



CITY COUNCIL REGULAR SESSION

Monday, March 20, 2023 at 7:00 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) 366.4720

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-Antonie Cooper, City Manager
S. Diane White, City Clerk
Mike Williams, City Attorney

AGENDA

VIRTUAL MEETING 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:

INVOCATION/PLEDGE:

ROLL CALL - CITY CLERK:

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

APPROVAL OF MINUTES:

- 1. Council Approval of Council Work Session and Regular Meeting Minutes from March 6, 2023 - City Clerk**

NEW BUSINESS:

- [2.](#) **Council Discussion on Amending the Illicit Discharge and Illegal Connection Ordinance – Planning & Community Development**
- [3.](#) **Council Approval of Resolution to Extend the Moratorium of Accepting Applications for Certain Uses – Planning & Community Development**
- [4.](#) **Council Approval of a Summer Youth Employment Pilot Program – Executive Office**

CLOSING COMMENTS BY GOVERNING BODY:

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 Council Work Session and Regular Meeting Minutes from March 6, 2023 -**
City Clerk



CITY COUNCIL WORK SESSION

Monday, March 06, 2023, at 6:00 PM
Council Chambers and YouTube Livestream

MISSION STATEMENT

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

DRAFT MINUTES

CALL TO ORDER/WELCOME: The meeting was called to order by Mayor Butler at 6:00pm and she read the Mission Statement.

ROLL CALL - CITY CLERK: A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

Javon Lloyd, Public Information Officer; Joshua Cox, IT Director; Chiquita Barkley, Finance Director; Jeremi Patterson, Deputy Finance Director LaShawn Gardiner, Director Planning & Community Development; Shalonda Brown, Director of Human Resources; Diane Lewis, Deputy Director of Human Resources Bobby Jinks, Director of

Public Works; Latosha Clemons, Fire Chief, Bruce Abrahams, Director Economic Development, Sandra Johnson, Deputy Police Chief; Pam Stevenson, Management Analyst and Arthur Geeter, Purchasing Manager

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

COMMUNITY INFORMATION/REMINDERS:

- Atlanta Community Food Bank Hunger Walk/Run will be held Sunday, March 12, 2023, at 1:00pm at Starr Park. To join or donate to the "Forest Park High School" Team you can contact Councilwoman Kimberly James at 404-217-6202
- The State of the City Address will be held on Thursday, March 23, 2023, at 7:00pm at the Worship Center of Atlanta located at 1106 Main St, Forest Park, GA.
- Dr. Anthony Smith, Interim Superintendent of Clayton County Schools is hosting a Community Town Hall on Tuesday, March 7, 2023, at 10:00 am. The purpose is to share and exchange key information about the future of Clayton County Public Schools. The town hall will be available to all community members via live stream on the district's website – www.clayton.k12.ga.us
- Forest Park High School Class of 2023 Caravan will be held on May 20, 2023 @ 11:00am – Please make your posters, banners, and yard signs to help celebrate along the caravan route.

CITY OPERATIONS:

- Clarify that the City of Forest Park Fast Track Rental Assistance Program has funds available for those who meet the criteria. Mayor and Council approved the additional allocation of \$300,000 on October 17, 2022. These funds are restricted to individuals that have been directly or indirectly impacted by COVID-19, within the income restrictions. These are the guidelines that were set forth by the United States Department of Treasury and we must adhere. The rental assistance program is only one-time assistance up to \$2,500 per person to help those that fell behind due to a COVID impact and get them back on track. However, it is not to provide long term supplemental rental payments.
- Last meeting it was stated that Zaxby's received several variances from fire and building departments. Variances requests are publicly heard and decided upon by the Planning Commission which is their purpose given by the City Charter. They review variance requests and render their decisions based on guidelines and the ordinances of the city. Specifically, the variance by the planning commission was approved for Zaxby's in accordance with the researched information that understood the occupancy load of less than 100 persons, and that this specific provision of the ordinance was put in place to protect contiguously arranged properties, and not stand-alone properties such as the Zaxby's Development.
- Mayor Angelyne Butler, MPA is a panelist speaking on MARTA at the 21st Annual South Metro Development Outlook Conference (SMDO) to be held on Wednesday, March 8, 2023, from 7:30 am to 2:00pm at the Georgia International Convention Center (GICC) in College Park, GA.

EMPLOYEE SPOTLIGHT:

On Saturday, March 4th Council Hector Gutierrez held a Clean-up event at the temporary home of Forest Park Middle School, where city staff, school staff, and community showed up to beautify the student temporary home.



CONGRATULATIONS/SHOUT OUT:

A HUGE SHOUT OUT AND CONGRATULATIONS TO ALL CITY OF FOREST PARK EMPLOYEES. Thank you for everything you do every day for the residents of this great community.

Lashawn Gardiner, Director Planning & Community Development – Introduced the new City Planner, SaVaughn Irons.

UNFINISHED BUSINESS:

- Council Discussion to Approve a Conditional Use Permit at 721 Morrow Road - Planning & Community Development Department**

Background/History: This item was tabled at the February 6, 2023, meeting.

The applicant, Mayeto McKinzie Hylton, is requesting a Conditional Use Permit to add and operate an early childcare learning center use to a present church use at 721 Morrow Road. This property is in the Single-Family Residential District (RS). Places of Worship, a K-12 private school, and Pre-K and day care centers require conditional use permits to operate in a Single-Family Residential District. Currently the property houses a church, south of the minor arterial street Morrow Road. The street frontage for the parcel is Morrow Road; west of the parcel is a mixture of residential homes and a church, south of the parcel are residential

homes, east of the parcel are residential homes and an office building, and north of the parcel are residential homes and a gas station.

Staff recommended Approval of Conditional Use Permit to allow the early childcare learning center in the Single-Family Residential (RS) District with the following conditions:

The applicant must adhere to state guidelines outlined in Section 8-8-78, and provide proof (i.e. copy of application in process) and/or a copy of state certification to operate a school.

The applicant and/or his tenants may be allowed to operate a church, a school, and offices associated with those uses. However, no other offices or commercial uses will be permitted.

Storage of vehicles, trucks, and trailers is strictly prohibited.

Violation of these conditions will result in the loss of the conditional use permit and associated business licenses.

The Planning Commission voted to approve the Conditional Use Permit with Conditions.

The applicant provided a copy of the application submitted to the Georgia Department of Early Care and Learning. Staff also contacted the GA Department of Early Care and Learning and per the Department, the applicant's application is in Pending Status, until it receives notification of the City of Forest Park's decision of the Zoning (Conditional Use Permit approval), and also other city approvals that would be required (building and fire inspections). See attached documents in packet.

A Public Hearing will be held during the Regular Council Meeting.

Staff is requesting Council to approve the Conditional Use Permit

There were no comments.

NEW BUSINESS:

2. **Council Discussion on the 2023 Comprehensive Plan Update** – Planning & Community Development Department

Background/History:

A comprehensive plan is a guide for communities to invest, develop and allocate services based on a shared vision formed through a public process. It is long-range that looks ahead 5 to 20 years. It assists communities in understanding its needs and desires, as well as strengths and weaknesses. The comprehensive plan looks across many facets of a city such as land use, housing, economic development, transportation, and other socio-economic elements. Forest Park updated its last Comprehensive Plan in 2018.

This is the first of two Public Hearings to be held at Regularly Scheduled Council Meetings.

There were no comments.

3. **Council Discussion of Arborist Report and Tree Removal** – Public Works Department

Background/History:

At 722 Conley Rd., we observed a mature Oak, 28.5" DBH, originating in abundant Rock Springs Cemetery. The Oak is growing into the concrete roof of the Cemetery mausoleum on Forest Hills Memorial Gardens. The attached pictures show the tree has been growing into concrete for at least a couple of years, as we observed the reaction of wood forming around concrete. The mature Oak also is considered structurally defective with a large decay cavity, (wood of trunk rotting) weakening the trunk, increasing the risk of failure. We recommend removing the tree.

We are asking for approval to remove the tree and the pruning of dead limbs on other trees.

Comments/Discussions from Governing Body:

Councilmember James – On this item did we ever get possession of the property?

City Attorney - Inaudible

4. Council Discussion to Approve Net2Atlanta Contract for new Public Safety Building – IT Department

Background/History:

In order for the new public safety building to have internet and connectivity to City technology resources, we need to install a new circuit provided by Net2Atlanta which is the ISP that provides connectivity for all of the City's core locations. This will be an agreement for a three-year term, which is the same contract length for our other circuits provided by Net2Atlanta.

It is requested that the council approve this additional circuit so that we can have internet and connectivity for our new public safety building.

Comments/Discussions from Governing Body:

Councilmember Wells – Since it has not started yet, do we just need to approve the contract right now?

Joshua Cox, IT Director – It will probably take about 60 days to get services for the location, which is why we are requesting it now.

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

It was moved to recess into Executive Session at 6:16pm for Personnel, Litigation or Real Estate

Motion made by Councilmember Antoine, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

It was moved to reconvene back into the Work Session at 6:47pm.

Motion made by Councilmember James, Seconded by Councilmember Mears.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

ADJOURNMENT:

It was moved to adjourn the Council Work Session at 6:47pm

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

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DRAFT



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

DRAFT MINUTES

CALL TO ORDER/WELCOME: The meeting was called to order at 7:00pm by Mayor Butler and she read the Mission Statement.

INVOCATION/PLEDGE: The invocation and pledge were led by Minister Cook.

ROLL CALL - CITY CLERK: A quorum was established.

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4		✓
Allan Mears	Council Member, Ward 5		✓

Javon Lloyd, Public Information Officer; Joshua Cox, IT Director; Chiquita Barkley, Finance Director; Jeremi Patterson, Deputy Finance Director LaShawn Gardiner, Director Planning & Community Development; Shalonda Brown, Director of Human Resources; Diane Lewis, Deputy Director of Human Resources Bobby Jinks, Director of

Public Works; Latosha Clemons, Fire Chief, Bruce Abrahams, Director Economic Development, Sandra Johnson, Deputy Police Chief; Pam Stevenson, Management Analyst and Arthur Geeter, Purchasing Manager

PRESENTATIONS:

Councilmember James - Wanted to thank the Forest Park Ministers Association, for supplying tonight's honorees with dinner. She also acknowledged the principals, parent liaison, school social workers and presented Teacher of the Year certificates.

1. **Forest Park Fast Track Rental Assistance Quarterly Update** – Executive Offices

Background/History:

This is the Quarterly update for the Mayor and City Council on the City of Forest Park's Fast Track Rental Assistance Program. This program is administered by the City Edge Initiative on behalf of the city.

Ms. Beeler, City Edge – Gave an update since starting the program in December 2021. The total amount of funds spent totaled around \$324,000. There were 476 responses, and we have approved only 174 families in Forest Park. There were 127 people denied and 129 incomplete applications. There is an issue with people sending in documentation.

One of the biggest concerns is the covid supporting documentation. There are at least 131 people that could have been approved, if they had sent in the documentation. Fifteen of those were non covid related. There are more that did not apply, but we talked about it on the phone. Some said they had accidents, others had issues with going to the doctors for other medical reasons, and some people are sending documents from 2020, 2021, 2022. I cannot accept anything from 2 to 3 years ago, because that has nothing to do with you being behind now.

Some of them are saying, I work part time, or I do not have the funds. The biggest concern is income. I do not know what to do about that, since it is a requirement to be able to pay your rent. I must deny them, and do not want to, but I do not know how to move forward. I just found out Clayton County Community Service Authority has opened back up, and I have sent some people over there.

Comments/Discussion by Governing Body:

Councilmember James – This is more so addressed to council and what we can do. If it is a requirement these funds be used for covid related and we cannot use them for that. Can we reallocate these funds to something else closely related? I do not want to just have the money there and we just approved a lot more money for this Covid is still here, but the reasons are not quote, "covid related." Maybe we can allocate the money to help with something else.

City Manager – Yes, it can be reallocated under what the Department of Treasury rules will allow us to do. That will be completely up to the council.

Councilmember James – Is there a way we can use that money to help with rent, if it is not covid related?

City Manager – The city attorney and I had that discussion and went back and looked. Everything we saw basically could only be used for the indirect or direct use of Covid- 19 for those funds.

Councilmember James – Indirectly we have inflation going on and prices are skyrocketing, and you must choose whether to buy food or pay your rent. Could that be an indirect cause or not?

City Attorney – When the funds were originally allocated, it was clear that they wanted them to be directly impacted. The indirect thing was it might not have been you but taking care of your brother or immediate family. That is the type of indirect and it makes it tough. My recommendation was to go to the original treasury guidance.

Ms. Beeler – Some of the indirect documents we have taken were provided by their job, stating their hours had been reduced, there was a pay cut or the business closed due to covid. If there is someone in the house, they have to take care of, I took that as well.

Councilmember Antione – People are asking can we take this out?

City Manager – We cannot, that is part of the U.S. Treasury Guidelines.

Ms. Beeler – I asked the same question.

Councilmember Akins-Wells – You stated, if it was 2021 or 2022, that we could not use those funds. When people get covid, it can take a while before they come back from that. Is that something we can change?

City Manager – Ms. Beeler, and I have discussed this. They were impacted, but not at this point. From the time they submitted and got everything caught up, it has lapsed again now. It is hard to go back and try and prove that it was directly or indirectly impacted by covid.

Councilmember Akins-Wells – People had lost their jobs and maybe got assistance for a long time. Is this a requirement? Does it say it has to be a certain year?

City Manager – The proof of covid impact is a U.S. Treasury requirement. It does not state a certain year, but a covid related impact.

Ms. Beeler – I have looked at the ledger, and they were keeping up their payments. Now they are sending in documents, because it is a requirement, but they are behind again after keeping up for a whole year and it has nothing to do with covid.

Councilmember Akins-Wells – So, there is nothing in the treasury stating that it has to be a certain time, that is something we are digging for. If someone is coming for help, they need it, and we do not need to make it hard for them. You can have covid in 2021, and it is still affecting you in 2023. What can we do to help instead of making it hard for them?

City Manager – City Edge, has been referring them to other programs and other areas that could possibly help. It is hard to justify that and one thing we do not want is to stretch things. We will get audited, and the government will say the money was not spent incorrectly, so you must pay this money back.

Councilmember Akins-Wells – I totally understand, we just got another 300,000 and have not used the money we have. If there is nothing there stating we cannot go back to 2021, why are we not helping the people that had covid issues in 2021. Do they have to go online to sign up, or can they come in the office and get help?

Ms. Beeler – At the moment it is just me, and I do not take walk ins. I try and help anyone that needs assistance. A lot of the property managers are stepping up to help people also. We do have paper copies and they can place them in the drop box.

Councilmember Akins-Wells- Customer service is everything to me. If you are here to assist me then assist me and have a nice attitude. I do not want to need assistance and be told to stand outside; I will be right back.

Ms. Beeler – I understand, and it is just me and the office working now. With me having a ton of files and doing this by myself, I do not have the time to keep going through these. I can find other resources for you and other ways, so I can continue to work.

Councilwoman Akins- Wells – Is there something we can do? Can we get some assistance, so they have somewhere to come?

City Manager – We they come to city hall we do try and help. We give them the application if they cannot get online. I have emailed certain things to Ms. Beeler, that residents have sent to me. We are trying our best to make sure the people that need service are serviced.

Councilmember Akins- Wells - With it being city money, someone from the city needs to assist with this.

Councilmember Antione – It is obvious that we need this program. We designed this program to particularly help the residents. I ask that we come together and vote on a separate budget, to assist people with this. This is something we should take seriously because we take the people of the city seriously.

Councilmember Gutierrez – I thought there were three people with City Edge. Is it just one, because there were some funded positions, that we had in the contract?

City Manager – I will let City Edge talk about that, we did have two people to leave.

Ms. Beeler - It was only two of us, Ms. Schoonmaker and me. She is now at Clayton County Health, as one of the Board of Directors. I did bring someone in to assist when I was out, and we paid them accordingly.

Councilmember Gutierrez – Are we paying for 2 positions?

City Manager – There is money allotted to hire for the additional positions. If the money is not being used for that, it is being used to help the residents, which is the administrative part.

Councilmember Gutierrez – Are you looking to hire someone? I understand bringing someone in and the funds run out.

Ms. Beeler – It is out of my hands, I cannot make that decision, the apostle is right here. Even at the end of the last phase, I cut my salary and put it towards rental assistance, when we were running low.

Mayor Butler – Under the incomplete application for missing items, you have a valid Forest Park I.D.

Ms. Beeler - They do not have anything, no identification, no passport or anything for Georgia.

Mayor Butler – Are you aware that they can get a voters identification card at no charge, at the election office. If so, are you directing people there, and if not maybe those that were missing I.D. you can send them notices letting them know. If you do not have proper identification, you can go get that identification card at no charge.

Ms. Beeler – I tell them how to get their driver's license at a free charge, but they do not do it.

Mayor Butler- The point is you saying it.

Ms. Beeler – I can tell them; I am just letting you know they do not do it.

Councilmember Akins- Wells – What about a social security card. If they are getting something from the landlord with their name on it and it match, can they not use that?

Ms. Beeler - That is not one of the things we talked about, but if you all approve of it, I will add that to the list.

Councilmember Akins – Wells – Can we add that to it. If they have a social security card and something from their landlord with their name on it, that should be something we accept as well.

Mayor Butler – At this point, I think we need to sit down and rethink this process, quickly.

PUBLIC HEARINGS:

2. Council Approval of Conditional Use Permit at 721 Morrow Road - Planning & Community Development Department

It was moved at 7:34pm to open the Public Hearing for the Conditional Use Permit at 721 Morrow Road.

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

Speakers for were:

Mareto Hylton – I am pastor of New Covenant Faith and Miracle Arena, under Archbishop Joseph Alexander. We are inspired and have a heart for the community of Forest Park. I have been a resident here for about ten years, and even before we planted the church, we were operating an outreach from our home. We were giving out groceries and care packets to our neighbors. When we got the opportunity to purchase the property with our archbishop, the first thing we wanted to do was find a way to cater to the children in the community.

It is our desire to allow this early childcare center to be a beacon of hope, to equip the youth with what is needed to become professionals. I have seen some many families in this community with skills, but they do not know how to utilize them, to bring them from low income to entrepreneurs. I would like to start with the children and help to equip the family with the tools necessary.

Latoya Hylton – Our archbishop previously started school in New York, and his students with their system are phenomenal. The way they learn, the way they act is just intelligent. When you nurture a kid when they are young and help develop the love of learning; once they grow it stays with them. He goes from early childhood education up to high school and has 100 percent graduation rate.

From being in this county and talking to a lot of the students that come in, there are things they should know; but do not have any idea of how to do them. They do not feel they have what is necessary to produce or get these things out of them. We want to bring the same learning model used there to our community to give those students a chance. If you help them while they are young it stays with them when they are older.

Joan Whyte – I am here to support them, because I know their desire to help young people. They are passionate about what they are doing, and I hope what they are seeking will be approved.

Genroy Hylton – I know the people that are wanting to open the school, and I know their heart, because I have been with them my whole entire life. I am a product of these people, and they have been a blessing not just from a curriculum level, but on a character level also. School is a great place to get the kids in to get educated and evolve in a way that they can have a better future for their kids. That is what I want for my baby Eden and my family. I would really appreciate it if Forest Park would embrace that in the community.

Tiarra Hylton – I believe it would be beneficial for the city to allow them to open the school. It would give the children that has nowhere else to go for after school programs. They are looking to give back to the people in this area, and it would be great if they were approved for this school.

Councilmember Antoine – I hear that Cayton County is getting a Boys and Girls Club. There are some people that cannot afford to go there or get there. What will your school be offering the community for after school?

Mareto Hylton – Right now we are catering for six weeks to five years. Our after school program would eventually extend to the 12th grade. We want to eventually start offering what our New York campus offers as far as robotics program, focus on sciences and of course arts. We do have a basketball gymnasium and soccer field and want to expand into athletics.

Councilmember Gutierrez – I see it says this is a religious school, is it open to anyone? What is the number of students that will attend?

Mareto Hylton – Yes, it is open to everyone. There is a 10-classroom set up with a capacity of 110 students, presently, with room to expand.

There were no speakers against the permit.

It was moved to close the Public Hearing at 7:40pm.

Motion made by Councilmember Antoine, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

It was moved to approve the Conditional Use Permit at 721 Morrow Road.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember James.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

3. 1st Public Hearing of the 2023 Comprehensive Plan Update – Planning & Community Development Department

The is the first of two Public Hearings to be held at Regularly Scheduled Council Meetings.

It was moved at 7:40pm to open the 1st Public Hearing for the 2023 Comprehensive Plan Update

Motion made by Councilmember James, Seconded by Councilmember Antoine.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

Speakers for were:

Andrew Smith – I am in the Community Development Department, with the Atlanta Regional Commission. We are an intergovernmental coordination and planning agency for the Metro Atlanta Region. We work to bring local governments, state agencies and communities together around things like water conservation, natural resources management, services for older adults, economic development, and community planning.

We assisted the city back in 2018 on the last comprehensive plan update, which is an important plan document that sets up a vision in a lot of different ways. We are here to accentuate the community and address different challenges. We will be working with the city and extension of staff over the next several months of 2023.

After 2012 there was a shift in the rules, that allow the local government to reach out to their Regional Commissions for direct assistance, to update their comprehensive plan. Our main goal is to provide you with help when you have a comprehensive plan coming due in the near future. Some of the requirements for comprehensive planning is to document your vision and a list of community goals. Needs and opportunity and strengths and assets you want to accentuate.

The community work program is short term. For the next five years it will look at specific program project initiative studies and things to help implement your plan. Broadband is a new element that is statewide around the importance of education and economic development. Land use, economic development and housing are core elements of comprehensive plans and for Forest Park, specifically those are all required to be part of your plan.

There were no speakers against the permit.

It was moved to close the Public Hearing at 7:50pm.

Motion made by Councilmember James, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

There were three (3) Public Comment Speakers:

Katie Young, You Deserve Mentoring Service – We are in the community, and we focus on people from age 13 to 23. We want them to have a place for them to go outside of them waiting on their parents. Our goal is to do youth entrepreneurship, and to keep them occupied until they get back home.

Kenneth Gray, Sr - The school zone cameras on Ash Street are a trap. I am a law-abiding citizen, and it has been about thirty years since I had a ticket. Can anything be done about the ticket that I received?

LaWanda Folami – Sent a referral to the city for rental assistance, and the person she referred felt like she was being treated harshly. After speaking with you Madam Chair, we agree to revisit the protocols for the corona rental assistant.

I apologize to City Edge, if anyone has offended you, we are only seeking answers. She expressed her hurt from seeing her basketball team get into a scuffle. My colleague Ms. Hall wants to partner with the city, because of the homeless population, to get mobile showers. This is a problem in our city.

ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:

It was moved to adopt the agenda as printed.

Motion made by Councilmember Antoine, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

4. Council Approval of Council Work Session and Regular Meeting Minutes from February 20, 2023, and Special Called Meeting Minutes from March 1, 2023 - City Clerk

It was moved to approve the Council Work Session and Regular Meeting Minutes from February 20, 2023 and Special Called Meeting Minutes from March 1, 2023.

Motion made by Councilmember Akins-Wells, Seconded by Councilmember Mears.

Voting Yea: Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

Voting Abstaining: Councilmember James

NEW BUSINESS:

5. Council Approval of Arborist Services and Tree Removal – Public Works Department

It was moved to approve the Arborist Services and Tree Removal.

Comments/Discussion from Governing Body:

Councilmember James – City attorney, since we do not own this yet is it something we can do?

City Attorney – Yes, The City has not yet obtained title to the property. We are calendared for a date in July in Clayton County Superior Court. However, the law allows the City to incur expenses for abandoned cemeteries. The arborist has reported that this is a dangerous tree, so the recommendation to remove the tree is reasonable.

Councilmember James – One of the trees lean on to the Mausoleum of Forest Hill. Do they have insurance?

City Attorney – We are not required to do this; the problem is there is liability if you do not own the property.

Councilmember Antoine – Who ever saw this did a great job. I support not waiting until the problem comes to us.

Councilmember Akins Wells – We do not own the property, and I do not feel comfortable voting for this.

Motion made by Councilmember Antoine, Seconded by Councilmember Gutierrez.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember

Mears

Voting Abstaining: Councilmember Akins-Wells

6. Council Approve the Net2Atlanta Contract for new Public Safety Building – IT Department

It was moved to approve the Net2Atlanta Contract for new Public Safety Building

Comments/Discussion from Governing Body:

Councilmember Gutierrez – I forwarded a grant to you, Mr. Cox. I would like to see us apply for some of these things, because there is federal funding out there.

City Manager – We did get that, and we do have our new grant analyst and Ms. Stevenson is working hard on getting that information to start applying for the federal grants.

Motion made by Councilmember Antoine, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

CLOSING COMMENTS BY GOVERNING BODY:

Councilmember James – Thanks to everyone for coming. I am excited about our honored guest that is having dinner right now at 696 Main Street. I would like to remind everyone of the Hunger Walk this Sunday. We have raised over \$1,000.00 and we have a \$1,000.00 match. One hundred percent of the donations that were made to Atlanta Community Food Bank will go directly to the Forest Park High School team. This means the community will be able to utilize that.

I have been talking to developers in the city, and I am researching Restrictive zoning. I will be getting with the city manager and Mrs. Gardiner to look more into it. As for the requirements that we have for our LCI Plan, I plan to get into more details about that as well.

Adopt a Road, Councilmember Gutierrez, I am proud to say I have an application for Hendricks Drive. The name of the group is Teen Coalition. I would also like to remind you about early voting at the senior center. You get to vote for your sheriff, but the main thing on the ballot is SPLOST. I cannot tell you how to vote, but I can tell you that SPLOST will give Clayton County School, a convention center at Southlake Mall if the one penny continues.

Councilmember Antoine – I would like to give a shoutout to the new employee, welcome to the All-Star team. I would like to give a shoutout to the teachers of the year, and principals that came together here. Thanks to the educators that are educating our kids. We have a pandemic, and our young children are dying. We all have seen what just happened in Douglas County. These 15-year-old kids with guns and some of them died. It is easier to get a gun than a license and something needs to be done. We do not need to be looking the other way like this is not happening. Shoutout to the new school that is coming, maybe that will help. I will be working to make sure the rental assistant program is back, so that we can continue to do things to help our community.

Councilmember Gutierrez – It is nice to see everyone here, we have a full house. I want to thank Councilwoman James, for putting together the presentation to celebrate our educators. Councilmember Antoine spoke truth about the young people with guns. We need to hold our elected officials at the capitol accountable. The NRA is a big

company, and they fund a lot of campaigns. We need to make sure that we are calling our people, and asking them how they are voting, but the people hold the ultimate power.

Thanks to everyone that came out for our beautification project. Thanks to the new school, we look forward to you opening here, that is exciting. One of the things our community asks for is after-school activities for the youth and it is very heartwarming that you chose Forest Park for these things. Dr. Folami, that is unfortunate about your team, but I am sure you gave them some good coaching after that.

To the gentlemen with the ticket, I understand what you are saying. I received a ticket as well, and I put my car on cruise control when in that area. Again, I want to thank the people that came out for the community clean-up. Rock Church of Atlanta came out and there were plenty of them. Minister Cook can not only pray, but he can paint and clean. Several businesses, community members and city employees were there, and I would like to say thanks. Food Truck Friday was cancelled last week because of the rain, but we are going to try again this Friday. To the citizens applying for help at City Edge, I can help assist with that. Thank you, Mr. Wells and Mr. Niguel, for helping the community volunteer with installing some goals.

Councilmember Akins- Wells – The cameras on Ash Street by Fountain Elementary need to be moved, because it is a speed trap. They need to be down the road by West Street where there are a lot of activities and children being picked up. This is something that I have spoken to the city manager about, and I think it is a speed trap. The city is not looking to rich off speeders. If we are going to have them, put them where they are needed.

Great job Councilwoman James, for a great presentation; and thanks to our teachers and principals, out here being great leaders. When it comes to City Edge, I think we need to look at changing some things, so our people can get some assistance. I do not think people not having identification should be turned away. They should be able to use their voters registration card or social security card.

Attitude and customer service is everything, and I do not feel like the attitude here to us was appropriate. I do not want to imagine what the people that need help deal with. The city needs to place someone in that extra position to make sure our people are being helped and treated fairly. I thank you for what you are doing, but I think it is too much for one person. Thank you all for coming.

Councilmember Mears – Thank you to everyone that came tonight, this is where your business is taken care of. So, come back and help us help you, keep us informed and call us if you need us.

Mayor Butler – I want to thank everyone for coming out and I echo the sentiments of my colleagues. Particularly, too, City Edge, we will revisit this to make sure we are providing the best services to our residents. I had the opportunity to go to Unidos and Fountain Elementary School, over the last couple of weeks. My heart was so full, the intellect of the kids made me proud. Every time I go to these schools, I leave more optimistic than before. Thank you, Councilwoman James, and thank you to our educators.

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

There was no Executive Session

ADJOURNMENT:

It was moved to adjourn the Regular Meeting at 8:20pm

Motion made by Councilmember James, Seconded by Councilmember Akins-Wells.

Voting Yea: Councilmember James, Councilmember Antoine, Councilmember Gutierrez, Councilmember Akins-Wells, Councilmember Mears

DRAFT

File Attachments for Item:

2. Council Discussion on Amending the Illicit Discharge and Illegal Connection Ordinance – Planning & Community Development

CITY OF FOREST PARK
STATE OF GEORGIA

ORDINANCE NO. _____

AN ORDINANCE TO INCLUDE IN THE CODE OF THE CITY OF FOREST PARK, GEORGIA, TITLE 5, CHAPTER 5 ILLICIT DISCHARGE AND ILLEGAL CONNECTION ORDINANCE PERTAINING TO STORMWATER MANAGEMENT, AND FOR OTHER PURPOSES.

WHEREAS, the City of Forest Park is responsible for the protection and preservation of the public health, safety, and welfare of the community; and

WHEREAS, the City of Forest Park is a municipality in Clayton County and is a part of the Metro Water District; and

WHEREAS, local jurisdictions are required to adopt the five model stormwater management ordinances to maintain healthy watersheds and stormwater management systems; and

WHEREAS, to maintain compliance for the City of Forest Park to be eligible for various local, state, and federal programs it is necessary that the city adopt the Illicit Discharge and Illegal Connection Ordinance pertaining to Stormwater Management.

BE IT ORDAINED by the Mayor and City Council, and it is hereby ordained by the authority of the same, that Title 5, Chapter 5 of the Code of the City of Forest Park, Georgia be adopted as part of the Code of the City of Forest Park, Georgia to read as follows:

CHAPTER 5: ILLICIT DISCHARGE AND ILLEGAL CONNECTION ORDINANCE

Sec. 5-5-1. - Title.

This chapter shall be known as the "City of Forest Park Illicit Discharge Ordinance."

Sec. 5-5-2. Findings.

It is hereby determined that:

Discharges to the City of Forest Park separate storm sewer system that are not composed entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the City of Forest Park separate storm sewer system from residential, industrial, commercial, or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the City of Forest Park separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of State and Federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the City of Forest Park separate storm sewer system;

Therefore, the City of Forest Park adopts this ordinance to prohibit such non-stormwater discharges to the City of Forest Park separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the City of Forest Park separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.

Sec. 5-5-3. Purpose and Intent.

The purpose of this ordinance is to protect the public health, safety, environment, and general welfare through the regulation of non-stormwater discharges to the City of Forest Park separate storm sewer system to the maximum extent practicable as required by Federal law. This ordinance establishes methods for controlling the introduction of pollutants into the City of Forest Park separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are to:

- (1) Regulate the contribution of pollutants to the City of Forest Park separate storm sewer system by any person;
- (2) Prohibit illicit discharges and illegal connections to the City of Forest Park separate storm sewer system;
- (3) Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping, or disposal, to the City of Forest Park separate storm sewer system; and,
- (4) To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance

Sec. 5-5-4. Applicability

The provisions of this ordinance shall apply throughout the incorporated area of the City of Forest Park.

Sec. 5-5-5. Compatibility with Other Regulations

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more

restrictive or imposes higher protective standards for human health or the environment shall control.

Sec. 5-5-6. Severability

If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

Sec. 5-5-7. Responsibility for Administration

The City of Forest Park or designee may from time to time appoint someone to administer, implement, and enforce the provisions of this Chapter. Clayton County Water Authority shall serve as the administrator.

SEC. 5-5-8. DEFINITIONS.

“**Accidental Discharge**” means a discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.

“**Clean Water Act**” means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

“**Construction Activity**” means activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

“**Illicit Discharge**” means any direct or indirect non-stormwater discharge to the City of Forest Park separate storm sewer system, except as exempted in Section 3 of this ordinance.

“**Illegal Connection**” means either of the following:

- (a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (b) Any pipe, open channel, drain, or conveyance connected to the Forest Park separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

“**Industrial Activity**” means activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

“**National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit**” means a permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

“**City of Forest Park Separate Storm Sewer System**” means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, Forest Park streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

- (a) Owned or maintained by the City of Forest Park;
- (b) Not a combined sewer; and

- (c) Not part of a publicly-owned treatment works.

“Non-Stormwater Discharge” means any discharge to the storm drain system that is not composed entirely of stormwater.

“Person” means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body, or any other legal entity.

“Pollutant” means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

“Pollution” means the contamination or other alteration of any water’s physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

“Premises” mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

“State Waters” means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

“Stormwater Runoff” or **“Stormwater”** means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

“Structural Stormwater Control” means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

Sec. 5-5-9. Prohibition of Illicit Discharges

No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the City of Forest Park separate storm sewer system any pollutants or waters containing any pollutants, other than stormwater.

The following discharges are exempt from the prohibition provision above:

- (1) Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation, or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;

- (2) Discharges or flows from firefighting, and other discharges specified in writing by the City of Forest Park as being necessary to protect public health and safety;
- (3) The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the City of Forest Park separate storm sewer system.

Sec.5-5-10. Prohibition of Illegal Connections

The construction, connection, use, maintenance, or continued existence of any illegal connection to the City of Forest Park separate storm sewer system is prohibited.

- (1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (2) A person violates this ordinance if the person connects a line conveying sewage to the City of Forest Park separate storm sewer system or allows such a connection to continue.
- (3) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Clayton County Water Authority.
- (4) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City of Forest Park or designee requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the City of Forest Park or designee.

SEC. 5-5-11. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City of Forest Park or designee prior to allowing discharges to the City of Forest Park separate storm sewer system.

Sec. 5-5-12. Access and Inspection of Properties and Facilities

The City of Forest Park or designee shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.

- (1) If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City of Forest Park or designee.

- (2) The owner or operator shall allow the City of Forest Park or designee ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.
- (3) The City of Forest Park or designee shall have the right to set up on any property or facility such devices as are necessary in the opinion of the City of Forest Park or designee to conduct monitoring and/or sampling of flow discharges.
- (4) The City of Forest Park or designee may require the owner or operator to install monitoring equipment and perform monitoring as necessary and make the monitoring data available to the City of Forest Park or designee. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
- (5) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the City of Forest Park or designee and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
- (6) Unreasonable delays in allowing the City of Forest Park or designee access to a facility is a violation of this ordinance.
- (7) If the City of Forest Park or designee has been refused access to any part of the premises from which stormwater is discharged, and the City of Forest Park or designee is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the City of Forest Park or designee may seek issuance of a search warrant from any court of competent jurisdiction.

SEC. 5-5-13. NOTIFICATION OF ACCIDENTAL DISCHARGES AND SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City of Forest Park separate storm sewer system, State Waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

Said person shall notify the authorized enforcement agency in person or by phone, facsimile or in person no later than 24 hours of the nature, quantity, and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Forest Park or designee within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

Failure to provide notification of a release as provided above is a violation of this ordinance.

Sec. 5-5-14.1. Violations.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, the City of Forest Park is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City of Forest Park is authorized to seek costs of the abatement as outlined in Section 5-5-14.5.

Sec. 5-5-14.2. Notice of Violation

Whenever the City of Forest Park finds that a violation of this ordinance has occurred, the City of Forest Park may order compliance by written notice of violation.

- (1) The notice of violation shall contain:
 - (a) The name and address of the alleged violator;
 - (b) The address when available or a description of the building, structure, or land upon which the violation is occurring, or has occurred;
 - (c) A statement specifying the nature of the violation;
 - (d) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
 - (e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,
 - (f) A statement that the determination of violation may be appealed to the City of Forest Park by filing a written notice of appeal within thirty (30) days of service of notice of violation.
- (2) Such notice may require without limitation:
 - (a) The performance of monitoring, analyses, and reporting;
 - (b) The elimination of illicit discharges and illegal connections;
 - (c) That violating discharges, practices, or operations shall cease and desist;
 - (d) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - (e) Payment of costs to cover administrative and abatement costs; and,
 - (f) The implementation of pollution prevention practices.

SEC. 5-5-14.3. APPEAL OF NOTICE OF VIOLATION

Any person receiving a Notice of Violation may appeal the determination of the City of Forest Park. The notice of appeal must be received within thirty (30) days from the date of the Notice of Violation. Hearing on the appeal before the City of Forest Park or

designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or their designee shall be final.

SEC. 5-5-14.4. ENFORCEMENT MEASURES AFTER APPEAL

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or , in the event of an appeal, within 15 days of the decision of the appropriate authority upholding the decision of the City of Forest Park then representatives of the City of Forest Park may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent, or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

SEC. 5-5-14.5. COSTS OF ABATEMENT OF THE VIOLATION

Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 15 days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within thirty (30) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City of Forest Park or designee by reason of such violation.

SEC. 5-5-14.6. CIVIL PENALTIES

In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the City of Forest Park or designee shall deem appropriate, after the City of Forest Park has taken one or more of the actions described above, the City of Forest Park may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

Sec.5-5-14.7. Criminal Penalties

For intentional and flagrant violations of this Chapter, the City of Forest Park may issue a citation to the alleged violator requiring such person to appear in **municipal** court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

SEC. 5-5-14.8. VIOLATIONS DEEMED A PUBLIC NUISANCE

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.

SEC. 5-5-14.9. REMEDIES NOT EXCLUSIVE

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable Federal, State, or local law and the City of Forest Park may seek cumulative remedies.

The City of Forest Park may recover attorney’s fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling, and monitoring expenses.

Section 1: The Ordinance shall be codified in accordance with the direction of the Mayor and City Council.

Section 2. If any sections, paragraphs, sentences, clauses, and phrases of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 3. All Ordinances and parts of this Ordinance in conflict herewith are hereby expressly repealed.

Section 4. The adoption of this Ordinance is _____, 2023.

Section 5. The effective date of this Ordinance shall be the same as the date of adoption.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

3. Council Approval of Resolution to Extend the Moratorium of Accepting Applications for Certain Uses – Planning & Community Development

RESOLUTION NO. _____

A RESOLUTION REQUESTING THE MAYOR AND COUNCIL OF THE CITY OF FOREST, GEORGIA TO EXTEND THE MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR CERTAIN USES IN THE CITY FOR AN ADDITIONAL 60 DAYS; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN ADOPTION DATE AND EFFECTIVE DATE; TO PROVIDE A PENALTY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Forest Park has been vested with substantial powers, rights, and functions to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the City of Forest Park; and .

WHEREAS, the Mayor and Council of the City of Forest Park adopted Resolution 22-23 October 3, 2022; and

WHEREAS, the Planning & Community Development Department underwent staffing adjustments during this time and are now at a stable footing to fully examine and provide a sound recommendation regarding appropriate use while preserving community characteristics.

NOW THEREFORE be it resolved as follows:

Section 1: The Mayor and City Council of Forest Park, Georgia hereby extend the Moratorium on the acceptance of applications for certain uses in the City for an additional 60 days.

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 _____, 2023.

CITY OF FOREST PARK

Angelyne Butler, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 22-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FOREST PARK, GEORGIA ESTABLISHING A MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR CERTAIN USES IN THE CITY; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN ADOPTION DATE AND EFFECTIVE DATE; TO PROVIDE A PENALTY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Forest Park has been vested with substantial powers, rights, and functions to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the City of Forest Park; and

WHEREAS, Georgia law recognizes that local governments may impose moratoria on zoning decisions, building permits, and other development approvals where exigent circumstances warrant the same, pursuant to case law found at *City of Roswell et al v. Outdoor Systems, Inc.*, 274 Ga. 130, 549 S.E.2d 90 (2001); *Lawson v. Macon*, 214 Ga. 278, 104 S.E.2d 425 (1958); *Taylor v. Shetzen*, 212 Ga. 101, 90 S.E.2d 572 (1955); and

WHEREAS, the Courts take judicial notice of a local government's inherent ability to impose moratoria on an emergency basis; and

WHEREAS, the Georgia Supreme Court, in the case of *DeKalb County v. Townsend*, 243 Ga. 80 (1979), held that, "To justify a moratorium, it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and

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second, that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals." The City of Forest Park has found that the interests of the public necessitate the enactment of a moratorium for health, safety, morals, and general welfare purposes by means which are reasonable and not unduly oppressive; and

WHEREAS, the Mayor and Council of the City of Forest Park have, as a part of planning, zoning, and growth management, been in review of the City's Zoning Ordinances and have been studying the City's best estimates and projections of the type of development which could be anticipated within the City of Forest Park; and

WHEREAS, the Mayor and Council deem it important to develop a comprehensive plan which integrates all of these concerns and therefore considers this moratorium a proper exercise of its police powers; and

WHEREAS, the Mayor and Council therefore consider it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City of Forest Park. The Mayor and Council have always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics and the general welfare of the community; and in particular the lessening of congestion on City streets, security of the public from crime and other dangers, promotion of health and general welfare of its citizens, protection of the aesthetic qualities of the City including access to air and light, and facilitation of the adequate provision of transportation and other public requirements; and

WHEREAS, it is the belief of the Mayor and Council of the City of Forest Park that the concept of "public welfare" is broad and inclusive; that the values it represents are spiritual as well

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as physical, aesthetic as well as monetary; and that it is within the power of the City "to determine that a community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled," *Berman v. Parker*, 348 U.S. 26, 75 S.Ct. 98 (1954); *Kelo v. City of New London*, 545 U.S. 469, 125 S. Ct. 2655, 162 L. Ed. 2d 439 (2005). It is also the opinion of the City that "general welfare" includes the valid public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of resources, preserving neighborhood characteristics, enhancing and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the City; and

WHEREAS, the Mayor and Council are, and have been interested in, developing a cohesive and coherent policy regarding certain uses in the City, and have intended to promote community development through stability, predictability and balanced growth which will further the prosperity of the City as a whole; and

NOW THEREFORE be it resolved by the Mayor and Council of the City of Forest Park and by the authority of the same:

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SECTION I.
FINDINGS OF FACT

The Mayor and Council of the City of Forest Park hereby make the following findings of fact:

(a) It appears that the City's development ordinances, Zoning Ordinance and/or Comprehensive Land Use Plan require an additional review by the City of Forest Park as they relate to blood and/or plasma donation centers or similar facilities;

(b) Substantial disorder, detriment and irreparable harm would result to the citizens, businesses, and City of Forest Park if the current land use regulation scheme in and for the above described uses in the City were to be utilized by property owners prior to a more thorough review;

(c) The City's ongoing revision of its code, comprehensive plan and zoning ordinances requires that a limited cessation of development and building permits, occupation tax permits, and other licenses, permits or variances, with respect to the above-described uses, be enacted;

(d) It is necessary and in the public interest to delay, for a reasonable period of time, the processing of any applications for such developments, to ensure that the design, development and location of the same are consistent with the long-term planning objectives of the City; and

(e) That the Georgia Supreme Court has ruled that limited moratoria are reasonable and do not constitute land use when such moratoria are applied throughout the City under *City of Roswell et al v. Outdoor Systems Inc.*, 274 Ga. 130, 549 S.E.2d 90 (2001)

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SECTION II.

IMPOSITION OF MORATORIUM

(1) There is hereby established a moratorium on the establishment of the following types of businesses and the acceptance by the staff of the City of Forest Park of applications of any kind for blood and/or plasma donation centers or similar facilities.

(2) The duration of this moratorium shall be until the City adopts a revision of the City Code of the City of Forest Park related to the above referenced uses or until 180 days has elapsed, whichever first occurs;

(3) This moratorium shall be effective as of the date of adoption of this Resolution;

(4) This moratorium shall have no effect upon approvals or permits previously issued or as to development plans previously approved by the City. The provisions of this Resolution shall not affect the issuance of permits or site plan reviews that have received preliminary or final approval by the City or for which consultations have been had with the City staff on or before the effective date of this Resolution;

(5) As of the effective date of this Resolution, no applications for development or permits for the above described uses will be accepted by any agent, employee or officer of the City with respect to any property in the City of Forest Park, and any permit so accepted for filing will be deemed in error, null and void and of no effect whatsoever and shall constitute no assurance whatsoever of any right to engage in any act, and any action in reliance on any such permit shall be unreasonable;

(6) The following procedures shall be put in place immediately. Under *Cannon v. Clayton County*, 255 Ga. 63, 335 S.E.2d 294 (1985); *Meeks v. City of Buford*, 275 Ga. 585, 571

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S.E.2d 369 (2002); *City of Duluth v. Riverbroke Props.*, 233 Ga. App. 46, 502 S.E.2d 806 (1998), the Supreme Court stated, "Where a landowner makes a substantial change in position by expenditures and reliance on the probability of the issuance of a building permit, based upon an existing zoning ordinance and the assurances of zoning officials, he acquires vested rights and is entitled to have the permit issued despite a change in the zoning ordinance which would otherwise preclude the issuance of a permit." Pursuant to this case, the City of Forest Park recognizes that, unknown to the City, de facto vesting may have occurred. The following procedures are established to provide exemptions from the moratorium where vesting has occurred:

A written application, including verified supporting data, documents, and facts, may be made requesting a review by the Mayor and Council at a scheduled meeting of any facts or circumstances which the applicant feels substantiates a claim for vesting and the grant of an exemption.

SECTION III.

EXEMPTION

(1) During the term of this moratorium, any person may file an application for exemption from this moratorium with the Mayor and Council. The Mayor and Council may grant such exemption where the proposed establishment(s) is/are deemed to be in conformity with the proposed development ordinances, proposed Zoning Ordinance and/or the proposed Comprehensive Land Use Plan that are to be considered during the term of this moratorium. The Mayor and Council shall consider the general terms of the proposed development, the proposed

use, the proposed development plans, the benefits of the proposed development to the City, and the comprehensive land use plan for the City in deciding upon a requested exemption.

(2) Should the Mayor and Council grant such exemption, the staff of the City of Forest Park may accept an application for the proposed use. However, the grant of an exemption from this moratorium in no way confers any rights upon the applicant or the exempted plans, applications, or requests.

(3) Any exemption granted by the Mayor and Council shall not constitute final approval of such plans or requests by the City. Any granted exemption shall merely grant the City staff the ability to accept and process the subject application in accordance with all City laws.

SECTION IV.

(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 and 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 Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise

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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 Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION V.

All Resolutions or parts of Resolutions in conflict with this Resolution are, to the extent of such conflict, hereby repealed.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

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SECTION VI.

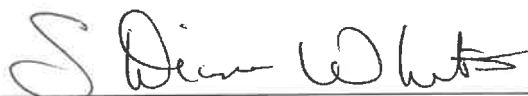
The preamble of this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

RESOLVED this 3rd day of October 2022.



Mayor Angelyne Butler

ATTEST:



City Clerk



APPROVED AS TO FORM:



City Attorney

SIGNATURE PAGE – MORATORIUM RESOLUTION

File Attachments for Item:

4. Council Approval of a Summer Youth Employment Pilot Program – Executive Office



CITY OF
FORESTPARK

City Council Agenda Item

Subject: Summer Youth Employment Pilot Program – Executive Office

Submitted By: Dr. Marc-Antonie Cooper

Date Submitted: March 14, 2023

Work Session Date: March 20, 2023

Council Meeting Date: March 20, 2023

Background/History:

The City of Forest Park is looking to establish a Summer Youth Employment Pilot Program for the fiscal budget year 2022-2023. The program design has been developed under the guidance provided via Youth.gov, which is the United States government website that helps create, maintain, and strengthen effective youth programs throughout the nation.

This pilot program would employ nine (9) students between the ages of 16 and 20 years old, with a pay of \$17.00 per hour/part-time. Students would work up to 20 hours per week for a total of approximately 140 hours over the summer. The total cost to the city would be approximately \$35,000. Due to this not being a budgeted item for FY 22-23 money must be reallocated to this program within the general fund budget. However, in the future the city has already begun to seek out both state and federal funding grants for this program.

Staff is asking City Council to approve and/or additional direction for the Summer Youth Employment Program

Cost: \$ 35,000

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

Financial Impact:

Finance have identified funds within the general fund budget available to be used for this pilot program

Action Requested from Council:

Staff request approval.



CITY OF
FORESTPARK
a city for every season

Dr. Marc-Antonie Cooper
City Manager
745 Forest Parkway
Forest Park, GA 30297
Phone: 404-366-1555
macooper@forestparkga.gov

To: Mayor and City Council

From: Dr. Marc-Antonie Cooper, City Manager

Date: March 14, 2023

RE: Summer Youth Employment Program (Draft)

The Summer Youth Employment Program provides Forest Park youth between the ages of 16 and 20 with paid summer employment. Participants can work a maximum of 150 hours over the summer.

The Summer Youth Employment Program focuses on four priority service areas. These focus areas include providing economic access by establishing education to employment pathways for disconnected youth, increasing communications outreach, providing social and emotional learning programs that support quality out-of-school time, and ensuring safety and justice by providing young people with alternatives to unhealthy behaviors.

The Summer Youth Employment Program provides paid work experience in a wide range of career fields in local government. Limited slots are available.

Eligible participants will undergo an application, and interview process to participate, youth must be:

- Between the ages of 16-20
- A Forest Park Highschool Student and/or recent graduate of Forest Park Highschool
- Eligible to work in the United States
- In school and/or currently unemployed
- Available from the beginning date of the program until the closing date
- Able to work for five (5) consecutive weeks.
- (Maximum 150 hours) 30 hours per week.
- Before beginning work at designated job sites, youth candidates will receive intensive orientation sessions to advise them of established procedures for reporting to work, appropriate work dress and behavior. The orientation sessions provide guidance and advice on carrying out their responsibilities at the highest levels to ensure they establish a track record of excellence in carrying out their responsibilities.

FINANCE –

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Working with Finance, we have identified funding that could be used to fund this program this first year. The pay is \$17.00 part-time. Students would work a total of 20 hours per week. We are looking at funding 8-9 students for a total cost of \$30,000. Due to this not being a budgeted item money must be reallocated to this program for the FY22-23 and can be budgeted for FY 23-24 and beyond.

SELECTION PROCESS –

Looking to Partner with Forest Park Highschool through Parent Liaison/Councilwoman Kimberly James and allow Directors and/or Manager time to interview and select participants from several students that signed up through the school. If possible, interviews should be held at Forest Park High School on a particular day and time frame, approximately 15 minutes or so, just to give the candidate interview experience and feedback.

WORK ASSIGNMENTS -

All Director's will provide Human Resources with a description or summary of what their specific department would have the Summer Youth Employment Candidate's doing in their respective departments. These write up would then become the basis for the Human Resources job description/ Scope of Work that would be provided to the school for the youth candidates to review and sign up for an interview. I believe these interviews should be held at the school on a particular day, approximately 15 minutes or so, just to give the candidate interview experience and feedback.

GUIDANCE – Youth.gov is the U.S. government website that helps you create, maintain, and strengthen effective youth programs. Included are youth facts, funding information, and tools to help you assess community assets, generate maps of local and federal resources, search for evidence-based youth programs, and keep up to date on the latest, youth-related news.

According to the Fair Labor Standards Act (FLSA), youth must be 14 years old or older to hold a nonagricultural position.

- Youth 18 years or older may perform any job, whether hazardous or not, for unlimited hours.
- Youth 16 or 17 years old may perform any nonhazardous job for unlimited hours.
- Youth 14 or 15 years old may work outside school hours in various nonmanufacturing, nonmining, nonhazardous jobs. They can work only between the hours of 7 a.m. and 7 p.m., except from June 1 through Labor Day, when they are able to work between the hours of 7 a.m. and 9 p.m. They may not work.
 - more than 3 hours per day on school days, including Fridays.
 - more than 18 hours per week in school weeks.
 - more than 8 hours per day on non-school days; or
 - more than 40 hours per week when school is not in session.

Under a special provision, youth 14 or 15 years old who are enrolled in an approved Work Experience and Career Exploration Program may be employed for up to 23 hours during school weeks and 3 hours on school days (including during school hours).

Child Labor Rules restrict the jobs that youth may perform on the basis of the age of the youth and the type of employment.

- A youth 18 years or older may perform any job, whether hazardous or not.
- A youth 16 or 17 years old may perform any job not identified as hazardous by the Secretary of Labor.
- A youth 14 or 15 years old may not work in
 - hazardous jobs identified by the Secretary of Labor.
 - manufacturing, processing, and mining occupations.
 - communications or public utilities jobs.
 - construction or repair jobs.
 - operating or assisting in operating power-driven machinery or hoisting apparatus other than typical office machines.
 - as a ride attendant or ride operator at an amusement park or a “dispatcher” at the top of elevated water slides.
 - driving motor vehicles or helping a driver.
 - peddling, sign waving, or door-to-door sales.
 - poultry catching or cooping.
 - lifeguarding at a natural environment such as a lake, river, ocean beach, quarry, or pond (youth must be at least 15 years of age and properly certified to be a lifeguard at a traditional swimming pool or water amusement park).
 - public messenger jobs.
 - transporting persons or property.
 - workrooms where products are manufactured, mined, or processed.
 - warehousing and storage.
 - boiler or engine room work, whether in or about.
 - cooking, except with gas or electric grills that do not involve cooking over an open flame and with deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets in and out of the hot grease or oil.
 - baking.
 - operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers, grinders, choppers, or cutters and bakery mixers.
 - freezers or meat cooler work, except minors may occasionally enter a freezer for a short period of time to retrieve items.
 - loading or unloading goods on or off trucks, railcars, or conveyors except in very limited circumstances; meat processing and work in areas where meat is processed.
 - maintenance or repair of a building or its equipment.

- outside window washing that involves working from windowsills.
 - all work involving the use of ladders, scaffolds, or similar equipment; or
 - warehouse work, except office and clerical work.
- The jobs that 14- or 15-year-old workers may legally perform are limited to.
 - office and clerical work.
 - work of an intellectual or artistically creative nature.
 - bagging and carrying out customer's orders.
 - cashiering, selling, modeling, artwork, advertising, window trimming, or comparative shopping.
 - pricing and tagging goods, assembling orders, packing, or shelving.
 - clean-up work and grounds maintenance—the young worker may use vacuums and floor waxers, but he or she may not use power-driven mowers, cutters, and trimmers.
 - as a lifeguard at a traditional swimming pool or water amusement park if at least 15 years of age and properly certified.
 - kitchen and other work in preparing and serving food and drinks, but only limited cooking duties and no baking.
 - cleaning fruits and vegetables.
 - cooking with gas or electric grills that do not involve cooking over an open flame and with deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets in and out of the hot grease or oil.
 - clean cooking equipment, including the filtering, transporting, and dispensing of oil and grease, but only when the surfaces of the equipment and liquids do not exceed 100°F.
 - pumping gas, cleaning, and hand washing and polishing of cars and trucks (but the young worker may not repair cars, use garage lifting rack, or work in pits).
 - wrapping, weighing, pricing, and stocking any goods as long as he or she doesn't work where meat is being prepared and doesn't work in freezers or meat coolers.
 - delivery work by foot, bicycle, or public transportation.
 - riding in the passenger compartment of a motor vehicle except when a significant reason for the minor being a passenger in the vehicle is for the purpose of performing work in connection with the transporting—or assisting in the transporting of—other persons or property; or
 - loading and unloading onto and from motor vehicles, the hand tools and personal equipment the youth will use on the job site.