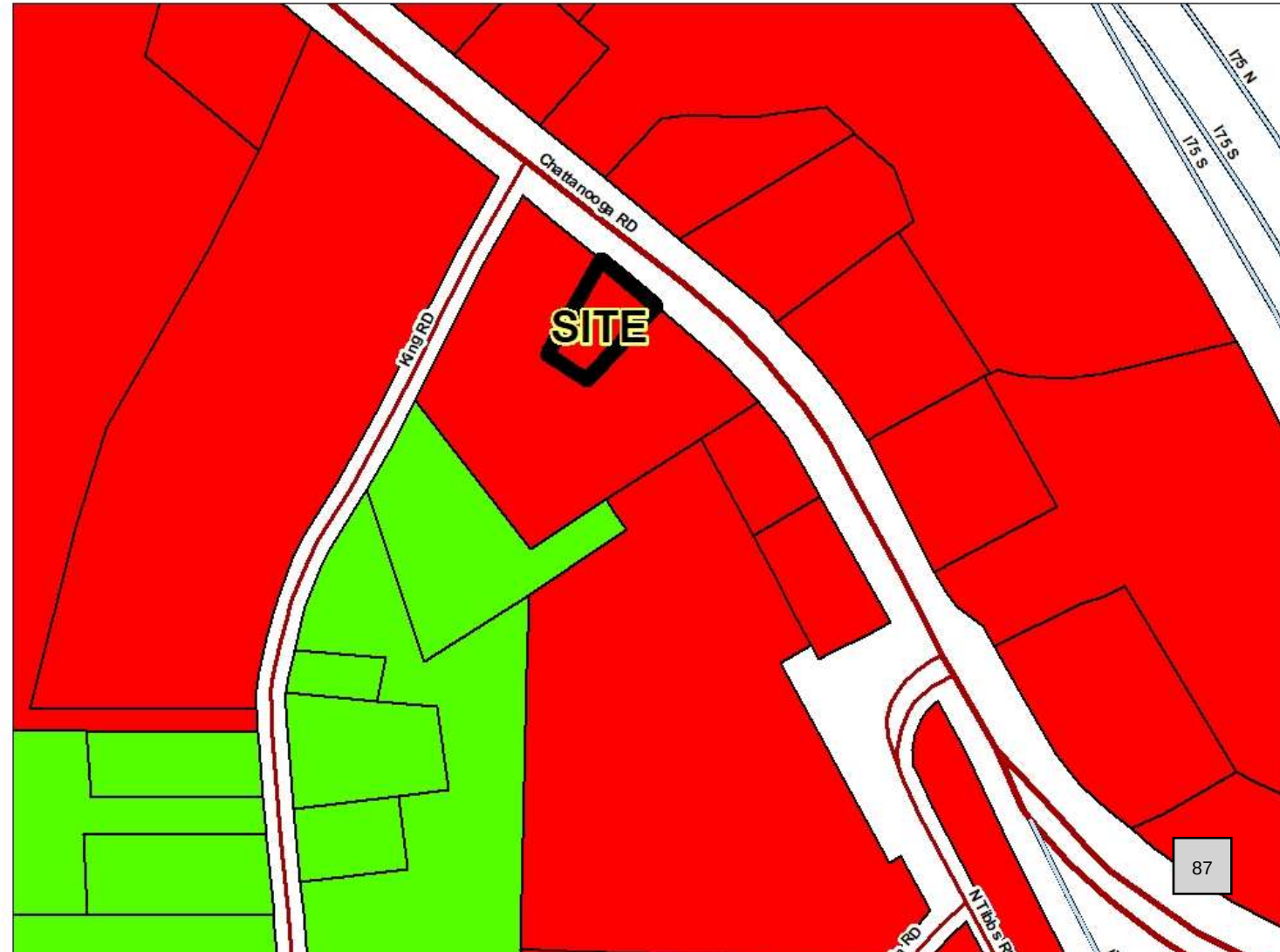


MCW Inc De-Annexation Request Into Unincorporated Whitfield County Zoning to Remain C-2, General Commercial

ZONING

-  Low Density Single Family Residential (R-2)
-  General Commercial (C-2)

FEET
200



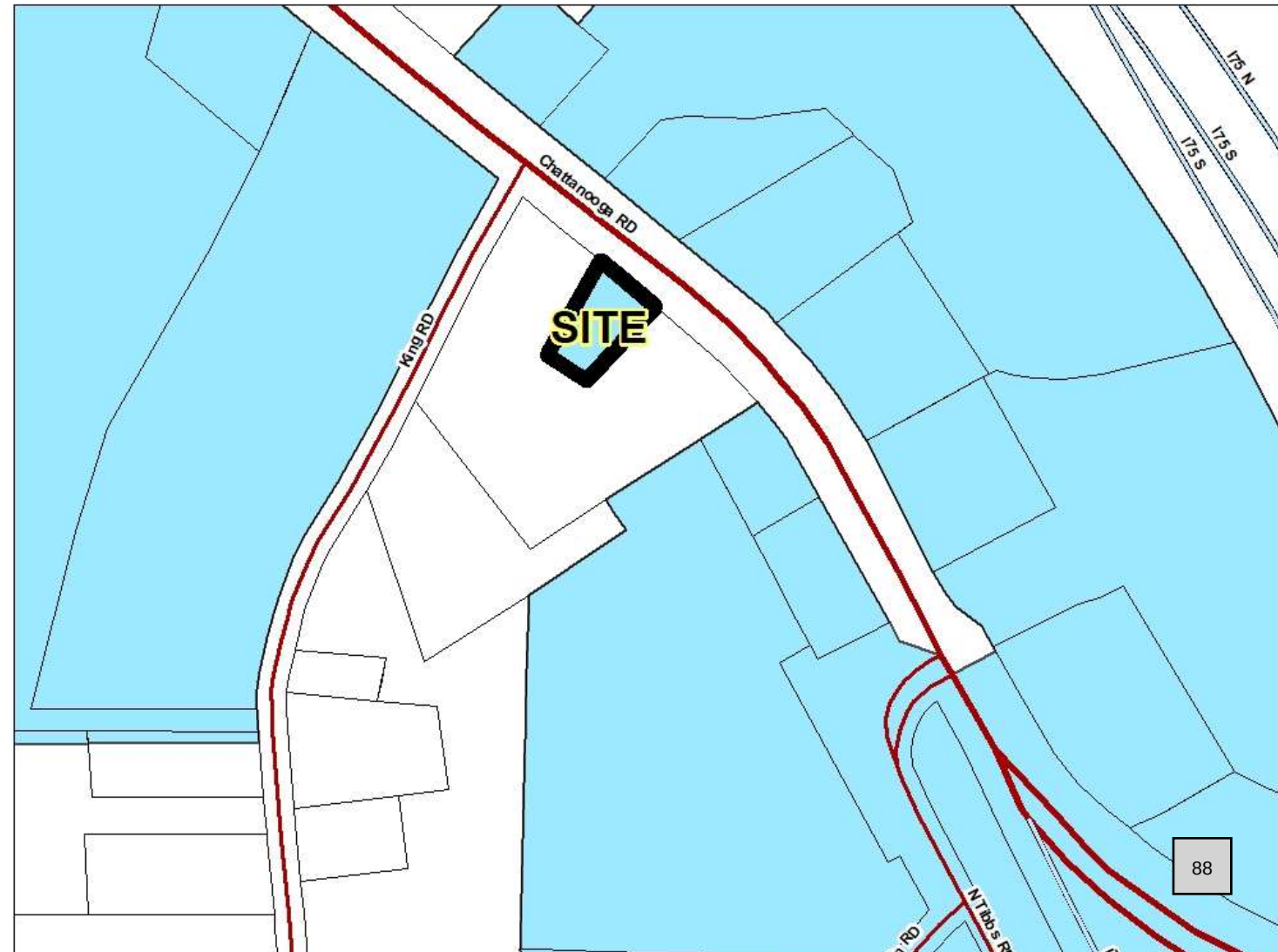


MCW Inc De-Annexation Request Into Unincorporated Whitfield County Zoning to Remain C-2, General Commercial

DALTON CITY LIMITS

 Town_Boundaries

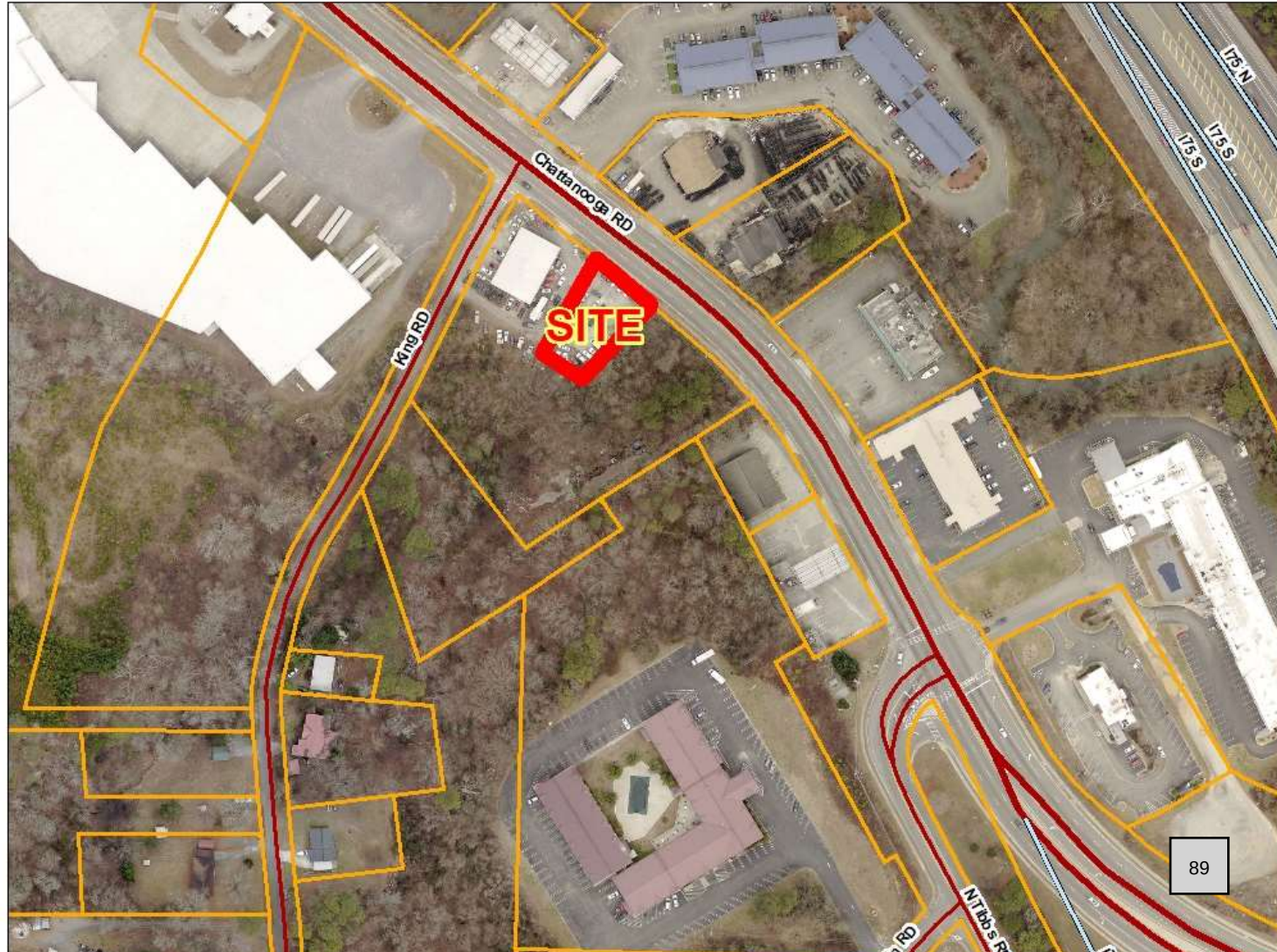
**FEET
200**





MCW Inc De-Annexation Request Into Unincorporated Whitfield County Zoning to Remain C-2, General Commercial

**FEET
200**





CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

The request of John S. Suttles to rezone from Medium Density Single Family Residential (R-3) to Rural Residential (R-5) a tract of land totaling 0.25 acres located on Dozier Street, Dalton, Georgia. Parcel (12-217-07-006)

DEPARTMENT

Planning and Zoning

REQUESTED BY

John Suttles

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Staff recommend approval and Planning Commission unanimously recommended approval with no public opposition.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

ORDINANCE NO. 26-09

To rezone certain property of Amin Ali from a Medium Density Single Family Residential (R-3) Classification to a Rural Residential (R-5) Classification; to provide for an effective date; to provide for the repeal of conflicting ordinances; to provide for severability; and for other purposes.

WHEREAS, Amin Ali, by and through his authorized agent, John Suttles, has petitioned for rezoning of certain real Property he owns from R-3 classification to R-5 classification;

WHEREAS, the application for rezoning appears to be in proper form and made by all owners of the Property sought to be rezoned;

WHEREAS, the rezoning is in conformity with the City of Dalton Joint Comprehensive Plan; and

WHEREAS, all other procedures as required by Georgia law have been followed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Dalton and by authority of the same, **IT IS HEREBY ORDAINED**, as follows:

Section 1.

The real property located within the city limits, which is identified as Tax Parcel No. 12-217-07-006 (the "Property"), is hereby rezoned from R-3 classification to R-5 classification.

Section 2.

This Ordinance shall be effective as of the date of approval of this Ordinance.

Section 3.

The City Clerk or designated City staff members shall ensure that the Dalton-Whitfield Zoning Administrator is provided a copy of this ordinance and that this rezoning is recorded on the Official Zoning Map of Whitfield County, Georgia.

Section 4.

All ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Section 5.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this _____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, seconded by Councilmember _____, and upon the question the vote is _____ ayes, _____ nays, and the Ordinance is adopted.

ATTEST:

CITY CLERK

MAYOR/MAYOR PRO TEMPORE

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

CITY CLERK, CITY OF DALTON

DALTON-VARNELL-WHITFIELD COUNTY PLANNING COMMISSION
503 WEST WAUGH STREET
DALTON, GA 30720

MEMORANDUM

TO: City of Dalton Mayor and Council
Andrew Parker
Jonathan Bledsoe
Jean Price-Garland

FROM: Jim Lidderdale
Chairman

DATE: May 27, 2026

A. To hear the request of John S. Suttles to rezone from Medium Density Single Family Residential (R-3) to Rural Residential (R-5) a tract of land totaling 0.25 acres located on Dozier Street, Dalton, Georgia. Parcel (12-217-07-006) (City)

The most recent meeting of the Dalton-Varnell-Whitfield County Planning Commission was held on May 26, 2026, at 6:00 p.m. in the Whitfield County Courthouse meeting room. A portion of the agenda included a public hearing concerning the above matter. A quorum of six members of the Planning Commission was present. All legal requirements for advertising and posting the public hearing were met. The petition was represented by John Suttles.

Public Hearing Summary:

Ethan Calhoun summarized the staff analysis, which recommended approval of the requested R-5 rezoning of the subject property. There were no further questions for Calhoun.

John Suttles represented the petition. Brad Ramsey confirmed with Suttles that only one duplex was planned to be constructed on the subject property.

With no other comments heard for or against, Chairman Lidderdale closed the public hearing at approximately 6:11 PM.

Recommendation:

Chairman Lidderdale sought a motion for the R-5 rezoning. Steve Laird made a motion to approve the R-5 rezoning. Chris Shiflett seconded the motion. There was a unanimous recommendation to approve the R-5 rezoning (5-0).

**STAFF ANALYSIS
REZONING REQUEST
*Unified Zoning Ordinance***

ZONING CASE: John Suttles is seeking to rezone a tract of land from Medium-Density Single-Family Residential (R-3) to Rural Residential (R-5) (parcel 12-217-07-006), containing a total of 0.25 acres located Dozier Street. The subject property is undeveloped. The petitioner's request was made in order to build a duplex dwelling on the subject property.

The surrounding uses and zoning are as follows: The subject property is flanked along its northern boundary by the R-3 zone district with two adjacent lots that each contains a single-family detached dwelling. To the east are two adjacent tracts of land zoned M-2 and R-3. The eastern adjacent M-2 tract of land contains a small industrial/warehouse structure. The eastern adjacent R-3 tract of land contains a single-family detached dwelling. To the south are two adjacent lots that each contains a single-family detached dwelling. To the west is an tract of land zoned R-3 that contains an accessory structure.

The subject property is partly within the jurisdiction of the City of Dalton Mayor and Council.

CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS

(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.

The subject property is undeveloped and has the potential for either a single-family detached dwelling or a duplex dwelling. The proposed R-5 rezoning would not be out of place in this area, even though the R-3 zoned district is the dominant residential zoned district. R-3 and R-5 zone districts have the same minimum lot size and width. The primary difference between R-3 and R-5 is that manufactured homes and duplexes are permitted in the R-5 zone district. The introduction of a multi-family land use within an R-3 zone district would be of more concern if the R-7 High Density Residential zone district wasn't already well established near the subject property along Dozier Street.

(B) Whether the proposed R-5 amendment would adversely affect the economic value or the uses of adjacent and nearby properties.

Based on the established adjacent neighborhoods, the installation of a single duplex dwelling on the subject property would be unlikely to have a negative impact on the values of the adjacent properties. The adjacent R-7 zone district has already been established within this neighborhood, so there will be no change in the character of the area.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.

The subject property could be developed with a conventional single-family detached dwelling. The R-5 rezoning would allow for the construction of a duplex dwelling. A single duplex dwelling on the subject property would be a reasonable use given the adjacent zoning and development as well as the existing water and sewer infrastructure at this location.

(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner under the existing zoning.

N/A

(E) Whether the proposed R-5 amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.

The limited development potential of the subject property due to its size and road frontage prevent any

development potential that would burden public utilities or infrastructure. The proposed development is within an area of the city appropriate for multi-family development.

(F) Whether the property sought to be rezoned (or annexed) is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The subject property is within the Suburban character area of the Joint Comprehensive Plan. This character area is intended to represent existing developed single-family detached neighborhoods. One of the intents of this character area is to preserve the established character and pattern of development in the area. While the majority of adjacent and surrounding dwellings are not duplexes or multi-family, there are a number of multi-family zone districts and dwellings in the surrounding area. The Dozier Street neighborhood would not be compromised by the introduction of a single duplex.

(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an “entering wedge” and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.

The proposed rezoning would create an island of R-5 zoning. However, the adjacent R-7 zone district and nearby apartment development indicate a multi-family character would not disrupt the integrity of the residential neighborhood. Therefore, this R-5 rezoning would not raise concern regarding spot zoning or an entering wedge of dissimilar development.

(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.

N/A

CONCLUSION:

The staff can provide a recommendation to approve the R-5 rezoning of the subject property based on the following factors:

1. The requested rezoning would not change the character of the area based on the size of the subject property and established multi-family zoning and development in the area along Dozier Street.
2. The size of the subject property and limitations of the R-5 zone district should mitigate the impact of any major development.
3. The R-5 zone district would not conflict with the intent of the Suburban character area shown on the Future Development Map in the Joint Comprehensive Plan based on the existing development pattern of this neighborhood.

12-217-07-006

FOR OFFICE USE ONLY:
DATE RECEIVED: 4/10/2026

ACTION BY THE GOVERNING AUTHORITY:
APPROVED: _____ DISAPPROVED: _____

APPLICATION FOR AMENDMENT OF THE
UNIFIED ZONING ORDINANCE/MAP

Dalton: X
Varnell: _____
Whitfield Co: _____

Fee: \$200
Make check payable to: DALTON-WHITFIELD ZONING

Application is hereby made for amendment of the Unified Zoning Ordinance/Map, and if granted, the applicant agrees to conform to all laws, ordinances and resolutions regulating same.

Name of Applicant: John S. Suttles Telephone: 706-218-6337
Mailing Address: 239 Central Way, Chatsworth, GA 30705
Email: John.Suttles.JS@gmail.com
Address of Property to be Rezoned: 0 Dozier Street

Amendment to: Zoning Map X Text Section _____

If an amendment to the Zoning Text, include on separate sheets the proposed amendment.

If an amendment to the Zoning Map, indicate the following:

Size of Property: .25 acres; _____ square feet

Existing Zone Classification: R3

Proposed Zone Classification: R5

Present Use of Property: Vacant lot

Proposed Use of Property: Duplex

If multi-family, total number of units: _____
Average size of unit (optional): _____ square feet

Preliminary Site plan is required for Special Use and zoning districts of R-6, R-7, MU, and PUD

Include on separate sheets a legal description of the property and a map of the property showing:

- a) Actual dimensions of property
- b) Location and type of existing structures
- c) Zone and land use of surrounding property

I hereby certify that the above information is true and correct.

Signed: John S. Suttles Date: 4-10-26

VERIFICATION

The undersigned is the/an owner of an interest in the lands described in the attached Application for Amendment of the Unified Zoning Ordinance/Map and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

(describe parcel or parcels of interest and percentage of interest)

Amin Ali - 100 percent

I appoint John Suttles
my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Owner

[Signature]

Sworn to and subscribed
before me, this 10th day
of April, 2024

[Signature]
Notary Public

(SEAL)



1
DISCLOSURE REPORT OF PROPERTY/FINANCIAL INTEREST
2
BY APPLICANT

(Required by Title 36, Chapter 67A, O.C.G.A.)

Date of Rezoning Application: 4-10-26

Does any member of the Planning Commission or applicable governing authority have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

(yes or no) No

If so, describe the nature and extent of such interest:

Does any member of the Planning Commission or applicable governing authority have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten (10) percent or more) in a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

(yes or no) No

If so, describe the nature and extent of such interest:

1
If the answer to any of the above is "Yes," then the member of the Planning Commission or applicable governing authority must immediately disclose the nature and extent of such interest, in writing, to the applicable governing authority Board or Council. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

2
Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Does any member of the Planning Commission or applicable governing authority have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

(yes or no) No

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 10th day of April, 26.

John S. Suttles
Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 67A shall be guilty of a misdemeanor.]

**DISCLOSURE REPORT OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT***
(Required by Title 36, Chapter 67A, O.C.G.A.)

Date of Rezoning Application: 4-10-26

Has the applicant* made, within two (2) years immediately preceding the filing date of this application, campaign contributions aggregating two hundred fifty dollars (\$250) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250) or more to a member or members of the Planning Commission or applicable governing authority who will consider this application?

(Yes or No)

If so, the applicant and the attorney or other person representing the applicant must file a disclosure report with the appropriate governing authority Board or Council within ten (10) days after this application is first filed. The following information will be considered as the required disclosure:

1) List the name and official position of the governing authority member or Planning Commission member; 2) the dollar amount and date of each applicable campaign contribution; and 3) an enumeration and description of each gift having a value of \$250 or more.

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 10th day of April, 26.

John S. Suttles
Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 76A shall be guilty of a misdemeanor.]

* Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

✓ Return Recorded Document to:

Terry L. Miller
Mitchell & Mitchell, P. C.
P. O. Box 668
Dalton, GA 30722-068

Deed Doc: QCD
Recorded 05/08/2024 11:42AM
Georgia Transfer Tax Paid : \$45.00
BABS BAILEY
Clerk Superior Court, WHITFIELD County, Ga.
Bk 07048 Pg 0286-0287

Plu1001158

**QUITCLAIM DEED
(DEED PREP ONLY TITLE NOT EXAMINED)**

**STATE OF GEORGIA
COUNTY OF WHITFIELD**

This indenture made this 19th day of April, 2024 between **JOHN SUTTLES**, as party of the first part, hereinafter called "Grantor," and **AMIN ALI**, as party of the second part, hereinafter called "Grantee" (the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the context requires or permits and to include the singular or plural as the context requires).

WITNESSETH that: Grantor, for and in consideration of the sum of **ONE AND 00/100'S (\$1.00) Dollar** and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and does by these presents, grant, bargain, sell, remise, release and forever **QUITCLAIM** to Grantee all right, title, interest, claim, or demand which Grantor has or may have in and to:

A tract or parcel of land lying and being in Land Lot 217 of the 12th District and 3rd Section of Whitfield County, Georgia and being more particularly described as follows:

To find the **POINT OF BEGINNING** proceed from the intersection of the west right of way of Fernwood Avenue with the north right of way of Doris Street (a 40 foot right of way) North 88 degrees 09 minutes 07 seconds East a distance of 133.65 to a point at a fence corner which is the **POINT OF BEGINNING**; thence south 00 degrees 05 minutes 45 seconds east a distance of 89.17 feet to a point where an iron pipe is found; thence North 89 degrees 37 minutes 11 seconds west a distance of 40.16 feet to a point where an open top pipe is located; thence South 02 degrees 47 minutes 31 seconds East a distance of 60.90 feet to a point; thence South 89 degrees 17 minutes 50 seconds west a distance of 51.56 feet where a rebar is found; thence north 01 degree 57 minutes 03 seconds east a distance of 151.83 feet to a point on the southerly right of way of Dozier Street (a 40 foot right of way); and thence south 88 degrees 09 minutes 07 seconds east along the southerly right of

way of Dozier Street (a 40 foot right of way) a total distance of 83.46 feet to a point which is the POINT OF BEGINNING.

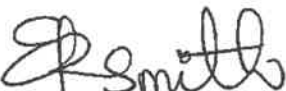
Said tract or parcel of land being shown as Tract 3, a 0.245 acre tract (Parcel No. 12-217-07-006), on that Minor Subdivision Survey for John Suttles dated October 4, 2022 prepared by David A. Glass, GRLS No. 2822, recorded in Plat Book F, Page 831 of the Whitfield County, Georgia Deed Records.

The purpose of this Quitclaim Deed is to convey any and all of Grantor's interest in said real estate which they have.

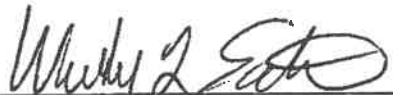
TO HAVE AND TO HOLD the said described premises unto Grantee so that neither Grantor nor any other persons claiming under Grantor shall at any time, claim or demand any right, title, or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals to this instrument on the day and year first above written.

Signed, sealed and delivered in the presence of:


Witness


John Suttles


Notary Public
October 12, 2025



THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

[illegible]

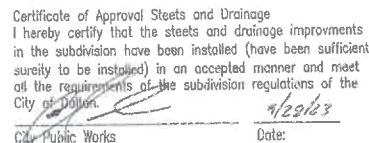
SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (A) OF O.C.G.A. SECTION 19-1-47, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS AND THE RECORDING AS AUTHORIZED BY APPLICABLE CIRCULARS, COMMISSION ORDERS, OR STATUTORY INSTRUMENT. SUCH APPROVALS OR AUTHORIZATIONS SHOULD BE CONFINED WITHIN THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PERSON(S) AS TO THE EXTENDED USE OF ANY PORTION THEREOF BY THE UNDERSIGNED LAND SURVEYOR. CERTAIN THAT THIS PLAT COMPLETES WITH THE ANNUAL TECHNICAL EXAMINATION FOR EVIDENCE SUBMITTED TO GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 19-1-57.

DAVID A. GLASS, S.A. REG. LAND SURVEYOR NO. 2822
(SIGNED IN 2 CERTIFIED DESIGN PROFESSIONAL, N.A.A.S.P.
MEMBER NATIONAL GEODETIC SURVEYING SOCIETY OF GEORGIA,
SURVEYING AND MAPPING SOCIETY OF GEORGIA.



• DAVID A. GLASS, GEORGIA REGISTERED LAND SURVEYOR NUMBER 2822
DATE/ENTRY/2012



Certificate of Approval for Public Waste Water System
I hereby certify that the waste water system serving the public roads on this final plat has been installed (or sufficient surety has been provided to install) in accordance with the requirements of Dalton Utilities.
Dalton Utilities: Mitchell J. Lee Date: 9/25/23

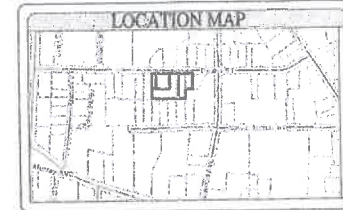
Final Accuracy and Design Certificate:
It is hereby certified that this plot is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type, and material are correctly shown; and that all requirements of the City of Dallas Subdivision Regulations have been fully complied with, and approval hereof does not relieve me of any liability associated with inaccuracies or improvements shown.

By: [Signature] Date 10-04-22

Certificate of Approval for Recording [Minor Subdivisions]
I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations of the City of Dalton, Georgia, and that it has been approved by the Dalton-Whitfield Planning Commission for recording in the Office of the Clerk of the Superior Court of Whitfield County, Georgia.

Secretary, Dalton-Whitfield County Planning Commission Date 10/3/2023

DOZIER STREET 40' R/W



Certificate of Approval for Public Water System
I hereby certify that the water system serving the public roads on
this final plat has been installed (or sufficient surety has been
provided to install) in accordance with the requirements of Dalton
Utilities.
Dalton Utilities: Madison J. [Signature] Date: 9/28/23

PROPERTY INFO:
PARC. #12-217-07-044 (0.051 AC.)
AND A REDIVISION OF PARCEL NUMBERS
12-217-07-008
12-217-07-007
12-217-07-005

SURVEY CREW	BNG, CK
COMPUTED BY	BNG
DRAWN BY	BNG
CHECKED BY	DAO

REVISIONS:

DATE: 9-3-23

DESCRIPTION:	REVISED LOT LINES
--------------	-------------------

AS PER THE (F.I.R.M.) FLOOD INSURANCE
RATE MAP NUMBER 13313C0139D,
EFFECTIVE DATE 09/19/2007 THIS
PROPERTY IS NOT IN AN AREA HAVING
SPECIAL FLOOD HAZARD.

MINOR SUBDIVISION SURVEY
PREPARED FOR
JOHN SUTTLES
BEING IN THE CITY OF DALTON
LOCATED IN LAND LOT NUMBER 217,
12TH DISTRICT, 3RD. SECTION
WHITFIELD COUNTY, GEORGIA.

Glass Land Surveying, LLC.

Professional Surveying Services
P.O. BOX 873 CALHOUN, GA 39703
706.629.2260

PROJECT NUMBER 22330
DATE OF PLAT:
10/04/2022
DATE OF FIELD WORK:
09/05/2022

SHEET 1

Suttles Rezoning Request

R-3, Medium Density Single Family Residential

to

R-5, Rural Residential

City of Dalton Jurisdiction



ZONING

-  Medium Density Single Family Residential (R-3)
-  High Density Residential (R-7)
-  General Commercial (C-2)
-  Heavy Manufacturing (M-2)

FEET
100





Suttles Rezoning Request R-3, Medium Density Single Family Residential to R-5, Rural Residential City of Dalton Jurisdiction

FEET
100



**Suttles Rezoning Request
R-3, Medium Density Single Family Residential
to
R-5, Rural Residential
City of Dalton Jurisdiction**



**FEET
75**



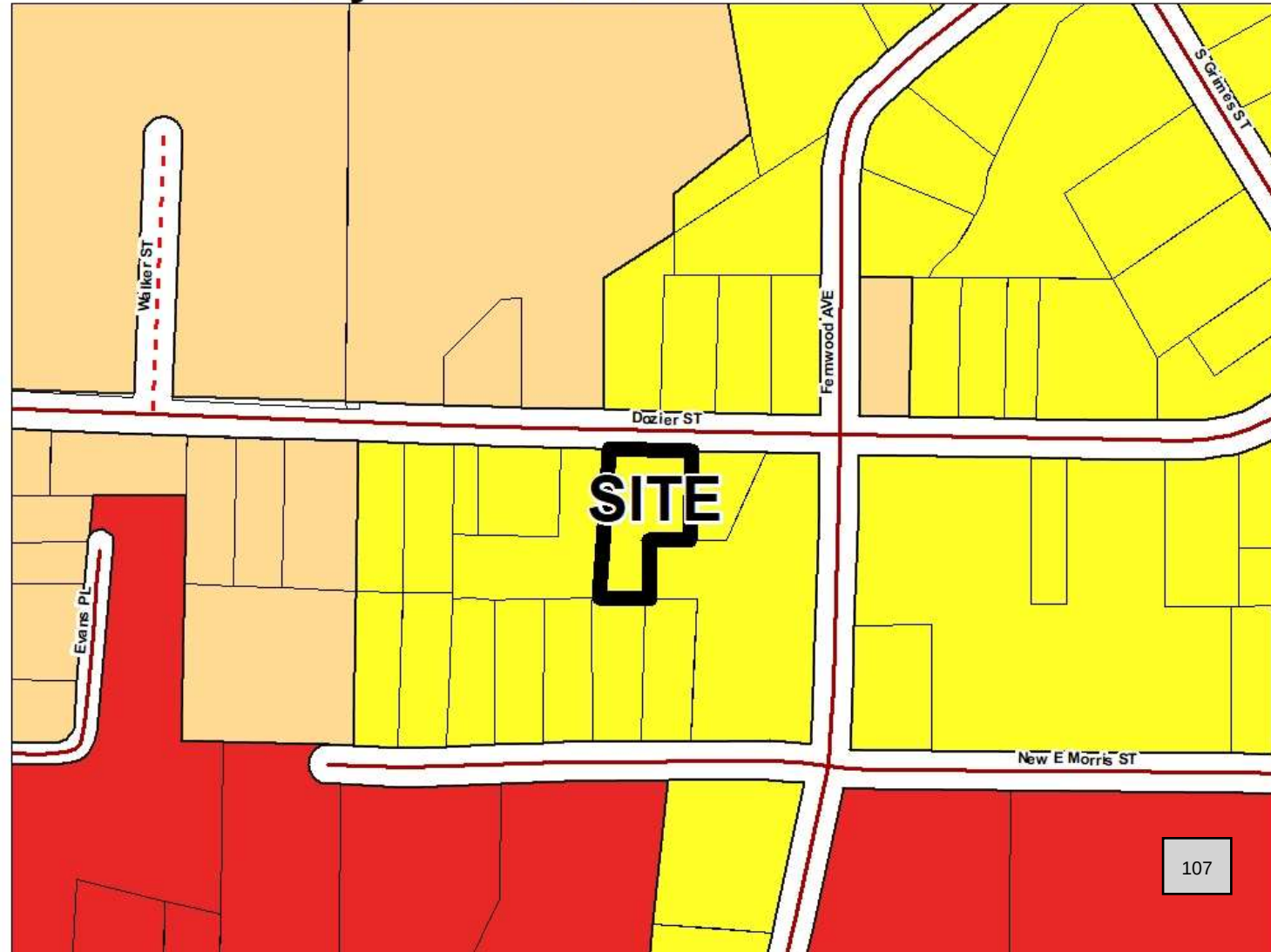
Suttles Rezoning Request R-3, Medium Density Single Family Residential to R-5, Rural Residential City of Dalton Jurisdiction



FUTURE DEVELOPMENT MAP

-  Commercial Corridor
-  Suburban Neighborhood
-  Town Neighborhood Revitalization

FEET
100





CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

The request of Debo’s Diner Investments, LLC to rezone from General Commercial (C-2) Cond to General Commercial (C-2) Cond conforming to Dalton Gateway Corridor Overlay District, a tract of land totaling 3.42 acres located at 525 and 527 S. Tibbs Road, Dalton, Georgia. Parcels (12-260-16-000 and 12-260-03-000)

DEPARTMENT

Planning and Zoning

REQUESTED BY

Jake Bearden

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Staff recommend approval and Planning Commission unanimously recommended approval with no public opposition.

PHONE
706-278-9500

WEBSITE
www.daltonga.gov

ADDRESS
300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

ORDINANCE NO. 26-10

To rezone certain property of Debo's Diners Investments, LLC from a General Commercial (C-2) Conditional Classification to a General Commercial (C-2) Conditional Classification removing only certain conditions stated on Ordinance 08-11; to provide for an effective date; to provide for the repeal of conflicting ordinances; to provide for severability; and for other purposes.

WHEREAS, Debo's Diners Investments, LLC, has petitioned for rezoning of certain real Property it owns from C-2 conditional classification to C-2 conditional classification with the removal of the following condition stated in Ordinance 08-11 requiring that the Property: "shall include, contemporaneously with the development of the property, the relocation of the property's access to Tibbs Road to a location directly across from the second western right-of-way curb cut on Tibbs Road north of Walnut Avenue and the permanent closure of the original access";

WHEREAS, the application for rezoning appears to be in proper form and made by all owners of the Property sought to be rezoned;

WHEREAS, the rezoning is in conformity with the City of Dalton Joint Comprehensive Plan; and

WHEREAS, all other procedures as required by Georgia law have been followed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Dalton and by authority of the same, **IT IS HEREBY ORDAINED**, as follows:

Section 1.

The real property located within the city limits, which is identified as Tax Parcel Nos. 12-260-16-000 and 12-260-03-000 (collectively the "Property"), is hereby rezoned from C-2 conditional classification to C-2 conditional classification, with the condition set forth in item (b)(iv) in Section 4 of Ordinance 08-11, which stated the Property "shall include, contemporaneously with the development of the property, the relocation of the property's access to Tibbs Road to a location directly across from the second western right-of-way curb cut on Tibbs Road north of Walnut Avenue and the permanent closure of the original access," being hereby repealed and deleted.

Section 2.

All other conditions for zoning of the Property as C-2 stated in Ordinance 08-11 remain in full force and effect such that the Property:

- (1) shall not be developed for use or used as a convenience store;

- (2) shall not be developed for use or used as a retail gas or service station;
- (3) shall not be developed for use or used as a quick service restaurant or a business that offers a drive through service; and
- (4) shall not have any signage that exceeds in height the lesser of thirty-five (35) feet and the maximum sign height allowed under the city's zoning and sign ordinances.

Section 3.

This Ordinance shall be effective as of the date of approval of this Ordinance.

Section 4.

The City Clerk or designated City staff members shall ensure that the Dalton-Whitfield Zoning Administrator is provided a copy of this ordinance and that this rezoning is recorded on the Official Zoning Map of Whitfield County, Georgia.

Section 5.

All ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Section 6.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this _____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, seconded by Councilmember _____, and upon the question the vote is _____ ayes, _____ nays, and the Ordinance is adopted.

ATTEST:

CITY CLERK

MAYOR/MAYOR PRO TEMPORE

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

CITY CLERK, CITY OF DALTON

**DALTON-VARNELL-WHITFIELD COUNTY PLANNING COMMISSION
503 WEST WAUGH STREET
DALTON, GA 30720**

MEMORANDUM

TO: City of Dalton Mayor and Council
Andrew Parker
Jonathan Bledsoe
Jean Price-Garland

FROM: Jim Lidderdale
Chairman

DATE: May 27, 2026

A. To hear the request of Debo's Diner Investments, LLC to rezone from General Commercial (C-2) Cond to General Commercial (C-2) Cond conforming to Dalton Gateway Corridor Overlay District, a tract of land totaling 3.42 acres located at 525 and 527 S. Tibbs Road, Dalton, Georgia. Parcels (12-260-16-000 and 12-260-03-000) (City)

The most recent meeting of the Dalton-Varnell-Whitfield County Planning Commission was held on May 26, 2026, at 6:00 p.m. in the Whitfield County Courthouse meeting room. A portion of the agenda included a public hearing concerning the above matter. A quorum of six members of the Planning Commission was present. All legal requirements for advertising and posting the public hearing were met. The petition was represented by Jake Bearden.

Public Hearing Summary:

Ethan Calhoun summarized the staff analysis, which recommended approval of the requested C-2 conditional rezoning of the subject property by summarizing the staff analysis. There were no further questions for Calhoun.

Jake Bearden represented the petition by noting the original condition from the subject property's annexation and zoning in 2008. Bearden noted the significant redevelopment of the former K-Mart property across Tibbs Road that prompted the need to alter the condition limiting access to the subject property. Bearden stated that the plans for the subject property will include one new commercial building as well as connecting the parking lot of Ateak and Shake in order to limit that entrance to right-in and right-out with an additional access on the northern portion of the subject property.

With no other comments heard for or against, Chairman Lidderdale closed the public hearing at approximately 6:17 PM.

Recommendation:

Chairman Lidderdale sought a motion for the C-2 Conditional rezoning. Octavio Perez made a motion to approve the C-2 Conditional rezoning. Steve Laird seconded the motion. There was a unanimous recommendation to approve the C-2 Conditional rezoning (5-0).

**STAFF ANALYSIS
REZONING REQUEST
*Unified Zoning Ordinance***

ZONING CASE: Debo's Diners is seeking to amend rezoning conditions on two adjacent tracts of land zoned General Commercial- Conditional (C-2 Cond.) (parcel 12-260-16-000 and 12-260-03-000), containing a total of 3.42 acres located at 525 and 527 Tibbs Road. The subject property is undeveloped. The petitioner's request was made in order to amend one condition regarding the subject property's driveway access.

The surrounding uses and zoning are as follows: The subject property is flanked along its north and east by an undeveloped tracts of land zoned R-2 that is owned by the City of Dalton. To the south, the subject property is adjacent to a tract of land zoned C-2 that contains a restaurant. To the west is a tract of land zoned C-2 that contains a commercial building across Tibbs Road.

The subject property lies in the convergence of the C-2 and R-2 zone districts.

The subject property is partly within the jurisdiction of the City of Dalton Mayor and Council.

CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS

(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.

The subject property is on the boundary of the commercial and residential zone districts. The proposed zoning action would not alter the C-2 zoning of the subject property. The subject property was annexed into the City of Dalton and zoned C-2 with the following conditions: 1. The subject property shall not be developed for use or used as a convenience store; 2. The subject property shall not be developed or used as a retail gas or service station; 3. Shall not be developed for use or used as a quick service restaurant or business that offers drive through service; 4. Shall include contemporaneously with the development of the property, the relocation of the property's access to Tibbs Road to a location directly across from the second western right-of-way curb cut on Tibbs Road north of Walnut Avenue and the permanent closure of the original access; 5. Shall not have any signage that exceeds in height the lesser of thirty-five (35) feet and the maximum sign height allowed under the city's zoning and sign ordinances. The petitioner's request to remove condition 4 stems from a recommendation from the City of Dalton Public Works Department due to existing congestion associated with the existing condition. City public works staff recommend a driveway access further north than the current condition specifies.

(B) Whether the proposed C-2 Conditional amendment would adversely affect the economic value or the uses of adjacent and nearby properties.

The proposed rezoning condition alteration will have no effect on any of the adjacent and nearby properties as the underlying zoning and all other conditions will remain in effect.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.

The subject property's potential for development will be unchanged in terms of land use if the proposed condition amendment is approved. The proposed condition amendment will simply allow the discretion of driveway placement to be determined by the City of Dalton Public Works Department.

(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner under the existing zoning.

N/A

(E) Whether the proposed C-2 Conditional amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.

The proposed rezoning condition amendment will allow for the City of Dalton Public Works Department to determine the location of the subject property's driveway access in order to improve traffic safety as compared to the existing condition.

(F) Whether the property sought to be rezoned (or annexed) is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The subject property is within the Regional Activity Center character area of the Joint Comprehensive Plan. This character area is intended to promote commercial and high-density residential land use. The proposed C-2 Conditional rezoning will have no impact on the type of development permitted on the subject property. The existing C-2 zone district is a good fit for the subject property based on the Regional Activity Center,

(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an "entering wedge" and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.

The subject property will remain zoned C-2 Conditional, if approved.

(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.

N/A

CONCLUSION:

The staff can provide a recommendation to approve the C-2 Conditional rezoning of the subject property based on the following factors:

1. The requested rezoning condition amendment will not change the character of the area based on the existing zoning and four additional conditions that will remain in effect on the subject property.
2. The subject property is within the Regional Activity Center character area in the Joint Comprehensive Plan. This rezoning will remain a good fit for the subject property based on the Future Development Map.

Motion Recommendation: Remove condition iv., *Shall include contemporaneously with the development of the property, the relocation of the property's access to Tibbs Road to a location directly across from the second western right-of-way curb cut on Tibbs Road north of Walnut Avenue and the permanent closure of the original access,* from the subject property's zoning. Replace condition iv. with the following condition, "Driveway access shall be determined by the City of Dalton Public Works Department."

12-260-16-000 + 12-260-03-000

FOR OFFICE USE ONLY:
DATE RECEIVED: 4/10/2026

ACTION BY THE GOVERNING AUTHORITY:
APPROVED: _____ DISAPPROVED: _____

**APPLICATION FOR AMENDMENT OF THE
UNIFIED ZONING ORDINANCE/MAP**

Dalton: ☒
Varnell: ☐
Whitfield Co: ☐

Fee: \$200
Make check payable to: DALTON-WHITFIELD ZONING

Application is hereby made for amendment of the Unified Zoning Ordinance/Map, and if granted, the applicant agrees to conform to all laws, ordinances and resolutions regulating same.

Name of Applicant: DEBO'S DINERS INVESTMENTS, LLC Telephone: 423.400.2777

Mailing Address: P.O. BOX 489, SIGNAL MOUNTAIN, TN 37377

Email: debbie.sns@debosdiners.com

Address of Property to be Rezoned: 525 & 527 S TIBBS ROAD

Amendment to: Zoning Map ☒ Text Section ☐

If an amendment to the Zoning Text, include on separate sheets the proposed amendment.

If an amendment to the Zoning Map, indicate the following:

Size of Property: 3.42 acres; 148,815.46 square feet

Existing Zone Classification: GENERAL COMMERCIAL (C-2) COND.

Proposed Zone Classification: GENERAL COMMERCIAL (C-2) COND.

Present Use of Property: VACANT

Proposed Use of Property: COMMERCIAL OFFICE SPACE CONFORMING TO DALTON GATEWAY CORRIDOR OVERLAY DISTRICT REQUIREMENTS

If multi-family, total number of units: _____
Average size of unit (optional): _____ square feet

Preliminary Site plan is required for Special Use and zoning districts of R-6, R-7, MU, and PUD

Include on separate sheets a legal description of the property and a map of the property showing:

- a) Actual dimensions of property
- b) Location and type of existing structures
- c) Zone and land use of surrounding property

I hereby certify that the above information is true and correct.

Signed:  Date: 4/7/2026

This rezoning request is submitted for the purpose of removing the zoning condition identified in Section 4, Item IV, of Ordinance 08-11, as adopted by the City of Dalton, Georgia.

Approval of this request would allow for increased sight distance and improved vehicular and pedestrian safety associated with access to the subject property.

VERIFICATION

The undersigned is the/an owner of an interest in the lands described in the attached Application for Amendment of the Unified Zoning Ordinance/Map and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

(describe parcel or parcels of interest and percentage of interest)

DEBO'S DINERS INVESTMENTS, LLC OWNS ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN ORIGINAL LAND LOT 260, 12TH DISTRICT, AND 3RD SECTION

THESE TRACTS ARE BETTER IDENTIFIED AS PARCEL #s: 12-260-16-000 AND 12-260-03-000.

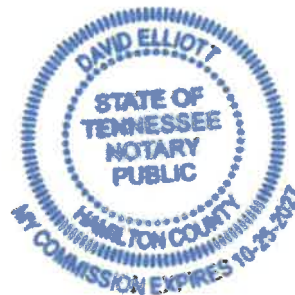
I appoint JACOB BEARDEN
my CONSULTANT in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Owner

Sworn to and subscribed
before me, this 7 day
of April, 2026

[Signature]
Notary Public

(SEAL)



1
DISCLOSURE REPORT OF PROPERTY/FINANCIAL INTEREST
2
BY APPLICANT

(Required by Title 36, Chapter 67A, O.C.G.A.)

Date of Rezoning Application: 4/10/2026

Does any member of the Planning Commission or applicable governing authority have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

Does any member of the Planning Commission or applicable governing authority have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten (10) percent or more) in a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

1
If the answer to any of the above is "Yes," then the member of the Planning Commission or applicable governing authority must immediately disclose the nature and extent of such interest, in writing, to the applicable governing authority Board or Council. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

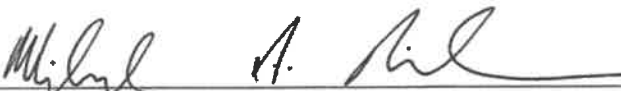
2
Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Does any member of the Planning Commission or applicable governing authority have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

(yes or no) NO

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 7 day of April, 2026.


Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 67A shall be guilty of a misdemeanor.]

**DISCLOSURE REPORT OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT*
(Required by Title 36, Chapter 67A, O.C.G.A.)**

Date of Rezoning Application: 4/10/2026

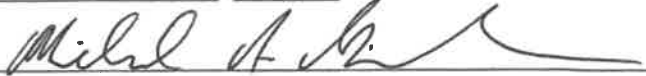
Has the applicant* made, within two (2) years immediately preceding the filing date of this application, campaign contributions aggregating two hundred fifty dollars (\$250) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250) or more to a member or members of the Planning Commission or applicable governing authority who will consider this application?

(Yes or No) NO

If so, the applicant and the attorney or other person representing the applicant must file a disclosure report with the appropriate governing authority Board or Council within ten (10) days after this application is first filed. The following information will be considered as the required disclosure:

1) List the name and official position of the governing authority member or Planning Commission member; 2) the dollar amount and date of each applicable campaign contribution; and 3) an enumeration and description of each gift having a value of \$250 or more.

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 7 day of April, 2026.


Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 76A shall be guilty of a misdemeanor.]

* Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

All that tract or parcel of land lying and being in Land Lot 260 of the 12th District and 3rd Section of Whitfield County, Georgia and designated as Lot 1 per plat of survey prepared by Paul Christopher Farris of Hopkins Surveying Group, Georgia Registered Land Surveyor No. 2957, dated October 6, 2022, and recorded in Plat Book F, Page 930, in the office of the Clerk of the Whitfield County Superior Court. Said Lot contains 3.42 acres, more or less.

DATE: 4/11/2024
TIME: 4:16 PM
PLAT BOOK: 00000F
PAGE: 00930
RECORDING FEES: \$10.00
PARTICIPANT ID: 4875650624
CLERK: Babs Bailey
Whitfield County, GA

eFiled & eRecorded
DATE: 4/11/2024
TIME: 4:16 PM
PLAT BOOK: 00000F
PAGE: 00930
RECORDING FEES: \$10.00
PARTICIPANT ID: 4875650624
CLERK: Babs Bailey
Whitfield County, GA



SURVEYOR'S STATEMENT
THIS SURVEY MEETS OR EXCEEDS "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RATIO OF PRECISION OF THE UNADJUSTED SURVEY GREATER THAN 7:10,000 AND AN ANGULAR ERROR OF LESS THAN 0.5 SECONDS PER ANGLE POINT, USING A TOPCON EDM INSTRUMENT.

DWG. NO: 2022-96-3

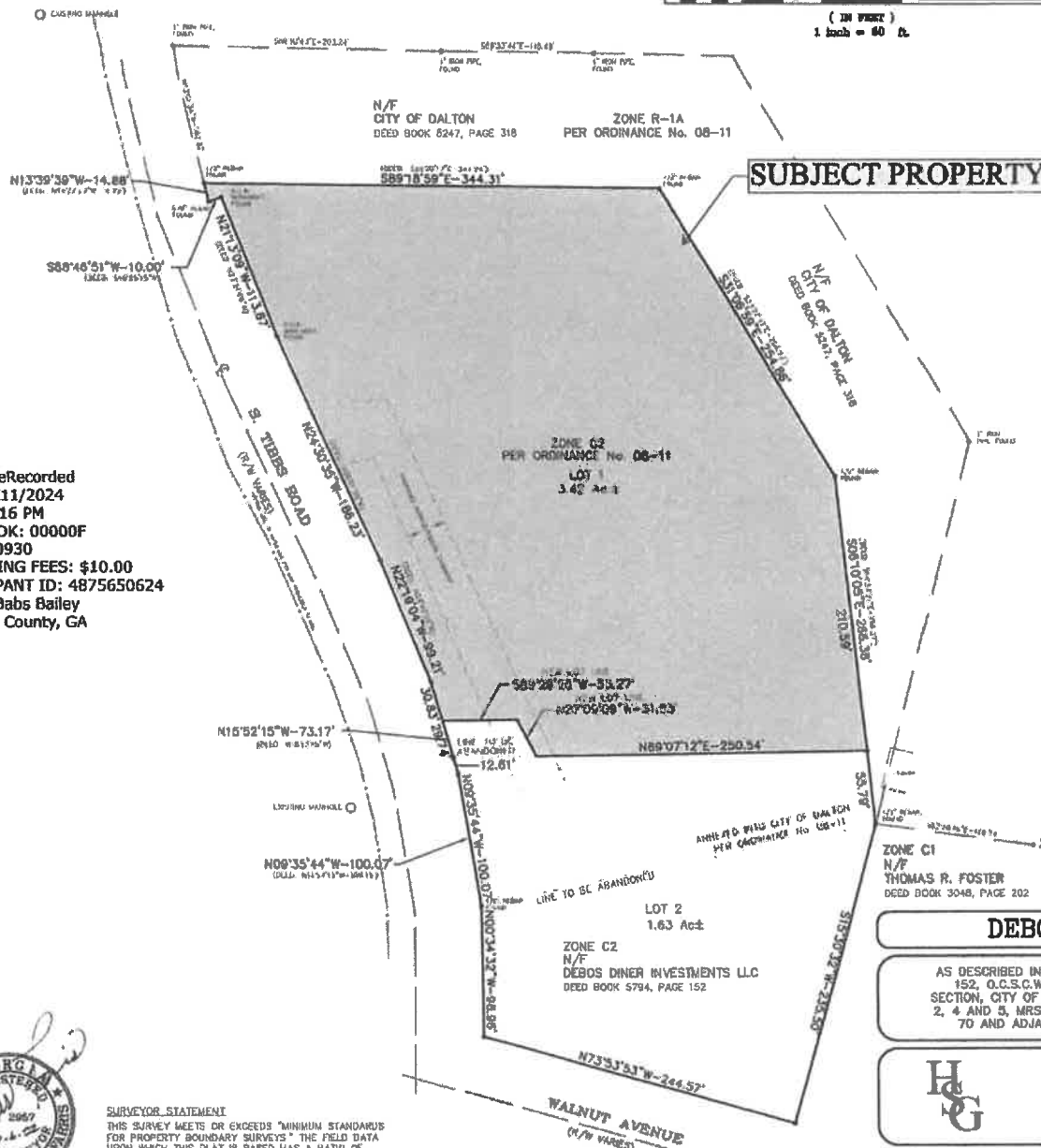
GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.



LOCATION MAP
N.T.S.



NOTES:

- 1) PRESENT ZONING C-2 "GENERAL COMMERCIAL WITH CONDITIONS" SETBACKS: FRONT 25'; SIDE 15'; AND REAR 20' MAX. BUILDING HEIGHT. SEE CONDITIONS FOR ADDITIONAL INFORMATION AND INTERPRETATION. PLEASE CONTACT THE CITY OF DALTON.
- 2) AREA SUBDIVIDED BY THIS PLAT IS 5.05 ACRES.
- 3) TAX MAP NUMBER (2-298-03-000, 18-000, & 12-000).
- 4) THIS PLAT SUBDIVIDES THE PROPERTY DESCRIBED IN DEED BOOK 5792, PAGE 112 & DEED BOOK 5794, PAGE 152.
- 5) THIS SUBDIVISION HAS BEEN DEVELOPED ACCORDING TO THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON.
- 6) THE PURPOSE OF THIS PLAT IS TO REVISE INTERIOR LOT LINES.
- 7) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
- 8) WATER AND GAS BY DALTON UTILITIES.
- 9) STREET ADDRESSES 525, 527, 529 TIDES ROAD & 1250 W WALNUT AVE.
- 10) ALL CORNERS ARE 1/2" REBAR W/CAP UNLESS NOTED OTHERWISE.
- 11) DONE WITHOUT THE BENEFIT OF TITLE COMMITMENT.
- 12) BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS LOCATED IN ZONE "X" AND IS NOT IN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13313C0136D, DATED SEPTEMBER 19, 2007.

ZONE C1
N/F
THOMAS R. FOSTER
DEED BOOK 3048, PAGE 202

DEBO'S DINER SUBDIVISION

AS DESCRIBED IN DEED BOOK 5792, PAGE 112, AND DEED BOOK 5794, PAGE 152, O.C.S.C.W.C., IN THE ORIGINAL LAND LOT 260, 12TH DISTRICT, 3RD SECTION, CITY OF DALTON, WHITFIELD COUNTY, GEORGIA, AND BEING TRACTS 1, 2, 4 AND 5, MRS. HOMER J. LONGLEY BY E.M. SMITH, IN PLAT BOOK 7, PAGE 70 AND ADJACENT TRACTS 2 AND 3 PER DEED BOOK 5181, PAGE 53.



HOPKINS SURVEYING GROUP

175 Hamm Road - P.O. Box 4368
Chattanooga, Tennessee 37405
(423) 287-3751 Office

Copyright - By Hopkins Surveying Group

DRAWN BY: ZA	SHEET NO: 1 OF 1	DWG. NO: 2022-96-3
SCALE: 1"=60'	DATE: 10/14/2022	REF. DWG: 0019-315-3
PROPERTY ADDRESS: 525, 527 TIDES ROAD & 1250 W WALNUT AVENUE	TAX MAP NO: 12-242-03, 16, 17	

ORDINANCE 08-11

To Annex Property of RFC Properties, LLC Into The City of Dalton, Georgia, Pursuant To Chapter 36, Title 36 Of The Official Code Of Georgia Annotated; To Rezone A Portion Of Said Property To A C-2 Classification; To Provide An Effective Date; And For Other Purposes

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of the same, **IT IS HEREBY ORDAINED** as follows:

Section 1:

The area contiguous to the City of Dalton as described in Exhibit "A" (the "Property"), which is attached to and incorporated as a part of this ordinance, is hereby annexed into the City of Dalton, Georgia and is made a part of said city.

Section 2.

This Ordinance shall be effective on the 1st day of September, 2008.

Section 3.

Subject to the conditions set forth in Section 4 of this ordinance, that portion of the Property described in Exhibit "C", attached hereto and made a part hereof, is rezoned to a C-2 classification. That portion of the Property described in Exhibit "B" is rezoned to a R-1A classification.

Section 4.

The C-2 zoning of that portion of the Property described in Exhibit "C" is conditioned upon the following:

- (a) The conveyance to the city of that certain parcel described in the quitclaim deed attached to this ordinance as Exhibit "B" and made a part hereof;
- (b) The property described in Exhibit "C":
 - (i) shall not be developed for use or used as a convenience store;
 - (ii) shall not be developed for use or used as a retail gas or service station;

- (iii) shall not be developed for use or used as a quick service restaurant or a business that offers a drive through service;
- (iv) shall include, contemporaneously with the development of the property, the relocation of the property's access to Tibbs Road to a location directly across from the second western right-of-way curb cut on Tibbs Road north of Walnut Avenue and the permanent closure of the original access.
- (v) shall not have any signage that exceeds in height the lesser of thirty-five (35) feet and the maximum sign height allowed under the city's zoning and sign ordinances.

Section 5.

The City Clerk of the City of Dalton, Georgia is instructed to send a report that includes certified copies of this Ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to Census maps during the next survey and stating that the survey map will be completed and returned to the Census Bureau, Department of Community Affairs, and to the governing authority of Whitfield County, Georgia, within thirty (30) days after the effective date of the annexation as set forth above in Section 2.

Section 6.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 7.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if

any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this ____ day of _____, 2008.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Alderman _____, second by Alderman _____ and upon the question the vote is ____ ayes, ____ nays and the Ordinance is adopted.

MAYOR

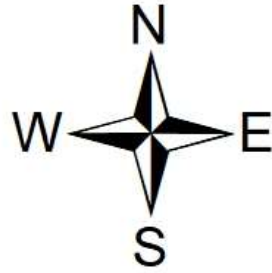
ATTEST:

CITY CLERK

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

**CITY CLERK
CITY OF DALTON**

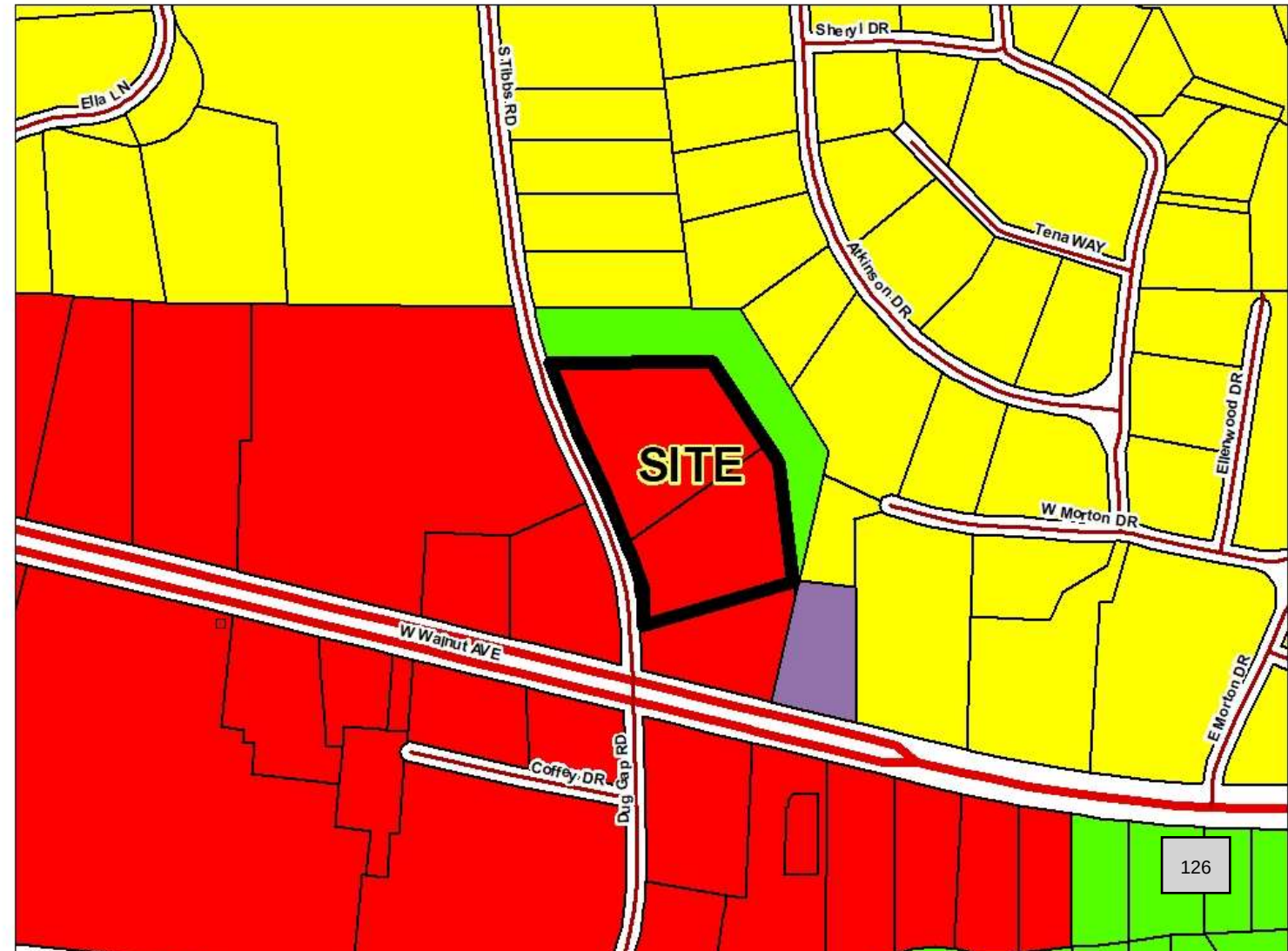
Debo's Diners Investments Rezoning Request To Revise Condition For Tibbs Road Access Zoning to Remain C-2, General Commercial COND City of Dalton Jurisdiction



ZONING

-  Estate Residential (R-1)
-  Low Density Single Family Residential (R-2)
-  Low Density Single Family Residential (R-2) Cond
-  Limited Commercial (C-1A) Cond
-  General Commercial (C-2) Cond
-  General Commercial (C-2)

FEET
300



Debo's Diners Investments Rezoning Request To Revise Condition For Tibbs Road Access Zoning to Remain C-2, General Commercial COND City of Dalton Jurisdiction



**FEET
300**



Debo's Diners Investments Rezoning Request To Revise Condition For Tibbs Road Access Zoning to Remain C-2, General Commercial COND City of Dalton Jurisdiction



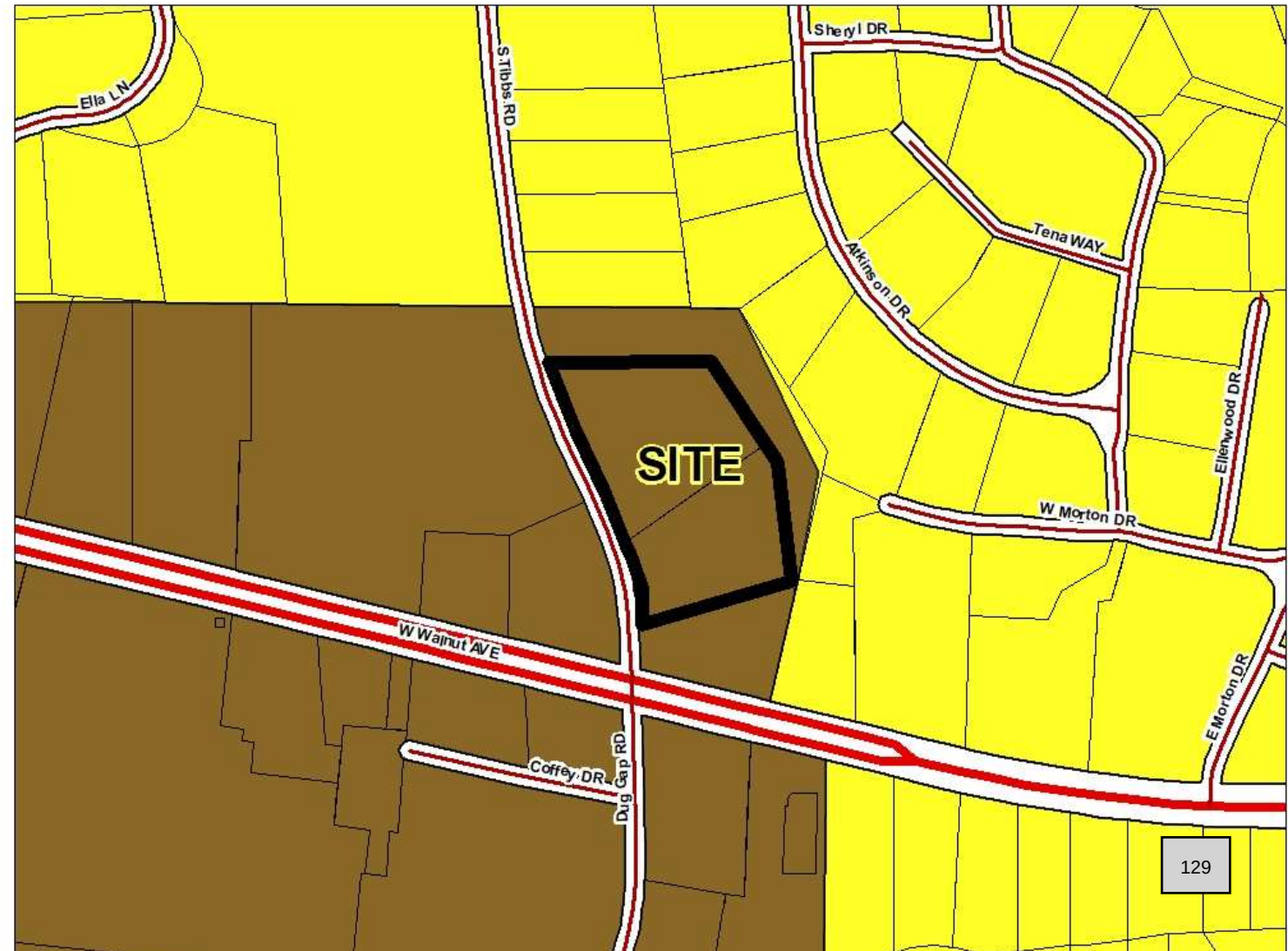
**FEET
200**



Debo's Diners Investments Rezoning Request To Revise Condition For Tibbs Road Access Zoning to Remain C-2, General Commercial COND City of Dalton Jurisdiction



**FEET
300**





CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

The request of Love Funeral Home to rezone from Neighborhood Commercial (C-1) to General Commercial (C-2) a tract of land totaling 3.21 acres located at 1402 N. Thornton Avenue, Dalton, Georgia. Parcel (12-160-10-000)

DEPARTMENT

Planning and Zoning

REQUESTED BY

Lindsey Jenkins

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Staff recommend approval and Planning Commission unanimously recommended approval with no public opposition.

PHONE
706-278-9500

WEBSITE
www.daltonga.gov

ADDRESS
300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

ORDINANCE NO. 26-11

To rezone certain property of Love Funeral Home, Inc. from a Neighborhood Commercial (C-1) Classification to a General Commercial (C-2) Classification; to provide for an effective date; to provide for the repeal of conflicting ordinances; to provide for severability; and for other purposes.

WHEREAS, Love Funeral Home, Inc., by and through its authorized agent, Lindsey Jenkins, has petitioned for rezoning of certain real Property it owns from C-1 classification to C-2 classification;

WHEREAS, the application for rezoning appears to be in proper form and made by all owners of the Property sought to be rezoned;

WHEREAS, the rezoning is in conformity with the City of Dalton Joint Comprehensive Plan; and

WHEREAS, all other procedures as required by Georgia law have been followed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Dalton and by authority of the same, **IT IS HEREBY ORDAINED**, as follows:

Section 1.

The real property located within the city limits, which is identified as Tax Parcel No. 12-160-10-000 (the "Property"), is hereby rezoned from C-1 classification to C-2 classification.

Section 2.

This Ordinance shall be effective as of the date of approval of this Ordinance.

Section 3.

The City Clerk or designated City staff members shall ensure that the Dalton-Whitfield Zoning Administrator is provided a copy of this ordinance and that this rezoning is recorded on the Official Zoning Map of Whitfield County, Georgia.

Section 4.

All ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Section 5.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this _____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, seconded by Councilmember _____, and upon the question the vote is _____ ayes, _____ nays, and the Ordinance is adopted.

ATTEST:

CITY CLERK

MAYOR/MAYOR PRO TEMPORE

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

CITY CLERK, CITY OF DALTON

**DALTON-VARNELL-WHITFIELD COUNTY PLANNING COMMISSION
503 WEST WAUGH STREET
DALTON, GA 30720**

MEMORANDUM

TO: City of Dalton Mayor and Council
Andrew Parker
Jonathan Bledsoe
Jean Price-Garland

FROM: Jim Lidderdale
Chairman

DATE: May 27, 2026

A. To hear the request of Love Funeral Home to rezone from Neighborhood Commercial (C-1) to General Commercial (C-2) a tract of land totaling 3.21 acres located at 1402 N. Thornton Avenue, Dalton, Georgia. Parcel (12-160-10-000) (City)

The most recent meeting of the Dalton-Varnell-Whitfield County Planning Commission was held on May 26, 2026, at 6:00 p.m. in the Whitfield County Courthouse meeting room. A portion of the agenda included a public hearing concerning the above matter. A quorum of six members of the Planning Commission was present. All legal requirements for advertising and posting the public hearing were met. The petition was represented by Lindsey Jenkins.

Public Hearing Summary:

Brad Ramsey recused himself from this agenda item. Ethan Calhoun summarized the staff analysis, which recommended approval of the requested C-2 rezoning of the subject property. There were no further questions for Calhoun.

Lindsey Jenkins represented the petition and stated that the proposed crematorium will be located within the existing building on the subject property.

With no other comments heard for or against, Chairman Lidderdale closed the public hearing at approximately 6:20 PM.

Recommendation:

Chairman Lidderdale sought a motion for the C-2 rezoning. Octavio Perez made a motion to approve the C-2 rezoning. Chris Shiflett seconded the motion. There was a unanimous recommendation to approve the C-2 rezoning (4-0). Brad Ramsey recused himself from the vote.

**STAFF ANALYSIS
REZONING REQUEST
*Unified Zoning Ordinance***

ZONING CASE: Love Funeral Home is seeking to rezone a tract of land from Neighborhood Commercial (C-1) to General Commercial (C-2) (parcel 12-160-10-000), containing a total of 3.21 acres located at 1402 North Thornton Avenue. The subject property contains a funeral home. The petitioner's request was made in order to build a crematory on-site.

The surrounding uses and zoning are as follows: The subject property is flanked along its northern and eastern boundaries by the C-2 zone district on a single tract of undeveloped land. To the south is a tract of land zoned C-1 that contains a church. To the west are four tracts of land across N. Thornton Ave. zoned C-2 that are all part of the hospital campus.

The subject property is partly within the jurisdiction of the City of Dalton Mayor and Council.

CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS

(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.

The subject property has been developed as a funeral home for a number of decades. The majority of adjacent and surrounding property is zoned and developed as C-2, General Commercial. The proposed rezoning would allow for the installation of a crematorium on the subject property in conjunction to the existing funeral home. It is likely that the proposed rezoning, if approved, would go unnoticed by the adjacent and nearby properties.

(B) Whether the proposed C-2 amendment would adversely affect the economic value or the uses of adjacent and nearby properties.

There is no expectation for a negative impact on the values of the adjacent and nearby properties based on the established development and zoning pattern of this area.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.

The subject property is in legal non-conforming status as it is currently zoned. The proposed zoning would bring the subject property into conforming status as well as allow for any expansions or additions, such as the proposed crematorium.

(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner under the existing zoning.

N/A

(E) Whether the proposed C-2 amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.

The surrounding area is largely zoned and developed for general commercial land use with a number of high-intensity development, such as the adjacent hospital. The proposed rezoning would simply allow for the subject property to be in conforming status, which would allow for expansion so long as all other ordinance requirements are met. No notable increases on public utilities or infrastructure are expected to create a burden.

(F) Whether the property sought to be rezoned (or annexed) is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The subject property is within the Medical District character area of the Joint Comprehensive Plan. This character area is intended to promote zoning and development that support or are compatible with the adjacent hospital. While a funeral home is not directly linked to medical uses, a funeral home is a compatible use within the medical district.

(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an “entering wedge” and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.

The proposed rezoning would simply increase the size of the existing C-2 zone district.

(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.

N/A

CONCLUSION:

The staff can provide a recommendation to approve the C-2 rezoning of the subject property based on the following factors:

1. The requested rezoning would not change the character of the area based on the existing zoning and development of the area and long-standing use of the subject property as a funeral home.
2. There is no anticipation that the C-2 rezoning will have a negative impact on the values of adjacent and surrounding properties.
3. The C-2 zone district and funeral home/crematorium is a compatible fit for the Medical District character area shown on the Future Development Map within the Joint Comprehensive Plan.

12-160-10-000

FOR OFFICE USE ONLY:
DATE RECEIVED: 4/1/2026

ACTION BY THE GOVERNING AUTHORITY:
APPROVED: _____ DISAPPROVED: _____

APPLICATION FOR AMENDMENT OF THE
UNIFIED ZONING ORDINANCE/MAP

Dalton: ✓
Varnell: _____
Whitfield Co: _____

Fee: \$200

Make check payable to: DALTON-WHITFIELD ZONING

Application is hereby made for amendment of the Unified Zoning Ordinance/Map, and if granted, the applicant agrees to conform to all laws, ordinances and resolutions regulating same.

Name of Applicant: Love Funeral Home Telephone: 706 279 3313

Mailing Address: 1402 N. Thornton Ave. Dalton, GA 30720

Email: contact@lovefuneralhomega.com

Address of Property to be Rezoned: 1402 N. Thornton Ave. Dalton GA 30720

Amendment to: Zoning Map ✓ Text Section _____

If an amendment to the Zoning Text, include on separate sheets the proposed amendment.

If an amendment to the Zoning Map, indicate the following:

Size of Property: 3.21 acres; _____ square feet

Existing Zone Classification: C-1

Proposed Zone Classification: C-2

Present Use of Property: Funeral Home

Proposed Use of Property: Funeral Home / crematory

If multi-family, total number of units: _____

Average size of unit (optional): _____ square feet

Preliminary Site plan is required for Special Use and zoning districts of R-6, R-7, MU, and PUD

Include on separate sheets a legal description of the property and a map of the property showing:

- ☒ a) Actual dimensions of property
- ☒ b) Location and type of existing structures
- ☒ c) Zone and land use of surrounding property

I hereby certify that the above information is true and correct.

Signed: Lindsay Jenkins

Date: 03-27-2026

VERIFICATION

The undersigned is the/an owner of an interest in the lands described in the attached Application for Amendment of the Unified Zoning Ordinance/Map and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

(describe parcel or parcels of interest and percentage of interest)

Love Funeral Home, Inc. - 100%
LINDSAY JENKINS, PRINCIPAL COO

I appoint _____
my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Owner

Sworn to and subscribed
before me, this _____ day
of _____, _____

Notary Public

(SEAL)

1
DISCLOSURE REPORT OF PROPERTY/FINANCIAL INTEREST
2
BY APPLICANT

(Required by Title 36, Chapter 67A, O.C.G.A.)

Date of Rezoning Application: 03-27-2026

Does any member of the Planning Commission or applicable governing authority have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

Does any member of the Planning Commission or applicable governing authority have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten (10) percent or more) in a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

1

If the answer to any of the above is "Yes," then the member of the Planning Commission or applicable governing authority must immediately disclose the nature and extent of such interest, in writing, to the applicable governing authority Board or Council. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

2

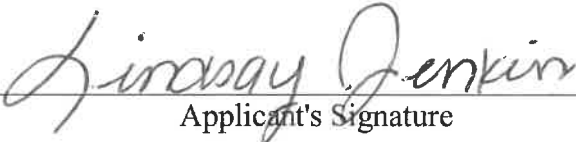
Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Does any member of the Planning Commission or applicable governing authority have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

(yes or no) NO

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 27th day of MARCH, 2026


Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 67A shall be guilty of a misdemeanor.]

**DISCLOSURE REPORT OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT*
(Required by Title 36, Chapter 67A, O.C.G.A.)**

Date of Rezoning Application: 03-27-2021

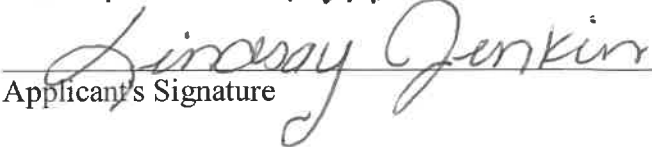
Has the applicant* made, within two (2) years immediately preceding the filing date of this application, campaign contributions aggregating two hundred fifty dollars (\$250) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250) or more to a member or members of the Planning Commission or applicable governing authority who will consider this application?

(Yes or No) NO

If so, the applicant and the attorney or other person representing the applicant must file a disclosure report with the appropriate governing authority Board or Council within ten (10) days after this application is first filed. The following information will be considered as the required disclosure:

1) List the name and official position of the governing authority member or Planning Commission member; 2) the dollar amount and date of each applicable campaign contribution; and 3) an enumeration and description of each gift having a value of \$250 or more.

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 27th day of March, 2021


Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 76A shall be guilty of a misdemeanor.]

* Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

State of Georgia, WHITFIELD County

IN CONSIDERATION of the sum of correction of description contained in prior Warranty Deed recorded in Deed Book 618, page 228, Dollars Clerk's Office, Whitfield County, Georgia

to it paid DALTON LODGE NO. 1638, LOYAL ORDER OF MOOSE, INC.

of the County of _____ and State of _____
do hereby sell and convey unto LOVE FUNERAL HOME, INC.

of the County of _____ and State of _____
its successors
hereby and assigns, a tract or parcel of land which is described as follows:

A certain tract or parcel of land lying and being in Land Lot 183 of the 12th District and 3rd Section of Whitfield County, Georgia, being that identical tract as shown on plat of survey prepared by Peter L. Bakkum, registered surveyor, for Love Funeral Home, Inc., dated November 26, 1979, amended February 4, 1980, being more particularly described as follows:

BEGINNING at the intersection of the north line of said Land Lot 183 with the northeasterly side of the right-of-way of U. S. Highway 41; thence north 88 degrees 26 minutes 30 seconds east, following the north line of said Land Lot 183, 300 feet to an iron pin; thence south 24 degrees 42 minutes 30 seconds east 20.09 feet to an iron spike; thence south 61 degrees 44 minutes 14 seconds west 20.08 feet to an iron pin; thence south 48 degrees 26 minutes 54 seconds west 29.96 feet to an iron pin; thence south 40 degrees 40 minutes 07 seconds west 33 feet to an iron pin; thence south 54 degrees 41 minutes 28 seconds west 34.92 feet to an iron pin; thence south 61 degrees 30 minutes 28 seconds west 44.38 feet to an iron pin; thence south 63 degrees 18 minutes 35 seconds west 64.90 feet to an iron pin located on the northeasterly right-of-way of said U. S. Highway 41; thence north 46 degrees 11 minutes 00 seconds west, following said right-of-way, 85 feet; thence continuing along said right-of-way, north 42 degrees 48 minutes 34 seconds west 64.06 feet; thence continuing along said right-of-way, north 29 degrees 07 minutes 35 seconds west 33.42 feet to the north line of said Land Lot 183 and the point of beginning.

TO HAVE AND TO HOLD said lands and appurtenances unto said

LOVE FUNERAL HOME, INC., its

FILED & RECORDED 9:30
TIME: 11-15-81
DATE: 11-15-81 PAGE 240
BOOK 600-107-1
Dual Broadrick, C.S.C.
WHITFIELD COUNTY, GA.

heirs, executors, administrators and assigns in fee simple.

Warrant the title to said lands against the lawful claims of all persons.

IN WITNESS WHEREOF, it has hereunto set its hand and

affixed its seal, this 17th day of November, 19 81

Signed, sealed and delivered in presence of Clay Broadrick (SEAL)

WITNESS Betty J. Pippin TREASURER Clay Broadrick (Seal)

Sharon Warr SECRETARY Clay Broadrick (Seal)

NOTARY PUBLIC



For the current GIS map of this parcel, click on the Quickmap to launch the interactive map viewer

Tax Commissioner Information

Before making payment verify the amount due with the Tax Commissioner's office at 706-275-7510

Tax Bill Recipient	LOVE FUNERAL HOME INC	Legal Description	3.21 AC LL160-12
Year	2025	Sale Date	
Parcel Number	12-160-10-000	Taxes Due	12712.63
Bill	222884	Taxes Due Date	1/20/2026
Exemption Type		Taxes Paid	12712.63
Account No.	4634	Taxes Paid Date	12/19/2025 8:46:59 AM
Millage Rate	0	Current Due	0
Fair Market Value	1105158	Back Taxes	0
Assessed Value	442063	Total Due	0
Prior Years Tax Data	Tax		

Commercial Structure Information

General

Improvement Number	1
Section Number	1

Construction Information

Construction Type	Wood/Steel Combination
Wall Height	8

Love Funeral Home Rezoning Request

C-1, Neighborhood Commercial

to

C-2, General Commercial

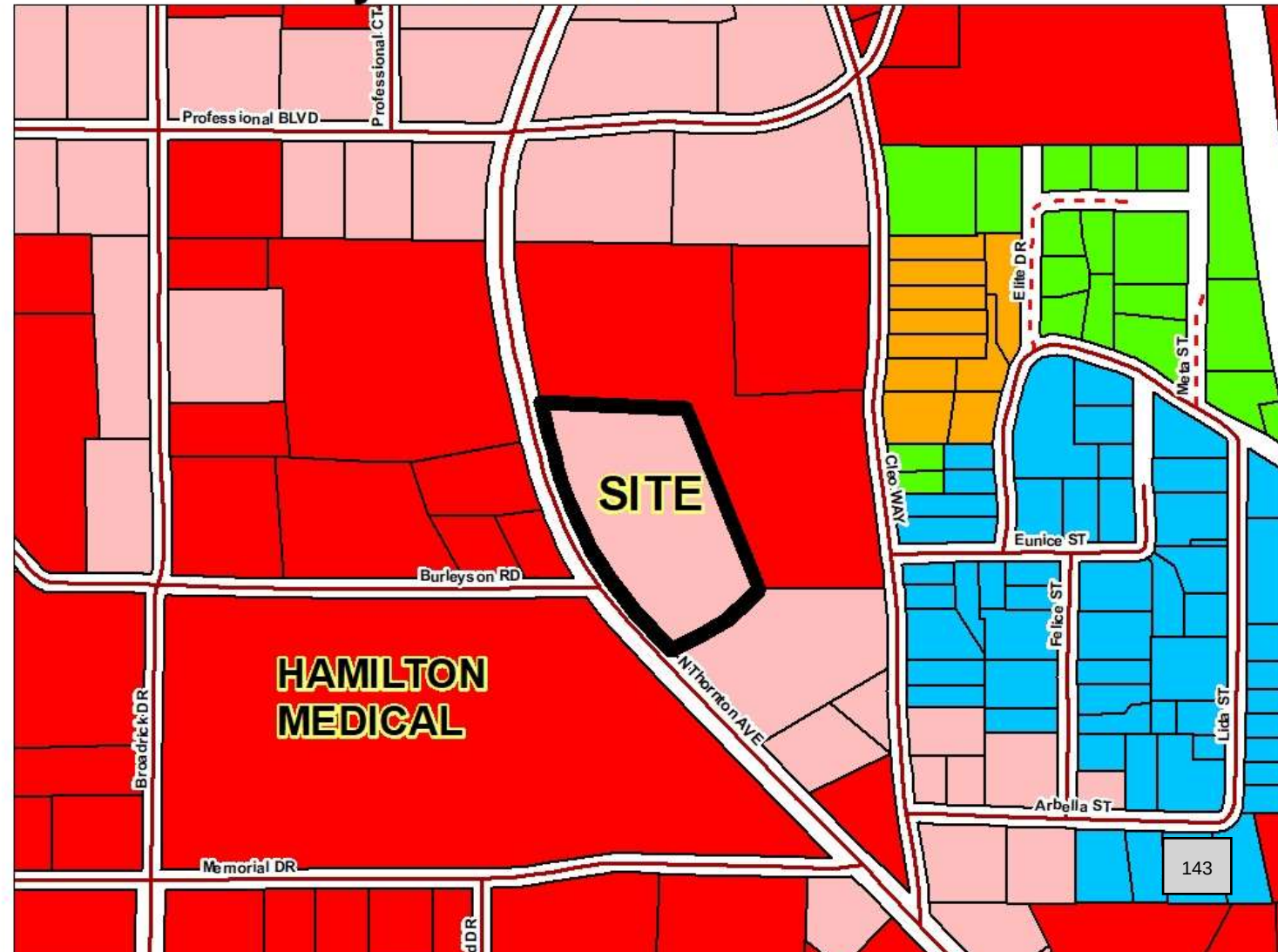
City of Dalton Jurisdiction



ZONING

-  Low Density Single Family Residential (R-2)
-  Rural Residential (R-5)
-  Transitional Residential (R-6)
-  Neighborhood Commercial (C-1)
-  General Commercial (C-2)

FEET
250



Love Funeral Home Rezoning Request C-1, Neighborhood Commercial to C-2, General Commercial City of Dalton Jurisdiction



FEET
250



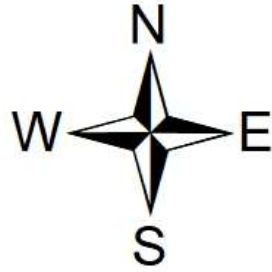
**Love Funeral Home Rezoning Request
C-1, Neighborhood Commercial
to
C-2, General Commercial
City of Dalton Jurisdiction**



**FEET
150**



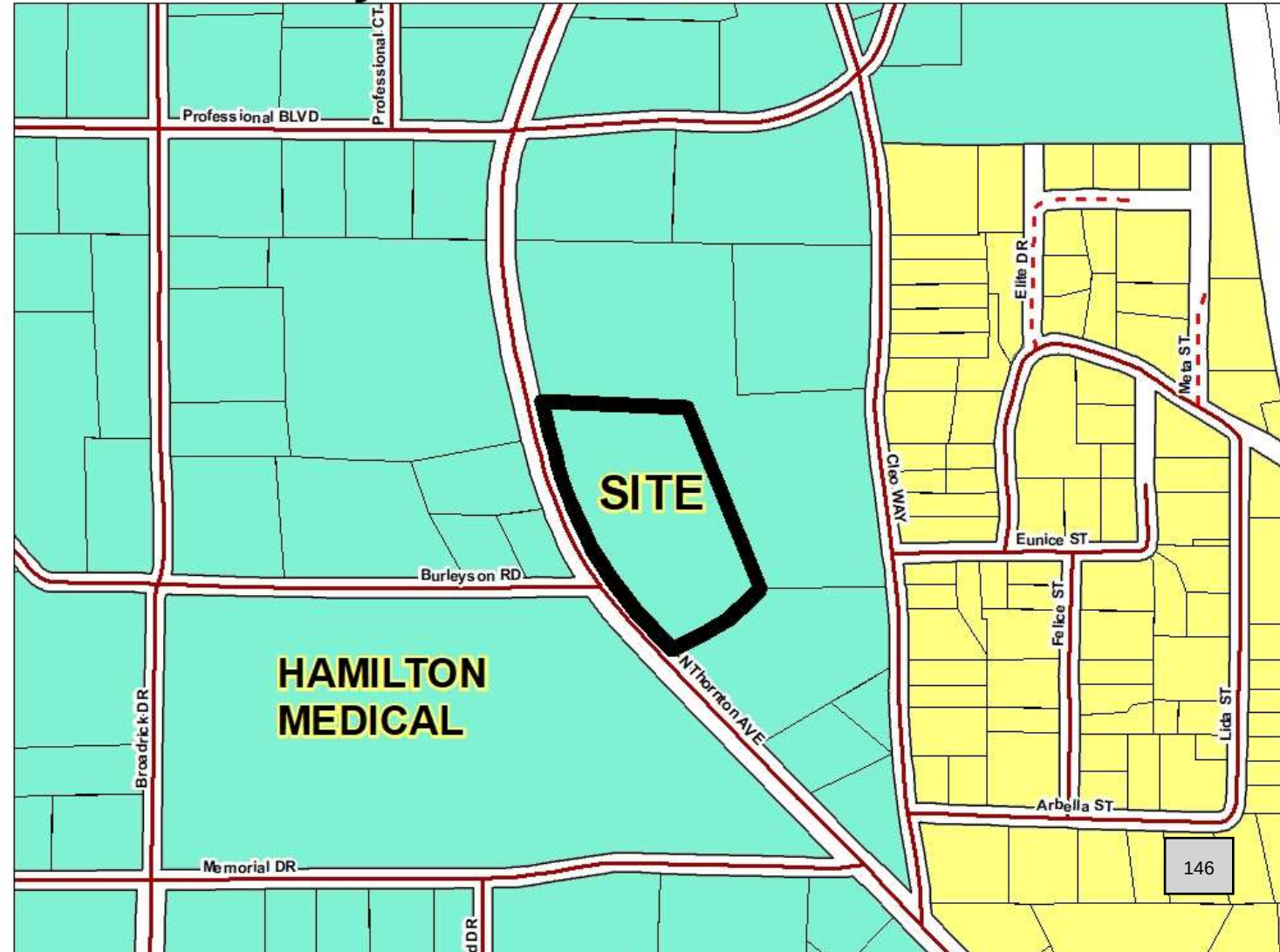
Love Funeral Home Rezoning Request C-1, Neighborhood Commercial to C-2, General Commercial City of Dalton Jurisdiction



FUTURE DEVELOPMENT MAP

-  Medical District
-  Suburban Neighborhood

FEET
250





CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

First Reading Ordinance 26-12 Alcohol & Event Facilities

DEPARTMENT

Administration

REQUESTED BY

Andrew Parker

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

First Reading Ordinance 26-12 To Amend Chapter 6 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Alcoholic Beverages" By Striking, Repealing, And Deleting the definition of "Event center" Set Forth In Section 6-1 and Replacing It With A New Definition of "Event Facility"; By Striking, Repealing, And Deleting the definition of "Restaurant" in 6-1 And Replacing It With A New Definition; By Striking, Repealing, And Deleting Only Subsection (a) of Section 6-10 Captioned Possession in Public Places" And Replacing It With A New Subsection (a); By Striking, Repealing, And Deleting Only Subsection (e) of Section 6-110 Captioned "Local Caterer or Concessionaire; Preferred Caterer and Concessionaire"; By Striking, Repealing, And Deleting Section 6-70 Captioned "Eligibility for Pouring License" And Replacing It With A New Section 6-70; By Striking, Repealing, And Deleting Section 6-107 Captioned "Disqualification, Generally" And Replacing It With A New Section 6-107; To Amend Chapter 26 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Businesses" By The Addition Of A New Article XI Captioned "Event Facilities"; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

Ordinance 26-12

To Amend Chapter 6 Of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned “Alcoholic Beverages” By Striking, Repealing, And Deleting the definition of “Event center” Set Forth In Section 6-1 and Replacing It With A New Definition of “Event Facility”; By Striking, Repealing, And Deleting the definition of “Restaurant” in 6-1 And Replacing It With A New Definition; By Striking, Repealing, And Deleting Only Subsection (a) of Section 6-10 Captioned Possession in Public Places” And Replacing It With A New Subsection (a); By Striking, Repealing, And Deleting Only Subsection (e) of Section 6-110 Captioned “Local Caterer or Concessionaire; Preferred Caterer and Concessionaire”; By Striking, Repealing, And Deleting Section 6-70 Captioned “Eligibility for Pouring License” And Replacing It With A New Section 6-70; By Striking, Repealing, And Deleting Section 6-107 Captioned “Disqualification, Generally” And Replacing It With A New Section 6-107; To Amend Chapter 26 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned “Businesses” By The Addition Of A New Article XI Captioned “Event Facilities”; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton, and by the authority of the same, **IT IS HEREBY ORDAINED** as follows:

Section 1.

Chapter 6 of the 2001 Revised Code Of The City Of Dalton, Georgia captioned “Alcoholic Beverages” is hereby amended by striking, repealing, and deleting the definition of “Event center” set forth in Section 6-1 and replacing it with the following definition of Event facility: Event facility shall have the meaning ascribed to that term in Article XI of Chapter 26 of this Code.

Section 2.

Chapter 6 of the 2001 Revised Code Of The City Of Dalton, Georgia captioned “Alcoholic Beverages” is hereby amended by striking, repealing, and deleting the definition of “Restaurant” set forth in Section 6-1 and replacing it with the following:

Restaurant means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly prepared and served, without sleeping accommodations. A restaurant shall at all times maintain tables at least 30 inches high and seating in a designated public dining area sufficient to accommodate a minimum of 40 people, and it shall at all times hold a certificate of approval from the county health department. A restaurant shall maintain a fully functioning, permanent commercial-grade kitchen, which is equipped for full-service meal preparation. It shall consist of permanently

installed heavy-duty commercial-grade appliances designed for cooking complete meals from raw ingredients. The kitchen shall include, at a minimum, a permanently plumbed three-compartment pot sink, a commercial-grade refrigerator, and a permanently installed commercial-grade stove, range, or grill. Light duty, portable, or plug-in countertop appliances designed for residential use or limited convenience heating do not satisfy the requirements of this definition. A restaurant serves meals every hour that it is open and the serving of such meals shall be the principal business conducted, with the serving of distilled spirits, beer and/or wine to be consumed on the premises as only incidental thereto. A restaurant shall be open not less than 4 hours per day and not less than 4 days per week. In order to be classified as a restaurant under this chapter, the licensee must derive a minimum of 50 percent of its total annual gross sales, over any 12-month period of time, from the sale of prepared meals or food, and it shall maintain invoices, receipts, and other business records created and kept in the ordinary course of its business which are sufficient to verify its purchase and sale of food items, non-alcoholic beverages, and alcoholic beverages. In the case of an audit, the relevant time period shall be the 12 months immediately preceding the commencement of the audit. If the restaurant being audited has been in operation as a restaurant for less than 12 months, the audit period shall be the period of time the entity has operated as a restaurant, and the restaurant must derive a minimum of 50 percent of its total annual gross food and beverage sales for that audit period from the sale of prepared meals or food.

Section 3.

Chapter 6 of The 2001 Revised Code of the City of Dalton, Georgia captioned “Alcoholic Beverages”, By Striking, Repealing, And Deleting Only Subsection (a) of Section 6-10 Captioned “Possession in public places” and replacing it with a new Subsection (a) which reads as follows:

- (a) Except as provided in subsection (b) of this section, section 6-11, and O.C.G.A. §33-3-11, it shall be unlawful for any person to drink, consume, transport, or carry alcoholic beverages (except in the original package and with the seal unbroken), on any public street, sidewalk, or in any city park, city-maintained recreation facility, public parking lot or semi-public parking lot located within the city limits. The term "semi-public parking lot" shall include any area wherein motor vehicles are parked by the public in conjunction with any business, enterprise, commercial establishment, office building or apartment building.

Section 4.

Chapter 6 of The 2001 Revised Code of the City of Dalton, Georgia captioned “Alcoholic Beverages”, By Striking, Repealing, And Deleting Only Subsection (e) of Section 6-110 Captioned “Local caterer or concessionaire; preferred caterer and concessionaire”

Section 5.

Chapter 6 of the 2001 Revised Code of the City of Dalton, Georgia, captioned “Alcoholic Beverages” Section 6-70 captioned “Eligibility for pouring license” is hereby amended by

striking, repealing and deleting Section 6-70 in its entirety and substituting in lieu thereof a new Section 6-70 which shall read as follows:

Sec. 6-70. - Eligibility for pouring license.

Except as otherwise provided in this chapter, no application shall be considered from and no license granted to an applicant whose business location for alcoholic beverages is anything other than a bar, café, restaurant, hotel, private club, micro-brewery, brewpub, local caterer, preferred caterer and concessionaire, micro-distillery, hotel lounge, mall lounge, restaurant lounge, or event facility. Neither a micro-brewery nor a brewpub shall be eligible for a license to sell distilled spirits.

Section 6.

Chapter 6 of the 2001 Revised Code of the City of Dalton, Georgia, captioned “Alcoholic Beverages” Section 6-107 captioned “Disqualification generally” is hereby amended by striking, repealing and deleting Section 6-107 in its entirety and substituting in lieu thereof a new Section 6-107 which shall read as follows:

Sec. 6-107. - Disqualification generally.

No application for any license required under this article shall be granted where the application, investigation or the evidence presented at a hearing before the public safety commission or mayor and council shows any of the following conditions to exist:

- (1) The applicant, designated agent, manager, employee, agent, stockholder, partner, or member of applicant, or any person holding any other legal, financial, or beneficial interest in applicant has a conviction, as defined in [section 6-108](#), or does not have sufficient mental capacity to conduct the business for which application is made or who has been dishonorably discharged from the armed services of the United States.
- (2) The applicant, designated agent, manager, employee, agent, stockholder, partner, or member of applicant, or any person holding any other legal, financial, or beneficial interest in applicant has had any license issued by the city or any other municipality previously revoked.
- (3) The applicant or his designated agent, as a previous holder of a license to sell alcoholic beverages, has violated any law, regulation or ordinance relating to such business, or has surrendered its license with a charge pending regarding the violation of any law, regulation or ordinance relating to such business, within a 36-month period immediately preceding the date of the application. In the event of a renewal application, offenses prosecuted and resolved pursuant to this chapter shall not be considered.
- (4) The applicant's business is not properly zoned for the license applied for or does not otherwise meet the requirements of this chapter.

Section 7.

Chapter 26 of The 2001 Revised Code of the City of Dalton, Georgia captioned “Businesses”, is hereby amended by the addition of a new Article XI captioned “Event Facilities” which shall read as follows:

ARTICLE XI. EVENT FACILITIES

Sec. 26-400. Definitions.

For purposes of this article, the following terms, phrases, words, and their derivatives shall have the meaning set forth in this section.

Applicant means any person required to sign an application for an event facility license as set forth herein.

Authorized city official means an individual appointed by the Mayor and Council or City Administrator to perform certain duties or services.

Authorized agent of alcohol licensee means an employee or agent with actual authority to bind a person or entity holding an alcohol beverage license.

Event means any one or more of the following:

- (1) A gathering where alcoholic beverages are provided at a location that does not hold a license to sell alcoholic beverages and there is any monetary exchange or transfer of funds in any way connected to the provision of alcoholic beverages, entry to the premises where such gathering is held, or use of the premises for such gathering.
- (2) A gathering where alcoholic beverages are provided at a location that holds a license to sell alcoholic beverages as an event facility or otherwise holds an event facility license.
- (3) A gathering of 100 or more people at a location that is advertised or otherwise held out to the public as a location for conferences, banquets, weddings, receptions, birthday parties, retirement celebrations, parties, or similar gatherings and for which there is any monetary exchange for use of said location. Religious assemblies shall be exempt from this definition. Restaurants and bars, as those terms are defined in Chapter 6 of this Code, shall also be excluded from this definition.

Event facility means a building, facility, or structure where an event, as defined in this section, is held. This definition shall not apply to any location owned or operated by the city, the Downtown Dalton Development Authority, or any other governmental entity.

Microevent means any one or more of the following:

- (1) A gathering of less than 100 people where alcoholic beverages are provided at a location that does not hold a license to sell alcoholic beverages and there is any monetary exchange or transfer of funds in any way connected to the provision of alcoholic beverages, entry to the premises where such gathering is held, or use of the premises for such gathering.
- (2) A gathering of less than 100 people at a location that is advertised or otherwise held out to the public as a location for conferences, banquets, weddings, receptions, birthday parties, retirement celebrations, parties, or similar gatherings and for which there is any monetary exchange for use of said location. Religious assemblies shall be

exempt from this definition. Restaurants and bars, as those terms are defined in Chapter 6 of this Code, shall also be excluded from this definition.

Micro-event facility means a building, facility, or structure where a micro-event, as defined in this section, is held. This definition shall not apply to any location owned or operated by the city, the Downtown Dalton Development Authority, or any other governmental entity.

Sec. 26-401. Purposes of article.

This article has been enacted in accordance with a plan designed for the following purposes, among others:

- (1) Promoting the health and general welfare of the community;
- (2) Establishing reasonable and ascertainable standards for the regulation and control of event facilities and the sale of alcohol at event facilities; and
- (3) Giving effect to existing land use and preserving certain residential areas, with reasonable considerations, among others, to the character of the area and the peculiar suitability for particular uses, the congestion in the roads and streets, concerns over unreasonable noise, and with a general view of promoting desirable living conditions and sustaining the stability of neighborhoods and property values.

Sec. 26-402. License required.

- (1) It shall be unlawful for any person to operate an event facility without having first complied with this chapter including, but not limited to, obtaining the appropriate license from the city.
- (2) Any person who desires to operate an event facility shall apply in the office of the city clerk for an event facility license and shall remit with said application the application fee in such an amount as may be set by the mayor and council from time to time.
- (3) If a license is granted, said licensee shall also pay the annual license fee on or before January 1st of each year so licensed. The annual license fee shall be no less than two thousand dollars (\$2,000.00) and may be modified from time to time by the mayor and council. The current application and license fee schedule shall be kept in the city clerk's office and made available to any licensee or prospective licensee upon request.
- (4) All applications shall be fully completed by the applicant, signed, and sworn to by the applicant in the presence of a notary public or other officer authorized to administer oaths. If the application is filed on behalf of an entity, including, but not limited to, a partnership, corporation, nonprofit tax exempt civic, patriotic, or social club or corporation, a private club, a limited liability company, then the applicant must be an agent or officer of the entity with actual authority to execute the application.

- (5) An approved annual license shall be valid for the date issued and shall expire on December 31 of each year. Each licensee shall complete a renewal application consisting of the same information required for an application and pay the annual fee for renewal of said license prior to expiration of the license.

Sec. 26-403. Application requirements.

All applications for event facility licenses shall include the following:

- (1) A survey (dated no more than 180 days prior to submission of the application to the city), certified by a registered surveyor of this state, showing a scaled drawing of the premises and the distance in linear feet measured from the property line of the tract upon which the event facility is located, to the property line of the tract upon which is located the nearest residential building, church building, school building, educational building, school grounds or college grounds, or college campus building.
- (2) Plans for the event facility that show the square footage, all rooms, all exits for said event facility, and a life safety plan that demonstrates the maximum potential occupancy load.
- (3) A fully dimensional parking plan.
- (4) The application fee.
- (5) A statement identifying the full legal name and all trade names of the business for which the license is to be used and a statement identifying the name, address, and telephone number of all persons with an ownership interest of five percent (5%) or more in said business.
- (6) A statement identifying the full legal name and all trade names of the owner of the real property to be used as an event facility and a statement identifying the name, address, and telephone number of all persons with an ownership interest of five percent (5%) or more in said business.
- (7) A copy of any current lease agreement for the premises upon which the event facility is located.
- (8) A copy of the certificate of insurance which complies with the requirements of this article.
- (9) As a prerequisite to the issuance of any license, the applicant shall furnish a complete set of fingerprints for all persons required to sign the application to be forwarded to the Georgia Bureau of Investigation, as specified under state law. Each person required to sign the application for an original license and/or renewal license, must authorize the city or its designated representatives to secure from any state, county, municipal or federal court, any police department and/or law enforcement agency such person's criminal history and civil history and further authorize the city, its officers and employees to use such information in determining whether or not a license will be issued to the applicant. Further, the applicant must authorize the city, its officers and employees to use such information in a public hearing if necessary, to determine whether or not the applicant's license should be denied, voided, cancelled, or revoked.

Each applicant waives any right or rights the applicant may have under state or federal law, statute or court ruling to preclude the city from securing such criminal or civil history from any source and waives any right the applicant may have to preclude the city from using such information publicly in determining whether the license will be issued to such applicant.

- (10) Each applicant shall certify that the applicant has read, understands, and will comply with this article and if the license is granted, each licensee shall maintain a copy of this article on the premises and shall require each of the licensee's employees to be familiar with this article. Furthermore, applicant agrees, by signing and filing the application, that applicant will maintain sales receipts and records and allow any authorized public official to inspect said records to ensure compliance with this article.

Any application which is not complete or does not comply with the requirements of this section shall be rejected by the clerk's office and stand automatically denied.

Sec. 26-404. Public safety commission powers and duties under this article.

For the purposes of this article, the public safety commission is vested with the following duties and powers:

- (1) *Initial applications.* To screen, verify, investigate and review all initial applications for licenses for event facilities, to consider whether the applicant meets the applicable qualifications and requirements, and to make a recommendation to mayor and council to grant or to deny licenses for event facilities.
- (2) *Renewals.* To investigate and hear reports and charges constituting probable cause not to renew licenses for event facilities, to consider whether the applicant meets the applicable qualifications and requirements, and to make a recommendation to mayor and council to grant or to deny renewals of licenses for event facilities.
- (3) *Determinations of conduct or offenses requiring penalty, suspension, revocation or combination thereof.* To conduct hearings upon charges of the city to licensee as to the occurrence of conduct or an offense for which penalty, suspension, revocation, adjustment of operating hours, or a combination thereof is provided under this article; to cause a record and transcript of such hearing to be made and kept; and to recommend fines, suspension, or revocation, or any combination thereof, pursuant to the requirements of this article.
- (4) *Modifications.* To recommend to the mayor and council modifications to any city ordinances and policies pertaining to the regulation of event facilities.

Sec. 26-405. Applications and Renewals.

For the purposes of this chapter, the mayor and council are vested with the following duties and powers:

- (1) To grant or deny initial applications for licenses for event facilities, and to consider all recommendations of the public safety commission regarding the same.

- (2) To grant or deny all renewal applications for event facilities, and to consider all recommendations of the public safety commission regarding the same.
- (3) The initial review of all such licenses shall occur in the public safety commission; however, to the extent the public safety commission does not consider and issue a recommendation on an initial application or renewal application within 60 days of filing said application with the clerk, the mayor and council shall be authorized to grant or deny such license without a recommendation from the public safety commission.

No event facility license shall be issued or renewed until all applicable requirements of this article have been met and said license has been approved by the mayor and council.

Sec. 26-406. Inspection of licensed establishments.

Sworn officers of the police department, code enforcement officers, fire department, and any other authorized city official shall have the authority to inspect event facilities and microevent facilities during the hours in which the premises are open for business. The city attorney or any authorized city official may also require an event facility licensee to produce books and records and may conduct or oversee an audit of the books and records of a licensed establishment at any time. Such investigations may occur from time to time to determine compliance with the requirements of this article and state law.

Sec. 26-407. Location requirements.

- (a) It shall be unlawful to establish or add an event facility to an existing business that is:
 - (1) Within 1,000 feet of any parcel upon which a religious facility, public or private elementary or secondary school, college campus, day care facility, library, public building, fitness facility, public park, or any residence is located; or
 - (2) Within 3,000 feet of any parcel upon which another event facility is located; or
 - (3) Within the overlay district;
 - (4) Within the central business district (Zoning classification C-3); or
 - (5) Within any zoning classification in which an event center, as defined by the uniform zoning ordinance, is prohibited.
- (b) For the purpose of this section, measurements shall be made in a straight line from the closest part of the property line of any tract where any structure occupied by the event facility is located to the closest property line of a parcel containing a use listed in subsection (a), above.
- (c) Event facilities which are currently operating and do not comply with the distance requirements of this section at the time of the adoption of this article shall be grandfathered in, provided that said event facilities comply with all other requirements of this article and provided that upon the sale of such business, the revocation of its license, or the failure to renew any such license, said grandfathered status shall be forfeited.

Sec. 26-408. Disqualification generally.

No event facility license may be issued to an applicant if any one or more of the following circumstances apply:

- (1) An applicant is not at least 21 years old.
- (2) An applicant has been convicted under any federal or state law of a felony or any misdemeanor involving the usage, distribution, or possession of controlled substances, alcohol, or offenses involving moral turpitude within a five-year period immediately preceding application. For purposes of this subsection, a "conviction" shall include any plea of guilty or admission of guilt and subsequent sentence under the First Offender Act of O.C.G.A. §§ 42-8-60, 16-13-2 or 3-3-23.1(c), or any similar sentencing provision for first time offenders of any other state or of the United States. A plea of nolo contendere for any felony or misdemeanor of any state or of the United States, or any municipal ordinance, except traffic violations, or the forfeiture of a bond (except traffic offenses) when charged with a crime is also considered a conviction under this article.
- (3) An applicant has been held in civil or criminal contempt by any federal, state or local court if such citation indicates to the mayor and city council that the applicant will not maintain the outlet for which the applicant is seeking a license in conformity with federal, state or local laws, rules, and regulations.
- (4) An applicant is not an officer, director, owner, or manager of the business for which the license is held.
- (5) The PSC or the mayor and city council determine, based upon an investigation into the applicant or the applicant's prior businesses or entities, (whether operating under the same establishment name or not) in the city or in other jurisdictions, has directly, or indirectly through employees or agents, sold alcohol in violation of state law or local ordinances, including but not limited to sales to minors.
- (6) The city has suspended or revoked a business license, event facility license, or any other license issued under this code at the location where the applicant desires to operate an event facility or any other previous license of the applicant, within the previous 12 months for a suspension or within the previous 36 months for a revocation.
- (7) The applicant's business does not meet the requirements of this article.

Sec. 26-409. False information.

Any material omission or untrue or misleading information contained in or left out of an original or renewal application for a license shall be cause for the denial thereof. If any license has previously been granted on the basis of such misleading statements or material omissions, such shall constitute cause for the revocation of the license.

Sec. 26-410. Licenses non-transferable.

No event facility license shall be transferable, except upon the death of a licensee, at which time such license may be transferred to the administrator, executor, or lawful adult heir or heirs

of such deceased person provided that such person meets the requirements of this article. If the legal representatives of such deceased licensee cannot meet all the requirements of this article, said license shall be revoked.

Sec. 26-411. General regulation of business operations.

- (a) No event facility or microevent facility, employee or agent of any event facility or microevent facility, or other person shall sell or permit to be sold any alcoholic beverage to any person under the age of 21 years.
- (b) Any event facility license shall be posted conspicuously in the place of business for which such license is issued.
- (c) All alcohol served at an event must be served by either a licensed caterer or an event facility which holds an alcohol license for the type of alcohol distributed at said event facility. All alcohol served at a microevent shall be served by a licensed caterer. It shall be unlawful for guests or invitees of an event facility or microevent facility to bring alcoholic beverages for consumption onto the premises of such establishment, and no owner, manager, agent, or employee of an event facility or microevent facility may permit guests or invitees to bring alcoholic beverages for consumption onto the premises of an event facility.
- (d) It shall be unlawful for noise emanating from an event facility or microevent facility or the real property upon which the event facility or microevent facility is located to be plainly audible more than 100 feet from such event facility or microevent facility or to be heard at a measurement of 50 decibels or more anywhere outside of an event facility or microevent facility.
- (e) No alcohol shall be served at an event or microevent after 12:00 a.m.
- (f) Event facilities and micro event facilities shall close and be vacated by 1:00 a.m.
- (g) At all times during an event, an authorized agent of the licensee must be present on the premises of the event facility. At all times during a microevent an authorized agent of the microevent facility must be on the premises of the microevent facility.
- (h) At all times during an event or microevent, the event facility or microevent facility shall maintain at least one security personnel per 50 attendees of an event. Such security personnel shall meet all requirements of security personnel set forth in chapter 6 of this code.
- (i) The building or structure in which the event facility and in which a microevent facility is located shall meet all applicable building, electrical, plumbing, sanitary, zoning, and fire codes, statutes, and regulations of both the city and the state.
- (j) Every event facility and microevent facility shall comply with the occupancy load, sprinkler, life safety, and all other applicable requirements set forth in the current edition of the International Fire Code and the current standards published by the National Fire Protection Association.
- (k) In addition to all requirements regarding parking in the unified zoning ordinance, every event facility shall have at least ten (10) designated parking spaces per 1,000 square

feet of floor space in each such event facility, which parking spaces shall comply with the requirements of the uniform zoning ordinance.

- (l) Every event facility shall maintain commercial general liability insurance to include liquor liability insurance in the aggregate amount of at least \$1,000,000.00 with a minimum \$500,000.00 sublimit on assault and battery claims, which shall be in effect at all times during the license period. Said insurance shall be issued by an insurer licensed in the State of Georgia, and all licensees shall provide to the city a certificate of insurance verifying coverage set forth in this subparagraph at the time of application and upon any renewal of said license. The city shall be designated as a certificate holder of such policy, and a 30-day notice of cancellation in favor of the city must be endorsed to the policy and attached to the certificate.

Sec. 26-412. Suspension, revocation, or forfeiture of license.

- (a) Any suspension, revocation, or forfeiture of an event facility license by the mayor and city council shall occur after notice and opportunity for a hearing and upon the following occurrences:
 - (1) Any licensed outlet that is found to be in violation of this article.
 - (2) In the case of bankruptcy, receivership, or levy of legal process. In such event, the license shall be revoked.
 - (3) Except as otherwise provided in this article, any change in the ownership of any entity owning a licensed event facility shall result in revocation of the license.
 - (5) If any licensee shall for a period of three consecutive months cease to operate the business, this shall result in revocation of the license.
 - (6) A license may be immediately suspended or revoked by the mayor and city council upon learning that a licensee furnished fraudulent or untruthful information in the application for a license, or omits information required in the application for a license, or fails to pay all fees, taxes, or other charges imposed under the provisions of this code.
 - (7) If any alcohol license of an event facility is suspended or revoked, the event facility license shall be suspended or revoked immediately for the same period of time as the alcohol license has been suspended or revoked.
 - (8) Failure to provide books and records requested as a part of any investigation or audit into compliance with this chapter shall result in revocation of the license.
 - (9) Any operation of an event facility during the time of a suspension shall result in revocation of all licenses or permits issued by the city to the event facility.
 - (10) It shall be a violation of this article for any licensee or any employee or agent of the licensee or licensed establishment to permit any person to engage in any activity on the premises for which the license is issued or within the place of business, which is in violation of the laws or regulations of any federal, state, county, or municipal governing authority or regulatory agency. A violation of this subsection shall subject the license to immediate suspension or revocation.

- (11) An act or omission of a licensee which constitutes a violation of federal or state law or regulation, relating to the sale of alcoholic beverages, taxes, gambling, violation of the Georgia Controlled Substances Act, or constitutes a crime of moral turpitude, shall subject the license to immediate suspension or revocation.
- (b) The city clerk shall notify the licensee of any charge of conduct or offense subject to penalty, suspension or revocation or any combination thereof. If the potential sanction is suspension or revocation the notice shall also state the place and time the public safety commission will hear the charges against the licensee. The notice may also contain such additional information, as the city clerk may deem appropriate. The notice shall be delivered to the licensee at least five days prior to the hearing date by personal delivery, first class mail addressed to licensee at the address contained in licensee's license application, or by posting the notice on the front door of the licensed premises. In the case of delivery by first class mail the notice shall be deemed delivered two days after being deposited into the US mail properly addressed and with adequate postage.
- (c) Unless waived by the licensee, the public safety commission shall conduct a hearing on any charge against a licensee alleging conduct or offense that is subject to a suspension or revocation, at its next regularly scheduled meeting, but not later than 60 days from the date of notice to the licensee unless a continuance is granted at the request of the city or the licensee. The public safety commission shall have the discretion to call a special meeting to conduct a meeting or to reschedule or continue any hearing upon the request of the city or the licensee. The licensee shall be allowed to appear at said hearing and to present evidence and cross-examine witnesses. Upon hearing evidence from the city and licensee, if the licensee shall present any evidence, the public safety commission shall, no later than 30 days after the hearing, either dismiss all or some the charges against the licensee and/or, make a finding that a violation has occurred as to all or any one of the charges. If a violation is found to have occurred, the public safety commission shall make a recommendation to the mayor and council consistent with the provisions of this article. The city attorney, or the city attorney's designee, shall represent the city in all such public safety commission hearings.
- (d) The mayor and council shall perform an on-record review of the hearing record before the public safety commission unless the licensee waives said review. The mayor and council shall determine from the hearing record whether there is sufficient evidence to support the finding of the public safety commission. The licensee shall not be permitted to present additional evidence or arguments before the mayor and council. If the on-record review concerns a revocation recommendation, then upon a finding by the mayor and council that sufficient evidence exists to support the recommendation, the mayor and council shall revoke the license of the licensee for 60 months. Any decision of mayor and council pursuant to this subsection shall be in writing and filed with the city clerk.

Sec. 26-413. Enforcement.

- (a) Without limiting the ability to suspend or revoke a license pursuant to any other provision in this article, any violation of this article shall also subject the licensee to the following actions upon notice and hearing:
 - (1) The first violation shall result in fine of up to \$1,000 and/or a license suspension for a period of up to 60 days.
 - (2) The second violation within a consecutive 24-month period shall result in a fine of up to \$2,500 and a license suspension for a period of not less than 60 days nor more than 90 days.
 - (3) The third violation within a consecutive 24-month period shall result in license revocation.
- (b) For any licensee who is also licensed to sell alcohol in the city, any violation of this article which results in a license suspension or license revocation shall result in an equivalent suspension or revocation of licensee's alcohol license in addition to any other penalty which may be levied pursuant to this Code.
- (c) Microevent facilities shall be subject to the same monetary penalties for violations of this article as set forth in subsection (a) of this section except that for any violation beyond the second violation in a 24-month period, a fine of \$2,500 shall be levied against said facility.

Secs. 26-414 – 26-449. Reserved.

Section 8.

This Ordinance shall be effective upon the posting of this Ordinance in two (2) public places in the City of Dalton for five (5) consecutive days following its enactment by the Mayor and Council, the public health, safety, and welfare requiring it.

Section 9.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 10.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this ____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, second by Councilmember _____ and upon the question the vote is ____ ayes, ____ nays and the Ordinance is adopted.

MAYOR/MAYOR PRO TEM

ATTEST:

CITY CLERK



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/2/2025

AGENDA ITEM

Fire Sprinkler Ordinance 26-13

DEPARTMENT

Fire

REQUESTED BY

Chief Daniel

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

Click or tap here to enter text.

FUNDING SOURCE IF NOT IN BUDGET

Click or tap here to enter text.

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

This request is to update the Fire Sprinkler Ordinance to improve definitions, clarify language, and ensure consistency and uniformity with the language used in the City’s “Alcoholic Beverages” Ordinance.

PHONE
706-278-9500

WEBSITE
www.daltonga.gov

ADDRESS
300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

Ordinance 26-13

To Amend Chapter 54 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned "Fire Prevention and Protection" By Deleting Article II Captioned "Fire Prevention Code" In Its Entirety; By The Addition Of A New Article II; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton, and by the authority of the same, **IT IS HEREBY ORDAINED** as follows:

Section 1.

Chapter 54 of the 2001 Revised Code of the City of Dalton, Georgia, captioned "Fire Prevention and Protection" is hereby amended by striking, repealing and deleting Article II, captioned "Fire Prevention Code," in its entirety and substituting in lieu thereof a new Article II which shall read as follows:

ARTICLE II. - FIRE PREVENTION CODE

Sec. 54-31. Adopted.

The current edition of the International Fire Code, as amended and as supplemented by the department of community affairs, and the current edition of the National Fire Protection Association (NFPA) 101 Life Safety Code, as amended and supplemented, are adopted, and a true and complete copy thereof shall be maintained in the business offices of the city fire department for public inspection and copying. In the event a conflict arises among the International Fire Code, as amended and supplemented, the NFPA 101 Life Safety Code, as amended and supplemented, or the rules and regulations promulgated by the Georgia Safety Fire Commissioner, the more restrictive document shall be enforced.

Sec. 54-32. Conflicts with other ordinances.

If any publication or portion thereof adopted in [section 54-31](#) is contrary to city ordinances, the city ordinances shall prevail.

Sec. 54-33. Definitions.

For purposes of this article, the following terms, phrases, words, and their derivatives shall have the meaning set forth in this section.

Assembly occupancy means an occupancy (1) used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, or similar uses; or (2) used as a special amusement building, regardless of occupant load.

Examples of assembly occupancies include, but are not limited to restaurants, bars, dance halls, night clubs, discotheques, event facilities, and microevent facilities.

Authority having jurisdiction (AHJ) refers to the Dalton Fire Department, or its designated representative, responsible for enforcing this ordinance and other adopted fire safety codes and standards.

Automatic fire sprinkler system means an integrated system of piping connected to a water supply that will automatically discharge water over a fire area when activated by heat from a fire, and that is designed in accordance with recognized fire protection engineering practices.

Bar shall have the same definition set forth in chapter 6 of this code.

Existing structure means any structure constructed or occupied prior to the effective date of this ordinance.

New construction means any structure for which a building permit is issued after the effective date of this ordinance, or any existing structure undergoing renovation or alteration that requires a building permit and meets the criteria for new construction as defined by the NFPA 101 Life Safety Code, as amended and supplemented.

Restaurant shall have the same definition as set forth in chapter 6 of this code.

Sec. 54-34. References to duties of officials.

Within the fire prevention code adopted in [section 54-31](#), where references are made to the duties of a certain official named therein, that designated city official who has duties corresponding to those of the named official in such code shall be deemed to be the responsible official insofar as enforcing the provisions of such code are concerned.

Sec. 54-35. General requirements for implementation of automatic fire sprinkler systems.

(a) New Construction Requirements:

1. An approved automatic fire sprinkler system shall be installed throughout all new buildings classified as assembly occupancies where required by the current edition of the NFPA 101 Life Safety Code, as amended and supplemented, with the exception of restaurants, microevent facilities, and bars that have an occupant load of less than 100.

2. An approved automatic fire sprinkler system shall be installed throughout all other new buildings to the extent required by the authorities referenced in Section 54-31, or as determined by the AHJ based on hazard analysis, building height, floor area, or other relevant factors.

(b) Requirements for Existing Structures:

1. Existing structures undergoing renovation, alteration, or change of occupancy shall install an approved automatic fire sprinkler system if the scope of work or change of occupancy triggers such a requirement pursuant to the authorities referenced in Section 54-31.

2. Any existing structure classified as an assembly occupancy that is renovated or altered in any way which increases the occupant load or changes the use to a higher hazard classification (as determined by the AHJ), shall have an approved automatic fire sprinkler system installed throughout the building or affected area, as determined by the AHJ.

3. The AHJ may require the installation of an approved automatic fire sprinkler system in any existing structure where, in the opinion of the Fire Chief, an imminent life safety hazard exists due to the lack of such a system.

(c) System Design and Installation:

1. All automatic fire sprinkler systems shall be designed by a Georgia-licensed professional engineer or a National Institute for Certification in Engineering Technologies (NICET) Level III or IV certified fire sprinkler system designer and shall be installed by a Georgia-licensed fire sprinkler contractor.

2. Plans and specifications for all automatic fire sprinkler systems shall be submitted to the Dalton Fire Department for review and approval prior to installation.

3. All systems shall be installed in accordance with the approved plans and applicable NFPA standards.

(d) Inspection, Testing, and Maintenance:

1. All automatic fire sprinkler systems shall be inspected, tested, and maintained in accordance with NFPA 25 and as required by the AHJ.

2. Records of all inspections, tests, and maintenance shall be maintained on site and made available to the AHJ upon request.

3. Any deficiencies found during inspection, testing, or maintenance shall be corrected promptly.

Sec. 54-36. Permits and Fees.

1. A fire sprinkler system permit shall be required from the Dalton Fire Department prior to the installation or modification of any automatic fire sprinkler system. Applications for permits shall be maintained at the administrative office of the Dalton Fire Department.

2. The Mayor and Council shall establish a fee schedule by resolution which shall be maintained by the Dalton Fire Department. All required fees shall be paid prior to the issuance of any permit.

Sec. 54-37. Enforcement and Fees.

1. The Dalton Fire Department is hereby authorized and directed to enforce the provisions of this ordinance.
2. Any person, firm, or corporation violating any provision of this ordinance shall be subject to penalties as set forth in the City of Dalton Code of Ordinances, including but not limited to fines, civil penalties, and/or stop-work orders. Each day that a violation continues shall constitute a separate offense.
3. In addition to any fines or penalties referenced above, the AHJ may take actions necessary to abate a hazard or bring a property into compliance with this ordinance, including but not limited to requiring immediate installation or repair of fire sprinkler systems.

Sec. 54-38. Loft/urban dwelling.

A loft/urban dwelling, as defined in the city zoning ordinance shall:

1. Be equipped with a National Fire Protection Association (NFPA) Standard 13R sprinkler system, and all other floors of the same building, including the basement, shall be equipped with a fire-suppression sprinkler system complying with the National Fire Protection Association (NFPA) Standard 13;
2. Have no doorway or window interconnection between loft/urban dwellings;
3. Be located in the rear of the building if a commercial use is carried on in any portion of a floor above the ground level of the building;
4. Have an exterior window or door in all sleeping rooms;
5. Have hard wired single-station smoke alarms in all sleeping rooms;
6. Have smoke alarms installed outside all sleeping rooms and interconnected;
7. Have an audio/visual warning device interconnected to the sprinkler system water-flow device in each corridor, with pull station at each exterior exit that will activate the warning device in corridor to dwelling units and the warning device in the area used as business;
8. Have emergency lighting and smoke detection in place in all corridors, smoke alarms shall be connected to audio/visual device;

9. Have a fire extinguisher in dwelling-unit food-prep areas;
10. Have no commercial cooking equipment installed in loft/urban dwelling without meeting the requirements of National Fire Protection Association (NFPA) Standard 96; and
11. The building containing the loft/urban dwelling shall be equipped with smoke and heat-detection devices in the business areas which shall activate local alarm and audio/visual device in corridors of dwelling units.

Secs. 54-39—54-60. Reserved.

Section 8.

This Ordinance shall be effective upon the posting of this Ordinance in two (2) public places in the City of Dalton for five (5) consecutive days following its enactment by the Mayor and Council, the public health, safety, and welfare requiring it.

Section 9.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 10.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this ____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, second by Councilmember _____ and upon the question the vote is ____ ayes, ____ nays and the Ordinance is adopted.

MAYOR/MAYOR PRO TEM

ATTEST:

CITY CLERK



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

First Reading Ordinance 26-14 Amusements and Entertainments

DEPARTMENT

Administration

REQUESTED BY

Andrew Parker

REVIEWED/APPROVED BY CITY ATTORNEY?

Yes

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

First Reading Ordinance 26-14 To Amend Chapter 10 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned “Amusements and Entertainments” By Deleting Article I Captioned “Amusement Machines” and Replacing It With A New Article I; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

PHONE

706-278-9500

WEBSITE

www.daltonga.gov

ADDRESS

300 W Waugh Street
PO Box 1205 Dalton,
Georgia 30722

Ordinance 26-14

To Amend Chapter 10 of The 2001 Revised Code Of The City Of Dalton, Georgia Captioned “Amusements and Entertainments” By Deleting Article I Captioned “Amusement Machines” and Replacing It With A New Article I; To Provide For An Effective Date; To Provide For The Repeal of Conflicting Ordinances; To Provide For Severability; And For Other Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton, and by the authority of the same, **IT IS HEREBY ORDAINED** as follows:

Section 1.

Chapter 10 of The 2001 Revised Code of the City of Dalton, Georgia captioned “Amusements and Entertainments”, Article I Amusement Machines is hereby amended by deleting Article I and inserting a new Article I as follows:

ARTICLE I. AMUSEMENT MACHINES

Sec. 10-1. Gambling devices prohibited.

Gambling devices, as that term is defined in O.C.G.A. § 16-12-20(2) are prohibited in the city, and the ownership, use, or transport thereof shall be a misdemeanor pursuant to state law, except as exempted pursuant to O.C.G.A. § 16-12-35(a) through (k).

Sec. 10-2. Gambling places prohibited.

Gambling places, as that term is defined in O.C.G.A. § 16-12-20(3) are prohibited in the city, and the operation thereof shall be a misdemeanor pursuant to state law.

Sec. 10-3. Definitions.

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

Amusement game room means any location as provided in O.C.G.A. § 16-12-35(b), (c) or (d) where one or more bona fide coin operated amusement machines are operated.

Authorized city official means any individual appointed by the mayor and council or city administrator to perform certain duties or services.

Bona fide coin operated amusement machine means the same as this term is defined in O.C.G.A. § 50-27-70(b)(2)(A) and (B) and any applicable regulations of the State of Georgia. Examples of bona fide coin operated amusement machines include, but are expressly not limited to, the following:

- (1) Pinball machines;
- (2) Console machines;
- (3) Video games;
- (4) Crane machines;
- (5) Claw machines;
- (6) Pusher machines;
- (7) Bowling machines;
- (8) Novelty arcade games;
- (9) Foosball or table soccer machines;
- (10) Miniature racetrack, football or golf machines;
- (11) Target or shooting gallery machines;
- (12) Basketball machines;
- (13) Shuffleboard machines;
- (14) Kiddie ride games;
- (15) Skee-Ball® machines;
- (16) Air hockey machines;
- (17) Roll down machines;
- (18) Trivia machines;
- (19) Laser games;
- (20) Simulator games;
- (21) Virtual reality machines;
- (22) Maze games;
- (23) Racing games;
- (24) Coin operated pool table or coin operated billiard table as defined in O.C.G.A. § 43-8-1(3);
- and
- (25) Any other similar amusement machine which can be legally operated in Georgia.

The term "coin operated amusement machine" does not include the following:

- (1) Coin operated washing machines or dryers;
- (2) Vending machines which for payment of money dispense products or services;
- (3) Gas and electric meters;
- (4) Pay telephones;
- (5) Pay toilets;
- (6) Cigarette vending machines;
- (7) Coin operated vending machines;
- (8) Coin operated scales;
- (9) Coin operated gumball machines;

- (10) Coin operated television sets which provide cable or network programming;
- (11) Coin operated massage beds; and
- (12) Machines which are not legally permitted to be operated in Georgia.

Class A machine means the same as this term is defined in O.C.G.A. § 50-27-70(b)(3).

Class B machine means the same as this term is defined in O.C.G.A. § 50-27-70(b)(4).

Location means a business within the city that has complied with the provisions of the ordinances of the city relating to occupation taxes and business licenses and the entire office or area of the business in any one location owned or leased by the same proprietor or proprietors where the lessor or lessors allow the space to be used for business purposes.

Location owner or location operator means an owner or operator of a business where one or more bona fide coin-operated amusement machines are available for commercial use and play by the public, or shall have the same definition as found in the O.C.G.A. § 50-27-70, should that definition differ.

Sec. 10-4. License and occupation tax required.

No person, firm or corporation shall engage in the business of an owner or proprietor of an amusement game room, as the term is herein defined, without first having obtained an amusement game room license required under this article and without first having paid the applicable occupation tax and having obtained an occupational tax certificate. A separate amusement game room license must be obtained for each location in the jurisdiction which bona fide coin operated amusement machines are operated.

Sec. 10-5. Issuance of License.

Application for a license for operating an amusement game room within the corporate limits of the city shall be made to the city clerk upon a form to be supplied by the city clerk for this purpose. The license application shall include the following information:

- (a) Name, address, and age of the applicant and the date of the application;
- (b) Address or place where the bona fide coin operated amusement machine or machines are to be offered to the public for play and the other business or businesses operated at that place or places;
- (c) Name and address of the owner of the machine or machines and a copy of the owner's master license;
- (d) Name and address of any other business owned or operated by applicant within the corporate limits of the city; and
- (e) List of any other licenses or permits from the city held by the applicant.

(f) List of the permit sticker numbers issued by Georgia Lottery Corporation to the master license holder identifying and placed on each coin operated amusement machine located on the premises of the location owner or location operator.

(g) A survey (dated no more than 180 days prior to submission of the application to the city), certified by a registered surveyor of this state, showing a scaled drawing of the location and the distance in linear feet measured from the property line of the tract upon which the location is located, to the property line of the tract upon which is located the nearest residential building, church building, school building, educational building, school grounds or college grounds, or college campus building.

Upon issuing a license for an amusement game room, the city official or employee shall provide the license with a copy of this ordinance. A license issued in accordance with this ordinance shall be valid until December 31st of the year in which the license was issued. The owner or operator of an amusement game room shall be required to pay occupation taxes in accordance with the code of ordinances of the city.

Sec. 10-6. Licenses and Permits Nontransferable and Display Required.

(a) Licenses required in this article are nontransferable except as provided in O.C.G.A. §50-27-71-(e) or as otherwise permitted by state law.

(b) All businesses that have bona fide coin operated amusement machines on the premises shall display, in plain view, the current amusement game room license and occupational tax certificate issued by the city.

Sec. 10-7. Minimum Distance Requirements.

(a) Every amusement game room in the city shall comply with the proximity provision for business licensed to sell alcohol set out in O.C.G.A. § 3-3-21. At a public meeting, the Mayor and Council may waive the application of this provision to an individual location if no alcohol is served or sold at such location.

(b) Every amusement game room in the city shall comply with the minimum proximity provision for businesses licensed to sell alcohol as set out in Section 6-103 of the Code of Ordinances of the city. At a public meeting, the Mayor and Council may waive the applicability of this provision to an individual location if no alcohol is served at such location.

Sec. 10-8. Privilege; number of bona fide coin operated amusement machines at a location.

It shall be a privilege for the location owner or location operator within the city to offer bona fide coin-operated amusement machines to the public at the business location. No business owner or business operator shall offer to the public more than six Class B machines at the same business location.

Sec. 10-9. Gross Receipts from Bona Fide Coin Operated Amusement Machines and from Business.

(a) Every amusement game room shall keep records available for inspection by authorized city officials that set out separately annual gross receipts for the Class B amusement games and the other products and services sold at the location.

(b) Any location owner or location operator subject to Official Code of Georgia, Section 50-27-84(b)(1) is hereby required to provide a quarterly report to the clerk of the city. Such report shall indicate the quarterly gross retail receipts for each business location located within the jurisdiction of the city and include any reports received from the Lottery Corporation and shall be due by the twentieth day of January, April, July, and October for the previous calendar quarter in which the sales have taken place. In addition, each owner or operator must allow the local government an annual audit of the reports from the owner or operator to the Lottery Corporation.

(c) No location owner or location operator may derive more than 50 percent of such location owner's or location operator's quarterly gross retail receipts for this business location in which the Class B machines are situated from such Class B machines and any location owner or location operator found in violation of such provision may be fined and may have any city issued license suspended or revoked as allowed under this article. Compliance with this section requires both the availability of records for inspection and compliance with the fifty (50%) percent of gross retail receipts requirement. Any violations of this provision shall be reported to the Georgia Lottery Corporation.

(d) In accordance with O.C.G.A. § 50-27-84, this section on gross retail receipts shall not apply to historical fraternal benefit associations or veterans organizations which are exempt from taxes and are described in O.C.G.A. § 48-5-41 and O.C.G.A. § 48-5-478.4.

Sec. 10-10. Notice requirements.

(a) Every amusement game room shall post a conspicuous sign with the following or substantially similar language:

"GEORGIA LAW PROHIBITS GIVING OR RECEIPT OF ANY MONEY FOR WINNING A GAME OR GAMES ON AN AMUSEMENT MACHINE; GIVING OR RECEIPT OF MONEY FOR FREE REPLAYS WON ON AN AMUSEMENT MACHINE; GIVING OR RECEIPT OF MONEY FOR ANY MERCHANDISE, PRIZE, TOY, GIFT CERTIFICATE, OR NOVELTY WON ON ANY AMUSEMENT MACHINE; OR AWARDING ANY MERCHANDISE,

PRIZE, TOY, GIFT CERTIFICATE, OR NOVELTY OF A VALUE EXCEEDING \$5.00 FOR A SINGLE PLAY OF AN AMUSEMENT MACHINE."

- (b) Every amusement game room shall keep the license issued by the city posted in a conspicuous place in the location.
- (c) The owner or proprietor of each amusement game room shall inform every employee of the acts and omissions prohibited by O.C.G.A. § 16-12-35 and by this article, and of the penalties for violation of O.C.G.A. § 16-12-35 and this article.

Sec. 10-11 Compliance with O.C.G.A. Provisions Relating to Master Licenses, Location Licenses, and Stickers for Individual Machines.

Bona fide coin operated amusement machines may be used in an amusement game room within the city only if the machines are owned by a person who holds a valid master license in accordance with O.C.G.A. § 50-27-71, and each machine offered to the public for play has a valid permit sticker in accordance with O.C.G.A. § 50-27-78. In addition, the business owner where the machines are available for play by the public must pay a location license fee in order to obtain a valid location license in accordance with O.C.G.A. § 50-27-71 (a.1) and (b). The State Commissioner of Revenue shall be notified of any observed violation of O.C.G.A. § 50-27-71 or § 50-27-78.

Sec. 10-12. Operating Regulations.

All businesses operating as an amusement game room hereunder shall be subject to the following regulations:

(a) Devices to Be Kept in Plain View; Gambling Devices Prohibited. All bona fide coin operated amusement machines shall at all times be kept and placed in plain view of and open and accessible to any person(s) who may frequent or be in any place of business where such machines are kept or used. Nothing in this section shall be construed to authorize, permit or license any gambling device of any nature whatsoever.

(b) Inspection. An authorized city official may inspect or cause the inspection of any location in which any such bona fide coin operated amusement machine(s) are operated or set up for operating, and may inspect, investigate and test such machines as needed.

(c) Attendant Required. It shall be unlawful for any location owner or location operator to open the location to the public unless an attendant is present. Said attendant shall be of sufficient mental and physical capacity so as to be able to provide aid to patrons if needed or desired. Said attendant shall not be less than 18 years of age.

(d) Loitering. As used in this section, "loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing or walking about aimlessly, and shall be unlawful for any person, firm or corporation licensed to operate an Amusement Game Room to permit loitering on or in the immediate vicinity of

any machine or business premises regulated hereunder in such a manner as to:

- (1) Create or cause to be created a danger of a breach of the peace;
- (2) Create or cause to be created any disturbance of the peace, as defined by law;
- (3) Obstruct the free passage of pedestrians or vehicles; and
- (4) Obstruct, molest or interfere with any person lawfully in a public place.

(e) Shirt and Shoes Required. All location owners and location operators shall require shirts and shoes to be worn at all times by any person frequenting their location.

Sec. 10-13. License Suspension or revocation; monetary sanction.

(a) The city may suspend, refuse to renew, place on probation, or revoke the city issued license of any location owner or location operator to manufacture, distribute, or sell alcoholic beverages as a penalty for the conviction of the business owner or business operator of a violation of O.C.G.A. § 16-12-35, subsection (e), (f), or (g).

(b) The city may suspend, refuse to renew, place on probation, or revoke the license of any location owner or location operator and any other license granted to the location owner or location operator by the city as a penalty for the conviction of the business owner or business operator of a violation of O.C.G.A. § 16-12-35, subsection (e), (f), or (g) or any violation of this article.

(c) The public safety commission may recommend to the mayor and council that the license of any location owner or location operator be suspended, not renewed, placed on probation, or revoked, and that a monetary sanction not to exceed \$2,000.00 be imposed, under the conditions set forth in this section.

Sec. 10-14. Notice of violation.

The city clerk shall notify the location owner or location operator of any charge of conduct or offense subject to monetary sanction, suspension or revocation or any combination thereof. If the potential sanction is suspension or revocation the notice shall also state the place and time the public safety commission will hear the charges against the location owner or location operator. The notice may also contain such additional information, as the city clerk may deem appropriate. The notice shall be delivered to the location owner or location operator at least five days prior to the hearing date by personal delivery, posting at the location, or first-class mail addressed to the location owner or location operator at the address contained in the occupation tax application of the location owner or location operator. In the case of delivery by first-class mail the notice shall be deemed delivered two days after being deposited into the U.S. mail properly addressed and with adequate postage.

Sec. 10-15. Action by public safety commission; sanctions.

Unless waived by the location owner or location operator, the public safety commission shall conduct a hearing on any charge against a location owner or location operator alleging conduct or offense that is subject to a suspension or revocation for any violation of this article or failure to comply with the provisions of O.C.G.A. § 16-12-35 (a) through (j), at its next regularly scheduled meeting, but not later than 60 days from the date of notice to the location owner or location operator unless a continuance is granted at the request of the city or the location owner or location operator. The public safety commission shall have the discretion to call a special meeting to conduct a meeting or to reschedule or continue any hearing upon the request of the city or the location owner or location operator. The location owner or location operator shall be allowed to appear at said hearing and to present evidence and cross-examine witnesses. Upon hearing the evidence, the public safety commission shall, no later than 30 days after the hearing, either dismiss all or some the charges against the location owner or location operator and/or, make a finding that a violation has occurred as to all or any one of the charges.

If a violation is found to have occurred and it is the first violation under this article by the location owner or location operator, the public safety commission shall levy a monetary sanction of \$1,000.00 for each violation. If a violation is found to have occurred and it is the second offense under this article, the public safety commission shall levy a monetary sanction of \$1,500.00 for each violation and shall make a recommendation to the mayor and council that the privilege to offer bona fide coin-operated amusement machines to the public be suspended for a period of time not to exceed 90 days. If a violation is found to have occurred and it is the third offense or more under this article, the public safety commission shall levy a monetary sanction of \$2,000.00 for each violation and shall make a recommendation to the mayor and council that the privilege of the location owner or location operator to offer bona fide coin-operated amusement machines to the public be suspended for a period of time not to exceed 180 days, or revoked. The public safety commission may also make a finding that a location owner or location operator shall be allowed to pay any applicable monetary sanction within a time certain not to exceed 30 days.

Sec. 10-16. Action by mayor and council.

The mayor and council shall perform an on-record review of the hearing record before the public safety commission. The mayor and council shall determine from the hearing record whether there is sufficient evidence to support the finding of the public safety commission. The location owner or location operator shall not be permitted to present additional evidence or arguments before the mayor and council. If the matter before the mayor and council concerns a suspension recommendation, then upon a finding by the mayor and council that sufficient evidence exists to support the recommendation, the mayor and council may accept the recommended days of suspension, decrease the number of days of suspension, or increase the number of days of suspension up to the maximum set forth in [section 10-11](#) of this article. If the matter before the mayor and council concerns a revocation recommendation, then upon a finding by the mayor and council that sufficient evidence exists to support the recommendation, the mayor and council shall revoke the privilege of the location owner or location operator to offer bona fide coin-operated amusement machines to the public for a period not to exceed 60 months. The mayor

and council shall, after deliberation, make such determination as to sufficient evidence at its first regular or called meeting after delivery of the hearing record unless the matter is tabled, but in any event no later than 90 days after the hearing before the public safety commission, and shall notify the location owner or location operator of its determination at such meeting or in writing no later than 30 days after such meeting, which decision shall be filed with the clerk. Failure of the mayor and council to confirm the findings of the public safety commission within 90 days after the hearing before the public safety commission shall be deemed a finding that insufficient evidence exists to support the findings of the public safety commission and shall result in a dismissal of the charge.

Sec. 10-17. Appeal to mayor and council; notice.

- (a) Any location owner or location operator adversely affected by the failure to grant or renew a license may appeal such decision to the mayor and council. Any such appeal must be filed with the city clerk within 15 days of the date of determination by the public safety commission.
- (b) The city clerk shall give a location owner or location operator at least five business days written notice of the time and date of the meeting of the mayor and council at which the appeal will be considered.

Sec. 10-18. Penalties for Violations by Those Who Play Bona Fide Coin Operated Machines in Violation of Law or Ordinance.

The municipal court of the city, or any other court of competent jurisdiction is authorized to impose the following penalties on any person convicted of receiving money as a reward for the successful play or winning of any bona fide coin operated amusement machine from any person owning, possessing, controlling or overseeing such bona fide coin operated amusement machine or any person employed by or acting on behalf of a person owning, possessing, controlling or overseeing a bona fide coin operated amusement machines:

- (1) First Offense: Fine not to exceed two hundred fifty (\$250.00) dollars for each violation.
- (2) Second and Subsequent Offense: Fine not to exceed five hundred (\$500.00) dollars for each violation.

Sec. 10-19. - Unlawful operation; penalty.

It shall be unlawful for any person to offer one or more bona fide coin operated amusement machine games in violation of an order suspending or revoking the privilege of such person to offer bona fide coin-operated amusement machines to the public. Such person shall be subject to citation to the municipal court of the city, and upon conviction shall be subject to a fine not to exceed \$2,000.00.

Sec. 10-20. Kept in plain view.

All bona fide coin operated amusement machines shall be placed and kept in plain view and accessible to any person at the business location.

Sec. 10-21. Costs.

If due cause to assess sanctions is found to exist, then the location owner or location operator shall be charged with and shall pay, in addition to any sanction, the actual costs of the take down and transcription of the hearing proceedings and, if applicable, the cost of translation services.

Secs. 10-22—10-30. - Reserved.

Section 2.

This Ordinance shall be effective upon the posting of this Ordinance in two (2) public places in the City of Dalton for five (5) consecutive days following its enactment by the Mayor and Council, the public health, safety, and welfare requiring it.

Section 3.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 4.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this ____ day of _____, 2026.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, second by Councilmember _____

_____ and upon the question the vote is ____ ayes, ____ nays and the Ordinance is adopted.

ATTEST:

MAYOR/MAYOR PRO TEM

CITY CLERK



CITY COUNCIL AGENDA REQUEST

MEETING TYPE

Mayor & Council Meeting

MEETING DATE

6/1/2026

AGENDA ITEM

Mayoral Appointment to the Limestone Valley RC&D Board

DEPARTMENT

Administration

REQUESTED BY

Andrew Parker

REVIEWED/APPROVED BY CITY ATTORNEY?

N/A

COST

N/A

FUNDING SOURCE IF NOT IN BUDGET

N/A

PLEASE PROVIDE A SUMMARY OF YOUR REQUEST, INCLUDING BACKGROUND INFORMATION TO EXPLAIN THE REQUEST:

Appointment of Jackson Sheppard to the Limestone Valley RC&D Board for a 1-year term to expire December 31, 2026.

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706-278-9500

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