



CITY COUNCIL WORK SESSION

Monday, March 21, 2022 at 6:00 PM
Council Chambers and YouTube Livestream

MISSION STATEMENT

It is the mission of the City of Forest Park to enhance, strengthen, and grow our city by collaborating with our community to provide the highest level of service. Striving to be recognized as a diverse community that values and respects all members. We will strive to provide fair, professional, and courteous service through transparency and open communication. As we work to achieve this mission, we will have integrity beyond reproach while employing fiscal discipline and innovation. In this work there are no praises and raises for mediocrity.

Website: www.forestparkga.gov
YouTube: <https://bit.ly/3c28p0A>
Phone Number: (404) 366.1555

FOREST PARK CITY HALL
745 Forest Parkway
Forest Park, GA 30297

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James
The Honorable Hector Gutierrez
The Honorable Allan Mears

The Honorable Dabouze Antoine
The Honorable Latresa Akins-Wells

Dr. Marc A. Cooper, City Manager
S. Diane White, City Clerk
Mike Williams, City Attorney

AGENDA

VIRTUAL NOTICE

DISCLAIMER: For in-person attendance, all CDC requirements of Masks and Social Distancing is recommended.

To watch the meeting via YouTube - <https://bit.ly/3c28p0A>

The Council Meetings will be livestream and available on the City's

YouTube page - "**City of Forest Park GA**"

CALL TO ORDER/WELCOME:

ROLL CALL - CITY CLERK:

CITY MANAGER'S REPORT: Dr. Marc-Antonie Cooper, City Manager

NEW BUSINESS:

- 1. Council Discussion on a Resolution to Accept the State Fiscal and Recovery Funds for Public Safety Officials and First Responders Pay Supplement – Executive Office**

Background/History:

Governor Brian Kemp announced a \$1,000 pay supplement for all eligible sworn law enforcement officials and first responders in Georgia on September 27, 2021. To be eligible, local governments were to submit

a list of each certified public safety and first responder personnel with his/her certification number and a copy of each employee payroll from August 1 through August 31, 2021, along with the completed application. The application period was October 1, 2021 through December 31, 2021.

The City Manager's Office is requesting that council approves acceptance of the grant funds for this purpose.

2. Council Discussion to Approve to Reallocate TAD Dollars for Gillem Infrastructure – Finance Department

Background/History:

The Urban Redevelopment Agency is seeking approval from council to allocate \$650,000 Tax Allocation District (TAD) dollars to the Raterree Road Extension project. An approval was made by the Urban Redevelopment Agency on April 30, 2020 to bring this request to council.

3. Council Discussion of the Approval of an Ordinance to Provide for a Residential Rental Property Inspection Program – Department of Planning & Community Development

Background/History:

There exist in the city of Forest Park, substandard, and/or unsanitary residential rental buildings and dwelling units. The physical conditions and characteristics of these substandard residential rental buildings violate state and local building, housing and sanitation codes and ordinances that render them unfit or unsafe for human occupancy and habitation. These residential rental buildings and units are detrimental to or jeopardize the health, safety, and welfare of their occupants and compromise the integrity and residential quality of our neighborhoods.

The City's desire is to maintain decent, safe, and sanitary rental housing units through a partnership of owners, tenants, the city, and the community. The Residential Rental Inspection Program will relieve tenants of the burden of having to force reticent property owners to make needed repairs. Systematic inspections will be implemented to ensure that the City's housing stock is maintained and that residents live in healthy conditions.

4. Council Discussion Regarding Blighted Property Tax and Land Value Tax – Legislative Offices/Chief Executive Offices

Background/History:

Discussion regarding a Blighted Property Tax and/or Land Value Tax.

5. Council Discussion Regarding Penalties for Multiple Violations of the City's Ethics Policy – Legislative Office/Chief Executive Office

Background/History:

Depending on the egregiousness of the violation and in consideration of the harm a violation may cause legislators, public employees, and other public servants may face severe consequences for violating the public trust (ethics violations). The range of penalties can include termination and/or criminal prosecution for a public employee, and for legislator's penalties can include censure, removal from office, permanent

disqualification from holding any elected position, restitution, decades in prison, and fines up into the hundreds of thousands of dollars.

The City Manager is seeking guidance and/or direction from City Council regarding revisions to the ethics policy, specifically penalties and/or sanctions for findings sustaining violations on multiple occasions.

6. Council Discussion on the Planning Commission Appointment– Department of Planning & Community Development

Background/History:

On September 7, 2021, the City Council passed a new Zoning Ordinance that re- established the Planning Commission. The Planning Commission consist of five (5) members. Members shall be appointed and confirmed in accordance with Mayor and City Council approval. Planning Commission members shall be residents or property owners within the city and shall not be members of the city governing authority. Members shall be appointed for four (4) year terms and shall serve until their successor is appointed and qualified.

7. Council Discussion on the Downtown Development Authority Member Appointments and Resolution of Appointments – Economic Development Department

Background/History:

The Downtown Development Authority has two (2) members whose terms expired on March 15, 2022. Additionally, the Mayor's term as a member of the governing body serving on the Downtown Development Authority is up for reappointment. The Economic Development Department request that Council consider appointing new members or reappoint the current members. DDA members serve for four (4) years.

8. Council Discussion on Urban Redevelopment Authority Member Appointments and Resolution of Appointments– Economic Development Department

Background/History:

The City Council has previously discussed the removal of urban redevelopment powers from the Downtown Development Authority and the establishment of a separate Board of Commissioners to operate the Urban Redevelopment Agency (URA) on behalf of the City.

OCGA 36-61-18(b) provides that if the URA is authorized to transact business and exercise powers, the Mayor, by and with the advice and consent of the City Council shall appoint a board of commissioners of the urban redevelopment agency, which shall consist of such number of commissioners, with such terms of office, as shall be determined by the City Council.

It is proposed that the City Council establish a seven (7) member Board of Commissioners to manage the affairs of the URA with each member serving for a term of four (4) years. Any person can serve on the Board of Commissioners if he or she is a resident of the City.

Once the Board of Commissioners is constituted, OCGA 36-61-18(e) provides that the Mayor shall designate a chairman and vice-chairman from among the Commissioners.

EXECUTIVE SESSION: (When an Executive Session is required, one will be called for the following issues: Personnel, Litigation or Real Estate)

ADJOURNMENT:

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-1555.

File Attachments for Item:

1. Council Approval of a Resolution to Accept the State Fiscal and Recovery Funds for Public Safety Officials and First Responders Pay Supplement – Executive Office

CITY OF
FORESTPARK

City Council Agenda Item

Subject: State Fiscal and Recovery Funds for Public Safety Officials and First Responders Pay Supplement – Executive Office

Submitted By: LaShawn Gardiner

Date Submitted: March 04, 2022

Work Session Date: March 21, 2022

Council Meeting Date: March 21, 2022

Background/History:

Governor Brian Kemp announced a \$1,000 pay supplement for all eligible sworn law enforcement officials and first responders in Georgia on September 27, 2021. To be eligible, local governments were to submit a list of each certified public safety and first responder personnel with his/her certification number and a copy of each employee payroll from August 1 through August 31, 2021, along with the completed application. The application period was October 1, 2021 through December 31, 2021.

Cost: \$ 125,798.00

Budgeted for: n/a Yes n/a No

Financial Impact: No

No financial impact to the city. No match requirement. This is a supplement payment from the State of Georgia.

Action Requested from Council:

Approval to accept the award from the State.

Gov. Kemp Announces Bonus for Georgia Public Safety Officials and First Responders

SEPTEMBER 27, 2021

Atlanta, GA – Governor Brian P. Kemp today announced a \$1,000 pay supplement for all eligible sworn law enforcement officials and first responders in Georgia. Local governments and employers of public safety officials and first responders are encouraged to visit the Office of Planning and Budget's **grant funding opportunities website (<https://opb.georgia.gov/law-enforcement-and-first-responders-supplement>)** for more information on how to apply, receive, and distribute these funds. Applications will be accepted from October 1, 2021 through December 31, 2021.

“Our law enforcement officials and first responders answered the call of duty and bravely served on the front line of our fight against COVID-19, despite the unprecedented challenges thrown their way,” **said Governor Brian Kemp**. “Working with Speaker Ralston and the General Assembly, today, we are taking yet another step in supporting our men and women in uniform and first responders by providing this well-deserved bonus. Like they do every day, these heroic Georgians ran toward the COVID-19 crisis and put their lives on the line to protect others. My family and the state of Georgia deeply appreciate all they do. Thank you!”

“Georgia is a state that supports our law enforcement officers and first responders, and this \$1,000 bonus is one way of showing our appreciation for their continued heroism through the darkest days of the COVID-19 pandemic,” **said Speaker David Ralston**. “Working with Governor Kemp and my colleagues in the General Assembly, we have made backing those who wear the badge and work on the frontlines a priority. Their selfless service keeps Georgia a great place to live, to work, and to raise a family, and for those efforts we are truly grateful.”

The State of Georgia will be utilizing funds made available by the American Rescue Plan Act to create this opportunity. Eligible categories of law enforcement officials and first responders include, but are not limited to, the following groups:

State, Local, or Education Entity Sworn Law Enforcement

Criminal Investigators and Detectives

Probation and Parole Officers

Career Firefighters

Emergency Medical Technicians and Paramedics

Sheriffs and Deputies

Correctional and Jail Officers

Bailiffs

Fish and Game Wardens

911 Communications Officers or Dispatchers

Contact Press Secretary

Katie Byrd

katie.byrd@georgia.gov (<mailto:katie.byrd@georgia.gov>)

Contact Deputy Press Secretary

Emily Flower

emily.flower@georgia.gov (<mailto:emily.flower@georgia.gov>)

**STATE OF GEORGIA
COUNTY OF CLAYTON**

RESOLUTION NO.: _____

A RESOLUTION BY MAYOR AND CITY COUNCIL OF FOREST PARK, GEORGIA TO ACCEPT STATE FISCAL RECOVERY FUNDS FOR ELIGIBLE PUBLIC SAFETY OFFICIALS AND FIRST RESPONDERS PAY SUPPLEMENT IN THE AMOUNT OF \$125,798.00; TO SUPPORT THE MEN AND WOMEN THAT PUT THEIR LIVES ON THE LINE TO PROTECT OTHERS DURING THE COVID-19 CRISIS; AND FOR OTHER PURPOSES.

WHEREAS, Governor Brian Kemp announced a \$1,000 pay supplement for all eligible sworn law enforcement officials and first responders in Georgia, September 27, 2021; and

WHEREAS, local governments and employers of public safety officials and first responders in the State of Georgia were encouraged to visit the Office of Planning and Budget's grant funding opportunities website for additional information about the program and to apply for funding; and

WHEREAS, the online application portal was open from October 1, 2021, through December 31, 2021, for applicants to submit the application and other required documentation; and

WHEREAS, eligibility per state guidelines stated that public safety officials and first responders should be certified by their respective certifying agencies, must have been on payroll from August 1, 2021 to August 31, 2021, and a list of such personnel with state agency certification credentials as well as copies of each payroll period for each employee had to be submitted with the supplemental pay application; and

WHEREAS, the city submitted all required documents, and the state recently notified the city that the payment request of \$125,798.00 had been approved; and

WHEREAS, there was no match requirement.

NOW THEREFORE, BE IT RESOLVD that the City of Forest Park City Council accepts the Public Safety Officials and First Responders Pay Supplement.

Section 1: The Mayor and Council of Forest Park, Georgia hereby approves and accepts the funding through the State Fiscal Recovery Funds for Eligible Public Safety Officials and First Responders Pay Supplement program.

Section 2. If any section, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional by a decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and such remainder shall remain in full force and effect.

Section 3. This resolution shall be in full force and effect immediately upon and after its final passage.

SO RESOLVED, this _____ day of _____, **2022**.

CITY OF FOREST PARK

Angelyne Butler, Mayor

Kimberly James, (Ward 1)

Antoine Dabouze, Mayor Pro Tem (Ward 2)

Hector Gutierrez, (Ward 3)

Latresa Akins-Wells, (Ward 4)

Alan Mears, (Ward 5)

ATTEST:

CITY CLERK

(THE SEAL OF THE CITY OF FOREST PARK,
GEORGIA)

Approved as to form:

CITY ATTORNEY

File Attachments for Item:**2. Council Approval to Reallocate TAD Dollars for Gillem Infrastructure – Finance Department****Background/History:**

The Urban Redevelopment Agency is seeking approval from council to allocate \$650,000 Tax Allocation District (TAD) dollars to the Rateree Road Extension project. An approval was made by the Urban Redevelopment Agency on April 30, 2020 to bring this request to council.

CITY OF
FORESTPARK

City Council Agenda Item

Subject: Approval to Reallocate TAD Dollars for Gillem Infrastrure – Finance Department

Submitted By: Darquita Williams

Date Submitted: March 11, 2022

Work Session Date: March 21, 2022

Council Meeting Date: March 21, 2022

Background/History:

The Urban Redevelopment Agency is seeking approval from council to allocate \$650,000 Tax Allocation District (TAD) dollars to the Rateree Road Extension project. An approval was made by the Urban Redevelopment Agency on April 30, 2020 to bring this request to council.

Cost: \$ _____ **Budgeted for:** _____ **Yes** _____ **No**

Financial Impact:

The Tax Allocation District Fund will be decreased by \$650,000.

Action Requested from Council:

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File Attachments for Item:**3. Council Approval of an Ordinance 22-02 to Provide for a Residential Rental Property Inspection Program** – Department of Planning & Community Development**Background/History:**

There exist in the city of Forest Park, substandard, and/or unsanitary residential rental buildings and dwelling units. The physical conditions and characteristics of these substandard residential rental buildings violate state and local building, housing and sanitation codes and ordinances that render them unfit or unsafe for human occupancy and habitation. These residential rental buildings and units are detrimental to or jeopardize the health, safety, and welfare of their occupants and compromise the integrity and residential quality of our neighborhoods.

The City's desire is to maintain decent, safe, and sanitary rental housing units through a partnership of owners, tenants, the city, and the community. The Residential Rental Inspection Program will relieve tenants of the burden of having to force reticent property owners to make needed repairs. Systematic inspections will be implemented to ensure that the City's housing stock is maintained and that residents live in healthy conditions.

CITY OF
FORESTPARK

City Council Agenda Item

Subject: Council Approval an Ordinance to Provide for a Residential Rental Property Inspection Program – Department of Planning & Community Development

Submitted By: James Shelby

Date Submitted: March 14, 2022

Work Session Date: March 21, 2022

Council Meeting Date: March 21, 2022

Background/History:

There exist in the city of Forest Park, substandard, and/or unsanitary residential rental buildings and dwelling units. The physical conditions and characteristics of these substandard residential rental buildings violate state and local building, housing and sanitation codes and ordinances that render them unfit or unsafe for human occupancy and habitation. These residential rental buildings and units are detrimental to or jeopardize the health, safety, and welfare of their occupants and compromise the integrity and residential quality of our neighborhoods.

The City's desire is to maintain decent, safe, and sanitary rental housing units through a partnership of owners, tenants, the city, and the community. The Residential Rental Inspection Program will relieve tenants of the burden of having to force reticent property owners to make needed repairs. Systematic inspections will be implemented to ensure that the City's housing stock is maintained and that residents live in healthy conditions.

Cost: \$ N/A

Budgeted for: _____ Yes _____ No

Financial Impact:

None

Action Requested from Council:

Approval of Ordinance for a Residential Rental Property Inspection Program

ORDINANCE NO. _____

AN ORDINANCE TO PROVIDE FOR A RESIDENTIAL RENTAL PROPERTY INSPECTION PROGRAM; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Forest Park is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Forest Park, Georgia desires to adopt a residential rental property inspection program; and,

WHEREAS, the health, safety, and welfare of the citizens of Forest Park, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FOREST PARK HEREBY ORDAINS:

Section 1. That Title 8, Chapter 2 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by creating new Article S attached hereto as Exhibit A.

Section 2. That Section 8-2-5 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and replacing it with the following in lieu thereof:

“Section 8-2-5. – Reserved.”

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

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

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

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. Penalties in effect for violations of the City of Forest Park at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. The effective date of this Ordinance shall be the date of its enactment.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this _____ day of _____, 2022.

Mayor Angelyne Butler

ATTEST:

_____ (SEAL)
City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A**ARTICLE S. RESIDENTIAL RENTAL DWELLING UNIT INSPECTION AND
MAINTENANCE PROGRAM**

8-2-300	Findings and Purpose.
8-2-301	Definitions.
8-2-302	Residential Rental Dwelling Unit Inspection Program Registration.
8-2-303	Inspections-Single-family Residential Rental Dwelling Unit
8-2-304	Inspections-Multi-family Rental Units
8-2-305	Residential Rental Dwelling Unit Inspection Program Fees.
8-2-306	Certified Building Inspector Requirements
8-2-307	Nuisances
8-2-308	Retaliatory Eviction.
8-2-309	Change of Ownership.
8-2-310	Regulations Nonexclusive.

8-2-300 FINDINGS AND PURPOSE.

The City Council finds and declares that there exist in the city substandard, and/or unsanitary residential rental buildings and dwelling units, the physical conditions, and characteristics of which violate state and local building, housing and sanitation codes and ordinances and render them unfit or unsafe for human occupancy and habitation. These residential rental buildings and units are detrimental to or jeopardize the health, safety, and welfare of their occupants and of the public and serve to seriously compromise the integrity and residential quality of city neighborhoods. It has been observed by city staff performing code enforcement functions that in general the most egregious violations of health and safety codes and negative impacts because of such factors as deferred property maintenance, a proliferation of vehicles attributable to the tenants who rent these properties and the accumulation of excess trash and debris on or about the properties

The City Council further finds and declares that the existence of such substandard residential rental buildings and dwelling units necessitates disproportionate expenditures of public funds for code enforcement and remedial action; impairs the efficient and economical exercise of governmental powers and functions; and disrupts peaceful and quiet enjoyment of residential areas and neighborhoods.

The City Council further finds and declares the desire to maintain and safeguard the stock of decent, safe, and sanitary rental housing units in the city through a partnership of owners, tenants, the city, and the community.

The residential rental inspection program required by this section is intended to address the conditions described in the findings and purpose of this section. The purpose of this section is to proactively identify such substandard and unsafe residential buildings and dwelling units and to ensure the rehabilitation or elimination of those buildings and dwelling units that do not meet minimum building code and housing code standards or are not safe to occupy or do not comply

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with zoning codes. It is intended that structures will be required to be maintained in a safe and sanitary condition at the level consistent with the codes of the period in which they were constructed. However, unpermitted additions and alterations must comply with current codes adopted by the City of Forest Park.

It is not the city's intent to intrude upon the fair and accepted contractual relationship between tenant and property owner. The city does not intend to intervene as an advocate of either party, or to be receptive to the complaints of a tenant or property owner not specifically and clearly relevant to the provisions of this division. In the absence of such relevancy regarding tenant disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the city.

The provisions of this Article S are in addition to, not in lieu of, other applicable standard codes, but not limited to, International Property Maintenance Code, International Building Code, and International Fire Code, as adopted by the city.

8-2-301 DEFINITIONS.

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

Building Inspector means a person inspecting for compliance with the various adopted codes who is a licensed design professional (architect or engineer) or holds one of the following certifications from the International Code Council (ICC): property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.

Building Official who shall possess all statutorily mandated certifications to enforce state building and construction codes.

Code Compliance Certificate means a certificate, substantially similar to the inspection report provided by the city, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report.

Code Enforcement Officer who is designated by the City of Forest Park to enforce applicable codes.

Director means the Director of Planning and Community Development, or his or her designee.

Excessive littering means the discarding of any rubbish, trash, garbage, debris abandoned personal items, etc., in the common areas of the Multi-family Rental Property that so degrades the appearance of the property that, in view of a reasonable person, detracts from the natural cleanliness or safety and /or exhibits a foul or noxious odor.

Inspection report means the report attached to the code compliance certificate describing minimum requirements for inspection of each unit.

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Lease means any written or oral agreement which sets forth all conditions concerning the use and occupancy of single-family rental dwellings or multi-family rental units.

Occupancy means all tenants, lessees and persons residing within a residential rental dwelling unit.

Owner means any person, agent, firm, or corporation having a legal or equitable interest in a premise.

Owner-occupied means any part of a structure used as living quarters by the owner of said structure where other parts of the structure are used as rental units. Example: Two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit. This ordinance exempts buildings with four (4) or fewer units if the owner occupies one of the units.

Premises means any lot or piece of land inclusive of the single-family rental dwelling or multi-family rental unit.

Residential rental dwelling unit” shall mean a building or portion of a building that is rented or leased to tenants for residential purposes on a non-transient basis (when one or more tenants reside on the property or rent or lease the property for thirty consecutive days or longer) and which is owned in whole or in part by a property owner. This shall include but not be limited to single-family residences, duplexes, triplexes, apartment houses, townhouse dwellings, condominiums, boarding houses, lodging houses, group homes, rooming houses, single room occupancy units, small ownership units, hotel, and motel units in the city of Forest Park.

“*Tenant*” means a legal occupant of any rental unit except for an owner -occupied unit.

8-2-302 RESIDENTIAL RENTAL DWELLING UNIT INSPECTION PROGRAM REGISTRATION.

- a. Each owner or operator, on behalf of the owner, shall initially register for the residential rental dwelling unit inspection program on a form provided by the City’s Department of Planning and Community Development.
- b. All registrations shall be subject to verification by the director or his designee. All information on said registrations shall be submitted under penalty of perjury. Any person who makes a false statement in the registration or submits false information in connection with a registration shall be guilty of a zoning infraction.

8-2-303 INSPECTIONS-SINGLE-FAMILY RESIDENTIAL RENTAL DWELLING UNITS

Each owner or operator, on behalf of the owner of residential rental dwelling units is required to conduct an annual self-inspection of the interior and exterior of the property on a form provided by the Department of Planning and Community Development. The City will periodically select rental dwelling units to determine if the property achieve minimal standards listed on self-inspection check list.

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If code violations are observed during the initial inspection, reinspection fees will apply at the time of the re-inspection. The fees are the sole responsibility of the property owner(s). The property owner or agent will be given between one (1) and thirty (30) days to make corrections, depending on the nature and severity of the correction and/or violation.

Compliance inspections will be conducted on residential rental dwelling units which are in violation of any building, housing or sanitation codes or ordinances consistent with this Article S or on residential rental dwelling units requested for inspection by the owner.

New single-family residential rental dwelling units are exempt from interior inspection requirements, provided proper permits have been issued by the City for two years after the date of the Certificate of Occupancy issued by the City. However, a self-inspection check list must be conducted annually.

8-2-304 INSPECTIONS MULTI-FAMILY RENTAL UNITS

a. *Inspection.* Upon initial inspection of such dwellings or units, should a building inspector determine that further work is necessary to comply with the minimum standards set forth herein, an acceptable plan shall be submitted to the building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this section. No extension shall be granted if life safety issues are involved, and any such units shall not be leased until brought into compliance. Failure to comply with the accepted plan shall be a violation of this section and is subject to those penalties contained in Section 1-1-8 Code of Ordinances, City of Forest Park, Georgia.

New multi-family rental units are exempt from interior inspection requirements, provided proper permits have been issued by the City for two years after the date of the Certificate of Occupancy issued by the City.

b. *Compliance certificate.* After submission of the initial code compliance certificate, each owner shall submit a code compliance certificate annually with their business license renewal. Such subsequent code compliance certificate shall cover at least 25 percent of the units in multi-family rental dwellings, provided all units shall be inspected, at a minimum, every four years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior, and common area inspections shall cover at least 50 percent of the buildings, provided all buildings shall be inspected, at a minimum, every two years. All units inspected shall be listed individually and submitted to the city by the certified building inspector.

c. *Written record of inspection.* Each owner and the Department of Planning and Community Development shall keep a written record of all inspections for each unit including the date of the inspection, items inspected and all violations, if any, observed. Such records shall be presented to the city within ten business days after such request is made in writing to the inspector. Failure to provide such records shall nullify the code compliance certificate for those units.

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d. *Failure to provide code compliance certificate.*

- i. Failure to provide the code compliance certificate as provided herein shall be a violation of this section and is subject to those penalties contained in in Section 1-1-8 Code of Ordinances, City of Forest Park, Georgia.
- ii. Failure to provide the code compliance certificate shall further, upon a judicial determination, be a condition constituting probable cause for, and may subject said multi-family rental dwelling or multi-family rental units to, inspection by the city building official at a fee of \$200.00 per dwelling or sleeping unit. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.
- iii. Failure to pay business license as provided herein shall be a violation of the City Code and is subject to those penalties set forth therein. Nothing contained in this section shall prevent the city from enforcing the any other applicable law or regulation.

e. *Interior evaluations of multi-family rental units.* Interior evaluations will be conducted to ensure compliance with the Forest Park International Property Maintenance Code, NFPA 101 (Life Safety Code, existing provisions), the International Fire Code and other referenced standards contained therein as listed in the checklists as published by the Building Safety Division, Georgia Department of Community Affairs.

f. *Exterior and publicly accessible evaluations of multi-family rental units and multi-family properties.* Exterior evaluations will be conducted to ensure compliance with the Forest Property Maintenance Code, NFPA 101 (Life Safety Code, existing provisions), the International Fire Code and other referenced standards contained therein as listed in the checklists as published by the Building Safety Division, Georgia Department of Community Affairs.

- i. Excessive littering on the Multi-family Rental Property shall be a violation, and a warning to the Owner and /or Manager shall be given to clean-up same. If the Excessive Littering has not been cleaned up within three (3) days of the date for the official warning. A Code Enforcement Officer shall cite the Owner and/or Manager with a violation. Each day thereafter shall be cause for an additional citation for violation until such time as “Excessive Littering” is cleaned up.

g. *Penalty for false certification and false inspection.*

- i. An owner who knowingly participates in furnishing a code compliance certificate to the city which contains a false certification that all multi-family rental dwellings or multi-family rental units inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this Code for each multi-family rental dwelling or multi-family rental unit for which the certification is shown to be false and can be fined as provided by this Code for each violation.
- ii. A certified building inspector who furnishes an inspection report which knowingly contains fraudulent information that a multi-family rental dwelling or multi-family rental unit meets

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the minimum housing standards of the city as shown by the inspection report provided by the building safety division shall be guilty of a violation of the City of Forest Park Code of Ordinances for each multi-family rental dwelling or multi-family rental unit for which the code compliance certificate is shown to be false and can be fined by the court for each violation. In addition, the certified building inspector's right to submit inspection reports to the city shall be suspended for a stated period, up to five years.

h. *Refusal to permit inspection.*

- i. If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the inspector shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.
- ii. Notwithstanding the foregoing, if the inspector has reasonable cause to believe that the residential rental dwelling unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the inspector shall have the right to immediately enter and inspect the premises and may use any reasonable means required to affect the entry and make an inspection.

8-2-305 RESIDENTIAL RENTAL DWELLING UNIT INSPECTION PROGRAM ANNUAL REGISTRATION AND LICENSES FEES.

a. *General Business License Tax.* All owners of rental dwelling units within the city that receive income from renting units shall be subject to occupation tax required by Title 3, Chapter 3 of the Code of Ordinances, City of Forest Park, Georgia.

b. *Annual Registration Fees.* Annual registration for single-family residential dwelling units the owner or operator, on behalf of the owner, shall conduct an annual self-inspection, including exterior conditions and site conditions, and certify under penalty of perjury that the conditions at the property achieve minimum standards listed on self-inspection check list provided by the Department of Planning and Community Development. Each annual registration for the residential rental dwelling unit inspection program shall include a self-inspection checklist accompanied by a nonrefundable fee in the amount established by resolution of the City Council. The fee shall be used to defray the costs of inspections, administration, and enforcement of this section.

The annual residential rental dwelling unit program fee shall be levied for the calendar year and each applicant must pay the full fee for the calendar year upon submission of the application for that year's residential rental dwelling unit registration.

The residential rental dwelling unit program fee required by this section is in addition to and not in lieu of any other tax imposed by the City.

c. *Fee Schedule*

Type of Fee	Price	Quantity	Total
Base registration fee (includes first rental unit)	75.00	1	75.00
Additional units fee	15.00 for each additional unit*	*	*
Late Registration/renewal fee (if past due)	30.00 (See Penalty)	-	-
Total payment			

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*Examples

- Single family house for rent as one housing unit: \$75
- Duplex with the owner living in one unit, second unit for rent: \$75
- Duplex with both units for rent: $\$75 + \$15 = \$90$
- 4-unit building with the owner living in one unit, three units for rent: $\$75 + (\$15 \times 2 \text{ units}) = \105
- 20-unit building with 20 units for rent: $\$75 + (\$15 \times 19 \text{ units}) = \360

d. *Penalty.*

1. Failure to Pay Annual Fee. In addition to any other remedies the city may elect to pursue for failure to pay the annual residential rental dwelling unit program fee when due, the director of finance shall add a penalty of twenty percent of the permit fee on the first day of the month following the due date and ten percent for each month thereafter while the fee remains unpaid; provided, that the amount of the penalty shall not exceed fifty percent of the amount of the fee due.
2. Failure to Register. If an owner fails to register for the residential rental dwelling unit inspection program as required by this section the fee due shall be that amount due and payable from the first date when the person engaged in the residential rental business in the city after the effective date of the ordinance codified in this section, together with the penalty prescribed in subsection (c)(1).

8-2-306 CERTIFIED BUILDING INSPECTOR REQUIREMENTS.

From time to time the City of Forest Park may require the assistance of licensed third-party inspectors. All inspectors wishing to submit or participate in the Residential Rental Dwelling Unit Inspection and Maintenance Program evaluation program must comply with the following requirements:

- (1) The inspector must be a licensed design professional (architect or engineer) or hold one of the following certifications from the International Code Council (ICC): Property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.
- (2) The inspector must submit a copy of his or her business license and applicable certification to the city to be placed on an approved inspector list prior to inspecting any rental unit.
- (3) The inspector must meet with the building official or the code compliance official upon approval prior to performing any services to comply with this section.
- (4) Mandatory meetings will be called by the city which all inspectors participating in the program must attend. Ample notice will be provided by the city of no less than two weeks.
- (5) The inspector must provide an inspection report or a certificate, similar to the inspection report provided by the city, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report. The inspector must sign and date the report upon completion.

8-2-307 NUISANCES.

DRAFT

Nothing in this article shall be construed to impair, limit, or preempt in any way the power of the city to enforce any applicable codes, as defined in state law, or to define or declare nuisances and to compel or cause their removal or abatement by summary proceedings or otherwise under the provisions of Title 11, Chapter 2 of the Code of Ordinances, City of Forest Park, Georgia.

8-2-308 RETALIATORY EVICTION.

It shall be unlawful for a property owner to recover possession of a residential rental dwelling unit in retaliation against a tenant for exercising his or her right to file a complaint with the city advising that a building, housing or sanitation code or ordinance violation or permit violation may exist on the property.

8-2-309 CHANGE OF OWNERSHIP.

When ownership of a residential rental dwelling unit changes, either the prior owner shall notify the director of this event prior to the consummation of the sale or recordation of an instrument of conveyance with the Clayton County recorder's office or the new owner within sixty days after consummation of the sale or recordation of an instrument of conveyance with the Clayton County recorder's office. If the director is not so notified, the existing rental housing inspection certification for the residential rental dwelling unit shall automatically terminate and be null and void. The new owner will not have to pay the program fees until the following calendar year, provided all fees were paid by for the residential rental dwelling unit.

8-2-310 REGULATIONS NONEXCLUSIVE.

The provisions of this section regulating residential rental dwelling units are not intended to be exclusive and compliance with this section shall not excuse noncompliance with any other applicable provision, requirement, or regulation of this code or any applicable state and federal law. Nothing in this section shall limit or preclude inspection conducted by the fire department inspectors for compliance with fire codes.

EXHIBIT A

ARTICLE S. - RESIDENTIAL RENTAL DWELLING UNIT INSPECTION AND MAINTENANCE PROGRAM

8-2-300	Findings and Purpose.
8-2-301	Definitions.
8-2-302	Residential Rental Dwelling Unit Inspection Program Registration.
8-2-303	Inspections-Single-family Residential Rental Dwelling Unit
8-2-304	Inspections-Multi-family Rental Units
8-2-305	Residential Rental Dwelling Unit Inspection Program Fees.
8-2-306	Certified Building Inspector Requirements
8-2-307	Nuisances
8-2-308	Retaliatory Eviction.
8-2-309	Change of Ownership.
8-2-310	Regulations Nonexclusive.

8-2-300 FINDINGS AND PURPOSE.

The City Council finds and declares that there exist in the city substandard, and/or unsanitary residential rental buildings and dwelling units, the physical conditions, and characteristics of which violate state and local building, housing and sanitation codes and ordinances and render them unfit or unsafe for human occupancy and habitation. These residential rental buildings and units are detrimental to or jeopardize the health, safety, and welfare of their occupants and of the public and serve to seriously compromise the integrity and residential quality of city neighborhoods. It has been observed by city staff performing code enforcement functions that in general the most egregious violations of health and safety codes and negative impacts because of such factors as deferred property maintenance, a proliferation of vehicles attributable to the tenants who rent these properties and the accumulation of excess trash and debris on or about the properties

The City Council further finds and declares that the existence of such substandard residential rental buildings and dwelling units necessitates disproportionate expenditures of public funds for code enforcement and remedial action; impairs the efficient and economical exercise of governmental powers and functions; and disrupts peaceful and quiet enjoyment of residential areas and neighborhoods.

The City Council further finds and declares the desire to maintain and safeguard the stock of decent, safe, and sanitary rental housing units in the city through a partnership of owners, tenants, the city, and the community.

The residential rental inspection program required by this section is intended to address the conditions described in the findings and purpose of this section. The purpose of this section is to proactively identify such substandard and unsafe residential buildings and dwelling units and to ensure the rehabilitation or elimination of those buildings and dwelling units that do not meet minimum building code and housing code standards or are not safe to occupy or do not comply

with zoning codes. It is intended that structures will be required to be maintained in a safe and sanitary condition at the level consistent with the codes of the period in which they were constructed. However, unpermitted additions and alterations must comply with current codes adopted by the City of Forest Park.

It is not the city's intent to intrude upon the fair and accepted contractual relationship between tenant and property owner. The city does not intend to intervene as an advocate of either party, or to be receptive to the complaints of a tenant or property owner not specifically and clearly relevant to the provisions of this division. In the absence of such relevancy regarding tenant disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the city.

The provisions of this Article S are in addition to, not in lieu of, other applicable standard codes, but not limited to, International Property Maintenance Code, International Building Code, and International Fire Code, as adopted by the city.

8-2-301 DEFINITIONS.

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

Building Inspector means a person inspecting for compliance with the various adopted codes who is a licensed design professional (architect or engineer) or holds one of the following certifications from the International Code Council (ICC): property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.

Building Official who shall possess all statutorily mandated certifications to enforce state building and construction codes.

Code Compliance Certificate means a certificate, substantially similar to the inspection report provided by the city, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report.

Code Enforcement Officer who is designated by the City of Forest Park to enforce applicable codes.

Director means the Director of Planning and Community Development, or his or her designee.

Excessive littering means the discarding of any rubbish, trash, garbage, debris abandoned personal items, etc., in the common areas of the Multi-family Rental Property that so degrades the appearance of the property that, in view of a reasonable person, detracts from the natural cleanliness or safety and /or exhibits a foul or noxious odor.

Inspection report means the report attached to the code compliance certificate describing minimum requirements for inspection of each unit.

Lease means any written or oral agreement which sets forth all conditions concerning the use and occupancy of single-family rental dwellings or multi-family rental units.

Occupancy means all tenants, lessees and persons residing within a residential rental dwelling unit.

Owner means any person, agent, firm, or corporation having a legal or equitable interest in a premise.

Owner-occupied means any part of a structure used as living quarters by the owner of said structure where other parts of the structure are used as rental units. Example: Two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit. This ordinance exempts buildings with four (4) or fewer units if the owner occupies one of the units.

Premises means any lot or piece of land inclusive of the single-family rental dwelling or multi-family rental unit.

Residential rental dwelling unit” shall mean a building or portion of a building that is rented or leased to tenants for residential purposes on a non-transient basis (when one or more tenants reside on the property or rent or lease the property for thirty consecutive days or longer) and which is owned in whole or in part by a property owner. This shall include but not be limited to single-family residences, duplexes, triplexes, apartment houses, townhouse dwellings, condominiums, boarding houses, lodging houses, group homes, rooming houses, single room occupancy units, small ownership units, hotel, and motel units in the city of Forest Park.

“*Tenant*” means a legal occupant of any rental unit except for an owner -occupied unit.

8-2-302 RESIDENTIAL RENTAL DWELLING UNIT INSPECTION PROGRAM REGISTRATION.

- a. Each owner or operator, on behalf of the owner, shall initially register for the residential rental dwelling unit inspection program on a form provided by the City’s Department of Planning and Community Development.
- b. All registrations shall be subject to verification by the director or his designee. All information on said registrations shall be submitted under penalty of perjury. Any person who makes a false statement in the registration or submits false information in connection with a registration shall be guilty of a zoning infraction.

8-2-303 INSPECTIONS-SINGLE-FAMILY RESIDENTIAL RENTAL DWELLING UNITS

Each owner or operator, on behalf of the owner of residential rental dwelling units is required to conduct an annual self-inspection of the interior and exterior of the property on a form provided by the Department of Planning and Community Development. The City will periodically select rental dwelling units to determine if the property achieve minimal standards listed on self-inspection check list.

If code violations are observed during the initial inspection, reinspection fees will apply at the time of the re-inspection. The fees are the sole responsibility of the property owner(s). The property owner or agent will be given between one (1) and thirty (30) days to make corrections, depending on the nature and severity of the correction and/or violation.

Compliance inspections will be conducted on residential rental dwelling units which are in violation of any building, housing or sanitation codes or ordinances consistent with this Article S or on residential rental dwelling units requested for inspection by the owner.

New single-family residential rental dwelling units are exempt from interior inspection requirements, provided proper permits have been issued by the City for two years after the date of the Certificate of Occupancy issued by the City. However, a self-inspection check list must be conducted annually.

8-2-304 INSPECTIONS MULTI-FAMILY RENTAL UNITS

a. *Inspection.* Upon initial inspection of such dwellings or units, should a building inspector determine that further work is necessary to comply with the minimum standards set forth herein, an acceptable plan shall be submitted to the building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this section. No extension shall be granted if life safety issues are involved, and any such units shall not be leased until brought into compliance. Failure to comply with the accepted plan shall be a violation of this section and is subject to those penalties contained in Section 1-1-8 Code of Ordinances, City of Forest Park, Georgia.

New multi-family rental units are exempt from interior inspection requirements, provided proper permits have been issued by the City for two years after the date of the Certificate of Occupancy issued by the City.

b. *Compliance certificate.* After submission of the initial code compliance certificate, each owner shall submit a code compliance certificate annually with their business license renewal. Such subsequent code compliance certificate shall cover at least 25 percent of the units in multi-family rental dwellings, provided all units shall be inspected, at a minimum, every four years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior, and common area inspections shall cover at least 50 percent of the buildings, provided all buildings shall be inspected, at a minimum, every two years. All units inspected shall be listed individually and submitted to the city by the certified building inspector.

c. *Written record of inspection.* Each owner and the Department of Planning and Community Development shall keep a written record of all inspections for each unit including the date of the inspection, items inspected and all violations, if any, observed. Such records shall be presented to the city within ten business days after such request is made in writing to the inspector. Failure to provide such records shall nullify the code compliance certificate for those units.

d. *Failure to provide code compliance certificate.*

- i. Failure to provide the code compliance certificate as provided herein shall be a violation of this section and is subject to those penalties contained in in Section 1-1-8 Code of Ordinances, City of Forest Park, Georgia.
- ii. Failure to provide the code compliance certificate shall further, upon a judicial determination, be a condition constituting probable cause for, and may subject said multi-family rental dwelling or multi-family rental units to, inspection by the city building official at a fee of \$200.00 per dwelling or sleeping unit. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.
- iii. Failure to pay business license as provided herein shall be a violation of the City Code and is subject to those penalties set forth therein. Nothing contained in this section shall prevent the city from enforcing the any other applicable law or regulation.

e. *Interior evaluations of multi-family rental units.* Interior evaluations will be conducted to ensure compliance with the Forest Park International Property Maintenance Code, NFPA 101 (Life Safety Code, existing provisions), the International Fire Code and other referenced standards contained therein as listed in the checklists as published by the Building Safety Division, Georgia Department of Community Affairs.

f. *Exterior and publicly accessible evaluations of multi-family rental units and multi-family properties.* Exterior evaluations will be conducted to ensure compliance with the Forest Property Maintenance Code, NFPA 101 (Life Safety Code, existing provisions), the International Fire Code and other referenced standards contained therein as listed in the checklists as published by the Building Safety Division, Georgia Department of Community Affairs.

- i. Excessive littering on the Multi-family Rental Property shall be a violation, and a warning to the Owner and /or Manager shall be given to clean-up same. If the Excessive Littering has not been cleaned up within three (3) days of the date for the official warning. A Code Enforcement Officer shall cite the Owner and/or Manager with a violation. Each day thereafter shall be cause for an additional citation for violation until such time as "Excessive Littering" is cleaned up.

g. *Penalty for false certification and false inspection.*

- i. An owner who knowingly participates in furnishing a code compliance certificate to the city which contains a false certification that all multi-family rental dwellings or multi-family rental units inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this Code for each multi-family rental dwelling or multi-family rental unit for which the certification is shown to be false and can be fined as provided by this Code for each violation.
- ii. A certified building inspector who furnishes an inspection report which knowingly contains fraudulent information that a multi-family rental dwelling or multi-family rental unit meets

the minimum housing standards of the city as shown by the inspection report provided by the building safety division shall be guilty of a violation of the City of Forest Park Code of Ordinances for each multi-family rental dwelling or multi-family rental unit for which the code compliance certificate is shown to be false and can be fined by the court for each violation. In addition, the certified building inspector's right to submit inspection reports to the city shall be suspended for a stated period, up to five years.

h. Refusal to permit inspection.

- i. If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the inspector shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.
- ii. Notwithstanding the foregoing, if the inspector has reasonable cause to believe that the residential rental dwelling unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the inspector shall have the right to immediately enter and inspect the premises and may use any reasonable means required to affect the entry and make an inspection.

**8-2-305 RESIDENTIAL RENTAL DWELLING UNIT INSPECTION PROGRAM
ANNUAL REGISTRATION AND LICENSES FEES.**

a. General Business License Tax. All owners of rental dwelling units within the city that receive income from renting units shall be subject to occupation tax required by Title 3, Chapter 3 of the Code of Ordinances, City of Forest Park, Georgia.

b. Annual Registration Fees. Annual registration for single-family residential dwelling units the owner or operator, on behalf of the owner, shall conduct an annual self-inspection, including exterior conditions and site conditions, and certify under penalty of perjury that the conditions at the property achieve minimum standards listed on self-inspection check list provided by the Department of Planning and Community Development. Each annual registration for the residential rental dwelling unit inspection program shall include a self-inspection checklist accompanied by a nonrefundable fee in the amount established by resolution of the City Council. The fee shall be used to defray the costs of inspections, administration, and enforcement of this section.

The annual residential rental dwelling unit program fee shall be levied for the calendar year and each applicant must pay the full fee for the calendar year upon submission of the application for that year's residential rental dwelling unit registration.

The residential rental dwelling unit program fee required by this section is in addition to and not in lieu of any other tax imposed by the City.

c. Penalty.

1. **Failure to Pay Annual Fee.** In addition to any other remedies the city may elect to pursue for failure to pay the annual residential rental dwelling unit program fee when due, the director of finance shall add a penalty of twenty percent of the permit fee on the first day of the month following the due date and ten percent for each month thereafter while the fee

remains unpaid; provided, that the amount of the penalty shall not exceed fifty percent of the amount of the fee due.

2. Failure to Register. If an owner fails to register for the residential rental dwelling unit inspection program as required by this section the fee due shall be that amount due and payable from the first date when the person engaged in the residential rental business in the city after the effective date of the ordinance codified in this section, together with the penalty prescribed in subsection (c)(1).

8-2-306 CERTIFIED BUILDING INSPECTOR REQUIREMENTS.

From time to time the City of Forest Park may require the assistance of licensed third-party inspectors. All inspectors wishing to submit or participate in the Residential Rental Dwelling Unit Inspection and Maintenance Program evaluation program must comply with the following requirements:

- (1) The inspector must be a licensed design professional (architect or engineer) or hold one of the following certifications from the International Code Council (ICC): Property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.
- (2) The inspector must submit a copy of his or her business license and applicable certification to the city to be placed on an approved inspector list prior to inspecting any rental unit.
- (3) The inspector must meet with the building official or the code compliance official upon approval prior to performing any services to comply with this section.
- (4) Mandatory meetings will be called by the city which all inspectors participating in the program must attend. Ample notice will be provided by the city of no less than two weeks.
- (5) The inspector must provide an inspection report or a certificate, similar to the inspection report provided by the city, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report. The inspector must sign and date the report upon completion.

8-2-307 NUISANCES.

Nothing in this article shall be construed to impair, limit, or preempt in any way the power of the city to enforce any applicable codes, as defined in state law, or to define or declare nuisances and to compel or cause their removal or abatement by summary proceedings or otherwise under the provisions of Title 11, Chapter 2 of the Code of Ordinances, City of Forest Park, Georgia.

8-2-308 RETALIATORY EVICTION.

It shall be unlawful for a property owner to recover possession of a residential rental dwelling unit in retaliation against a tenant for exercising his or her right to file a complaint with the city advising

that a building, housing or sanitation code or ordinance violation or permit violation may exist on the property.

8-2-309 CHANGE OF OWNERSHIP.

When ownership of a residential rental dwelling unit changes, either the prior owner shall notify the director of this event prior to the consummation of the sale or recordation of an instrument of conveyance with the Clayton County recorder's office or the new owner within sixty days after consummation of the sale or recordation of an instrument of conveyance with the Clayton County recorder's office. If the director is not so notified, the existing rental housing inspection certification for the residential rental dwelling unit shall automatically terminate and be null and void. The new owner will not have to pay the program fees until the following calendar year, provided all fees were paid by for the residential rental dwelling unit.

8-2-310 REGULATIONS NONEXCLUSIVE.

The provisions of this section regulating residential rental dwelling units are not intended to be exclusive and compliance with this section shall not excuse noncompliance with any other applicable provision, requirement, or regulation of this code or any applicable state and federal law. Nothing in this section shall limit or preclude inspection conducted by the fire department inspectors for compliance with fire codes.

File Attachments for Item:

4. Council Discussion Regarding Blighted Property Tax and Land Value Tax – Legislative Offices/Chief Executive Offices

Background/History:

Discussion regarding a Blighted Property Tax and/or Land Value Tax.

CITY OF
FORESTPARK

City Council Agenda Item

Subject: Discussion regarding Blighted Property Tax and Land Value Tax – Legislative Offices/Chief Executive Offices

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: March 15, 2021

Work Session Date: March 21, 2021

Council Meeting Date: March 21, 2021

Background/History:

Discussion regarding a Blighted Property Tax and/or Land Value Tax

Cost: \$ 0

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

N/A

Action Requested from Council:

Discussion regarding a Blighted Property Tax and/or Land Value Tax

File Attachments for Item:**5. Council Discussion Regarding Penalties for Multiple Violations of the City's Ethics Policy –**
Legislative Office/Chief Executive Office**Background/History:**

Depending on the egregiousness of the violation and in consideration of the harm a violation may cause legislators, public employees, and other public servants may face severe consequences for violating the public trust (ethics violations). The range of penalties can include termination and/or criminal prosecution for a public employee, and for legislator's penalties can include censure, removal from office, permanent disqualification from holding any elected position, restitution, decades in prison, and fines up into the hundreds of thousands of dollars.

The City Manager is seeking guidance and/or direction from City Council regarding revisions to the ethics policy, specifically penalties and/or sanctions for findings sustaining violations on multiple occasions.

CITY OF
FORESTPARK

City Council Agenda Item

Subject: Discussion regarding penalties for multiple violations of the city's ethics policy – Legislative Office/Chief Executive Office

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: March 15, 2021

Work Session Date: March 21, 2021

Council Meeting Date: March 21, 2021

Background/History:

Depending on the egregiousness of the violation and in consideration of the harm a violation may cause. Legislators, public employees, and other public servants may face severe consequences for violating the public trust (ethics violations). The range of penalties can include termination and/or criminal prosecution for a public employee, and for legislator's penalties can include censure, removal from office, permanent disqualification from holding any elected position, restitution, decades in prison, and fines up into the hundreds of thousands of dollars.

The City Manager is seeking guidance and/or direction from City Council regarding revisions to the ethics policy, specifically penalties and/or sanctions for findings sustaining violations on multiple occasions.

Cost: \$ 0

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

N/A

Action Requested from Council:

The City Manager is seeking guidance and/or direction from City Council regarding revisions to the ethics policy, specifically penalties and/or sanctions for findings sustaining violations on multiple occasions.

File Attachments for Item:

6. Council Approval Planning Commission Appointment– Department of Planning & Community Development

CITY OF
FORESTPARK

City Council Agenda Item

Subject: Recommendation to Appoint Mr. Donald Roger Williams to the Planning Commission– Department of Planning & Community Development

Submitted By: James Shelby

Date Submitted: March 15, 2022

Work Session Date: March 21, 2022

Council Meeting Date: March 21, 2022

Background/History:

On September 7, 2021, the City Council passed a new Zoning Ordinance that re- established the Planning Commission. The Planning Commission consist of five (5) members. Members shall be appointed and confirmed in accordance with Mayor and City Council approval. Planning Commission members shall be residents or property owners within the city and shall not be members of the city governing authority. Members shall be appointed for four (4) year terms and shall serve until their successor is appointed and qualified.

The recommendation is to appoint Mr. Donald Roger Williams. If appointed, Mr. Williams would be the fifth member appointed to the Commission.

Cost: \$ N/A

Budgeted for: _____ Yes _____ No

Financial Impact:

No impact.

Action Requested from Council:

Approve appointment of Mr. Donald Roger Williams to the Planning Commission.

File Attachments for Item:**7. Council Approval on the Downtown Development Authority Member Appointments and Approval of Resolution 22-11 – Economic Development Department****Background/History:**

The Downtown Development Authority has two (2) members whose terms expired on March 15, 2022. Additionally, the Mayor's term as a member of the governing body serving on the Downtown Development Authority is up for reappointment. The Economic Development Department request that Council consider appointing new members or reappoint the current members. DDA members serve for four (4) years.

CITY OF
FORESTPARK

City Council Agenda Item

Subject: Downtown Development Authority Member Appointments – Economic Development Department

Submitted By: Danita Hamid

Date Submitted: March 7, 2022

Work Session Date: March 21, 2022

Council Meeting Date: March 21, 2022

Background/History:

The Downtown Development Authority has two (2) members whose terms expired on March 15, 2022. Additionally, the Mayor's term as a member of the governing body serving on the Downtown Development Authority is up for reappointment. The Economic Development Department request that Council consider appointing new members or reappoint the current members. DDA members serve for four (4) years.

DDA Expiring Members

Steve Bernard – March 15, 2022

Ed Taylor – March 15, 2022

Candidates:

Azfar Haque

Debra Patrick

Delores Gunn

Eliot Lawrence

Erica Dixon

Floyd Holland

Jonathan Rashmir

Joseph Starr

Victoria Williams

William "Bill" Marshall

Cost: \$ 0

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

None

Action Requested from Council:

Consider appointing new members to the DDA or reappointing the expiring members.

RESOLUTION NO. _____**A RESOLUTION NAMING AND APPOINTING DIRECTOR(S) OF THE DOWNTOWN DEVELOPMENT AUTHORITY TO FILL CERTAIN VACANT POSITIONS; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Forest Park ("City") is a municipal corporation located within Clayton County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City;

WHEREAS, one or more vacancies exist on the Board of Directors of the Downtown Development Authority of the City of Forest Park; and

WHEREAS, the City Council finds it necessary and proper to name an individual to fill any such vacancies.

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVE AS FOLLOWS;

Section 1. **Board of Directors** – The Mayor and City Council of the City of Forest Park resolve that there is hereby named and appointed as a member(s) of the Board of Directors of the Downtown Development Authority of the City the following named person(s) who shall represent the governing authority of the City of Forest Park, each of whom, in the judgment of the Mayor and City Council, meets the qualifications set forth in the Downtown Development Authorities Law:

Names

Term of Office

4 years

4 years

4 years

The Mayor and Council of the City further resolve that commencing with the date of adoption of this resolution the person(s) named above as director shall serve in such capacity for the term set forth opposite his or her respective name(s). The term of a board member who is also a member of the governing body of the City of Forest Park shall end when such board member is no longer a member of the governing body of the municipal corporation.

Section 2. **Documents** – The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 3. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 4. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 5. **Effective Date** - This Resolution shall be effective immediately upon the date of its adoption by the City Council and Mayor as provided in the City Charter.

[Signatures on following page.]

SO RESOLVED, this the 22nd day of March, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

**8. Council Discussion on Urban Redevelopment Authority Member Appointments and Resolution
22-12 – Economic Development Department**



CITY OF
FOREST PARK

City Council Agenda Item

Subject: Urban Redevelopment Agency Member Appointments – Economic Development Department

Submitted By: Danita Hamid

Date Submitted: March 7, 2022

Work Session Date: March 21, 2022

Council Meeting Date: March 21, 2022

Background/History:

The City Council has previously discussed the removal of urban redevelopment powers from the Downtown Development Authority and the establishment of a separate Board of Commissioners to operate the Urban Redevelopment Agency (URA) on behalf of the City.

OCGA 36-61-18(b) provides that if the URA is authorized to transact business and exercise powers, the Mayor, by and with the advice and consent of the City Council shall appoint a board of commissioners of the urban redevelopment agency, which shall consist of such number of commissioners, with such terms of office, as shall be determined by the City Council.

It is proposed that the City Council establish a seven (7) member Board of Commissioners to manage the affairs of the URA with each member serving for a term of four (4) years. Any person can serve on the Board of Commissioners if he or she is a resident of the City.

Potential Candidates:

Debra Patrick
Delores Gunn
Eliot Lawrence
Erica Dixon
Floyd Holland
Jonathan Rashmir
Joseph Starr
Victoria Williams
William "Bill" Marshall

Once the Board of Commissioners is constituted, OCGA 36-61-18(e) provides that the Mayor shall designate a chairman and vice-chairman from among the Commissioners.

Cost: \$ 0

Budgeted for: _____ **Yes** _____ **No**

Financial Impact:

None

Action Requested from Council:

Adopt the resolution establishing the Board of Commissioners to manage the URA and name new members.

A RESOLUTION REDECLARING THE NEED FOR AN URBAN REDEVELOPMENT AGENCY PURSUANT TO O.C.G.A. SECTION 36-61-5; APPOINTING THE COMMISSIONERS TO THE URBAN REDEVELOPMENT AGENCY AND THEIR TERMS OF OFFICE PURSUANT TO O.C.G.A. SECTION 36-61-18(b); DELEGATING POWERS TO THE URBAN REDEVELOPMENT AGENCY; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Forest Park ("City") is a municipal corporation located within Henry County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City;

WHEREAS, the City has a currently operating Urban Redevelopment Agency created pursuant to O.C.G.A. § 36-61-1 et seq.;

WHEREAS, by virtue of a February 4, 2020 resolution, the City delegated to the Downtown Development Authority of the City of Forest Park, in the separate capacity as the City's Urban Redevelopment Agency, the full slate of urban redevelopment powers found in O.C.G.A. § 36-61-1 et seq.; and

WHEREAS, the Mayor and City Council wish to rescind such delegation and vest the City's urban redevelopment powers and the management of the City's Urban Redevelopment Agency in a Board of Commissioners pursuant to O.C.G.A. § 36-61-18(b);

WHEREAS, the Mayor and City Council find that establishment of such Board of Commissioners will promote the welfare of the citizens and businesses in the City; and

WHEREAS, the City has specifically found in the past, and currently finds that one or more slum areas exist within the City and the rehabilitation, conservation, or redevelopment, or a combination thereof, of the slum area or areas is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, the City wishes to appoint the commissioners of its Urban Redevelopment Agency pursuant to O.C.G.A. § 36-61-18 (b); and

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVE AS FOLLOWS:

Section I. Redeclaration of Need -The Mayor and City Council of the City of Forest Park hereby find and resolve that one or more slum areas exist within the City and the rehabilitation, conservation, or redevelopment, or a combination thereof, of the slum area or areas is necessary in the interest of the public health, safety, or welfare of the residents of the City.

Section 2. Delegation of Powers -The Mayor and Council of the City further resolve that a Board of Commissioners consisting of seven (7) members is hereby created to manage the affairs of the Urban Redevelopment Agency of the City of Forest Park and to exercise the City's urban redevelopment powers as provided by the Georgia Code sections cited herein above. Each member of the Board of Commissioners shall serve a four-year term.

Section 3. Commissioners -The Mayor and Council of the City further resolve that there are hereby appointed as commissioners of the Urban Redevelopment Agency of the City

The term of a commissioner who is also a member of the governing body of the City of Forest Park shall end when such commissioner is no longer a member of the governing body of the municipal corporation.

Section 4. Duties, Responsibilities, and Powers -The Mayor and Council of the City further resolve that the commission herein named shall organize itself, carry out its duties and responsibilities, and exercise those powers and prerogatives in accordance with the terms and provisions of the Urban Redevelopment Law as it now exists and as it may hereafter be amended or modified necessary.

Section 5. Documents -The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 6. Severability -To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 7. Repeal of Conflicting Provisions All City resolutions, including specifically the February 4, 2020 resolution pertaining to the delegation of urban redevelopment powers to the Downtown Development Authority of the City of Forest Park, inconsistent with this Resolution are hereby repealed.

Section 8. Effective Date -This Resolution shall be effective immediately upon the date of its adoption by the City Council and Mayor as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO RESOLVED this 21st day of March, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney