

# PUTNAM COUNTY BOARD OF COMMISSIONERS



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117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## **Agenda**

**Tuesday, April 16, 2024 ♦ 6:00 PM**

*Putnam County Administration Building – Room 203*

### **Opening**

1. Welcome - Call to Order
2. Approval of Agenda
3. Invocation
4. Pledge of Allegiance (JW)

### **Ordinance Public Hearing**

5. Proposed adoption of changes to the Putnam County Code of Ordinances Chapters 28 and 66 (staff-CA)

### **Regular Business Meeting**

6. Public Comments
7. Consent Agenda
  - a. Approval of Minutes - April 5, 2024 Regular Business Meeting (staff-CC)
8. Request for waiver of late fees and interest for Ms. Andrea Chastain (TA)
9. Authorization for Chairman to sign Transit Drug and Alcohol Testing Policy (staff-Transit)

### **Reports/Announcements**

10. County Manager Report
11. County Attorney Report
12. Commissioner Announcements

### **Closing**

13. Adjournment

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**File Attachments for Item:**

5. Proposed adoption of changes to the Putnam County Code of Ordinances Chapters 28 and 66 (staff-CA)

## Sec. 66-20. Definitions.

*Animal care, general* means animal care **uses used** with either an outdoor facility or an overnight component, or both. Examples may include animal day cares, animal shelters, overnight boarding facilities, veterinary clinics with boarding or nighttime emergency services, and pet stores that sell cats, dogs, and/or birds larger than 12 inches.

*Automobile retail* means an establishment that primarily sells auto parts, supplies, and accessories for automobiles, light and medium trucks, motorcycles, recreational vehicles, and related equipment. This definition includes businesses that may provide minor services **s** such as diagnostic checks and battery installation.

*Automobile sales and rentals, general* are an establishment that offers automobiles on-site for sale or long-term lease to the general public, whether at retail or through an auction. The automobiles must include only those customarily used for personal use, such as automobiles, light and medium trucks, motorcycles, recreational vehicles, as well as vehicles that are smaller than automobiles, such as all-terrain vehicles, golf carts, and similar. Manufactured home sales are included in this definition. This excludes commercial trucks or equipment and agricultural equipment. Motorized vehicles for sale will typically be stored outside. All other activities must be in an enclosed building.

***Automobile sales and rentals, limited* are an establishment that offers no more than three automobiles on-site for sale or long-term lease to the general public, whether at retail or through an auction. The automobiles must include only those customarily used for personal use, such as automobiles, light and medium trucks, motorcycles, recreational vehicles, as well as vehicles that are smaller than automobiles, such as all-terrain vehicles, golf carts, and similar. This excludes commercial trucks or equipment and agricultural equipment. Motorized vehicles for sale will typically be stored outside. All other activities must be in an enclosed building.**

***Barndominium* means a steel frame and sheet metal building, originally designed as a storage building or barn structure that has been repurposed or designed to include living areas in previously open space.**

*Bedroom* means that room within a dwelling unit, which is normally used to provide sleeping accommodations **s** for the residents of the unit, regardless of its daytime use.

*Brewery/distillery/winery* means an industrial facility where malt, brewed or distilled beverages are produced (in spaces in excess of the micro-producer limits) on the premises and then sold or distributed for off premises consumption and must **be** licensed by the Alcohol and Tobacco Division of the Georgia Department of Revenue.

*Convenience store* means a use primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. **This use shall be less than 2,000 square feet of gross floor area.** This may include limited food preparation. Only fuel pumps for the selling of fuel for motor vehicles are permitted.

*Dwelling unit* means one or more rooms connected together and constituting a separate, independent housekeeping establishment, **with only one internally contained kitchen,** physically set apart from any other dwelling unit in the same structure.

*Dwelling, duplex* **means a means a** single building designed, constructed, and used for two (2) dwelling units which are separated by common walls between the individual dwelling units.

*Extractive industry* means any activity constituting all or part of a process for the extraction or basic processing of minerals, ores, liquids, gases, or other natural resources **s** for consumption in the regular operation of

a business. Such uses also include quarrying, well operation, mining, and other procedures done at an extraction site.

*Junkyard* means any use on public or private property involving the parking, storage or disassembly of junked vehicles, or wrecked or ~~nonoperable~~ **inoperable** automobiles, trucks or other automotive devices; storage, bailing or otherwise dealing in bones, animal hides, scrap iron and other metals; used paper, used cloth, used plumbing fixtures, old stoves, old refrigerators and old household appliances; and used brick, wood or other building materials. These uses shall be considered junkyards whether or not all or part of these operations are conducted inside a building or in conjunction with, in addition to or accessory to other uses of the premises.

***Kitchen* means any room principally used, intended, or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen. The meaning of kitchen shall exclude a bar or butler’s pantry.**

*Micro-producer* means a **manufacturer** of alcoholic beverages including malt beverages, wine, and distilled spirits. A limit of 15,000 barrels per year is established for the production of malt beverages, while production for wine and distilled spirits is limited to no more than 5,000 barrels per year. The maximum allowable space for this facility is 20,000 square feet. And where 25 percent or more of the facility's production is sold directly to the consumer on-site, within a retail shop, bar, tasting room, tap-room, restaurant or other similar facility.

*Riding stable, commercial* means a lot with the **principle principal** use of a riding stable which may be private or open to the general public; boarding of livestock not involved with current breeding or training; training involving large groups of eight or more students; polo fields or arenas used for scheduled, public, or club events; and those uses permitted on a ranch.

***Shipping container* means a intermodal, steel-reinforced reusable container primary used for shipping cargo and storage.**

***Technical review process* may be initiated for certain large scale developments and involves potentially affected federal, state, and county agencies and departments performing an impact analysis pertaining to their area of responsibility and/or expertise. The technical review process is initiated at the discretion of the director of planning and development and a list of participating agencies/departments will be maintained in the planning and development department.**

**Sec. 66-32. Designation ~~on~~ **of the** official zoning map.**

The boundaries of the various zoning districts are shown upon the official zoning maps of Putnam County, as they may be amended from time to time and which are hereby made a part of this chapter and which shall be maintained in the office of the clerk to the board of commissioners as a public document available for public inspection and examination. The official zoning maps shall be those tax parcel maps entitled, "The Official Zoning Maps of Putnam County, Georgia, July 17, 2007," signed by the chairman of the board of commissioners, which contain land lot, district, parcel and street boundaries located in the county; and the "Aerial Photo-Sheet Index" map. All such official zoning maps and all notations, references and information shown thereon shall be as much a part of this chapter as if all the matter and information set forth by the maps were fully described in this section.

(Res. of 7-17-2007(4))

**Sec. 66-34. General requirements.**

Statements in this section apply to the entirety of this chapter. The specific applications are dependent on the extent of the dissimilarity between the existing zoning district and the new one the following shall apply:

- (a) *Nuisance.* The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.
- (b) *Outside merchandise.* No outside display of merchandise shall create traffic or other safety hazard. No retail items shall be parked or sold within a street right-of way. No external display of merchandise shall interfere with sight lines in a way to create traffic or safety hazards.
- (c) *Allowed uses.* Within the various zoning districts, as described in this article and shown on the official zoning map, no land, building or structure shall be used as a matter of right except in accordance with the uses and standards of this chapter.
- (d) *Buffers and berms.*
  - (1) A buffer or berm, which provides visual screening, shall at the director's discretion, unless the board of commissioners has mandated otherwise, exist between any C-PUD, R-PUD, C, or I-M district and any R, RM, or MHP district or existing use. The dimensions of the buffer between adjoining uses are in Table A.

Table A

Proposed Use	Adjoining Use									
	AG	R-1R	R-1, R-2	RM-1	RM-3	MHP	C-1 & C-2	I-M	C-PUD	R-PUD
AG	None	50	50	50	None 50	50	50	50	50	50
R-1R	None	None	None	None	None	None	None	None	None	None
R-1, R-2	None	None	None	None	None	None	None	None	None	None
RM-1	None	20	20	None	None	None	None	None	None	None
RM-3*	50	50	50	50	50	50	50	50	50	50
MHP	25	50	50	50	None 50	25	25	25	25	50
C-1 and C-2	None	50	50	50	None 50	50	None	100	None	50
I-M	50	<del>50</del> 100	<del>50</del> 100	<del>50</del> 100	<del>50</del> 100	<del>50</del> 100	50	50	50	<del>50</del> 100
C-PUD†	50	50	50	50	None 50	50	50	50	None	50
R-PUD†	50	50	50	50	50	50	50	50	50	None

- (2) Required buffers must be separated by at least a five-foot setback from a parking area or a structure.
- (3) All buffers shall be replanted, where sparsely vegetated, with evergreen trees of at least two inches measured at diameter breast height (DBH) and with evergreen shrubs to create an understory among the trees. An evergreen ground cover shall exist throughout the buffer.
- (4) The spacing of trees when creating a buffer shall be approximately ten feet between each tree at time of planting. In order to create a solid appearance, another row of trees shall be planted ten feet behind the first row, also spaced ten feet apart so that the trees in one row visually fill the gaps in the next row (as depicted in the following diagram).
- (5) Where the use to be protected exists (or will exist) above or below the new one, the slope of the cut/fill shall constitute the buffer, provided the angular length of the slope is at least equal (in feet) to the width of the required buffer. The densest plantings of trees and understory occurs at

the top of the slope diminishing as the slope proceeds downward. An evergreen ground cover shall be planted on the slope. A six-foot high fence constructed of opaque material shall be placed at the top of the cut slope.

- (6) A berm shall be no flatter than a three to one slope achieving a height above the ground throughout its entire length of not less than six feet. It may exist throughout the length of a buffer or as a separate entity within a setback.
  - (7) A berm shall be planted with evergreen trees, shrubs, and ground cover in the same fashion as a buffer. If natural vegetation does not exist along a buffer area, a berm must be installed.
  - (8) Unless certifiable low water consumption plantings are used, an irrigation system shall exist through the buffer or berm to ensure the continued vitality of the vegetation.
  - (9) When the ground between the new and the existing uses is relatively flat, either a buffer or a berm, at the discretion of the director, shall be used. A berm may be located within a setback but a buffer may not.
- (e) *Double frontage and corner lots.* Lots that adjoin a public street on any side shall provide the minimum required front setback on each street.
- (f) *Pre-owned manufactured home.* Pre-owned manufactured homes must meet the minimum requirements as outlined in sections 18-83(b)(5), (9), (10), (11), and (12) of this Code prior to the issuance of a building permit. The building inspector shall inspect all pre-owned manufactured homes at the expense of the applicant to include, but not limited to, inspection fees and travel expenses when located outside of Putnam County. Travel expenses shall be calculated based on current mileage rate used by county.
- (g) *Vision clearance.*
- (1) No plant, structure, fence, wall, sign, or other element between the heights of four feet and ten feet from the ground shall be placed within 20 feet of or maintained in a manner that obstructs vision at the intersection of:
    - The right-of-way lines of two public streets;
    - Any vehicular access drive with a right-of-way on a public street;
    - Any vehicular access drive with another vehicular access drive;
    - A public street's right-of-way line and a railroad;
    - Two railroad lines.
  - (2) Notwithstanding other provisions of this chapter, fences, walls, hedges, driveways and buffer areas may be permitted in any required yard or along the edge of any yard, provided that fences, walls or hedges on a corner lot in a residential district shall not exceed four feet in height. See performance standards for specific requirements on fences and walls.
- (h) *Other regulations.* The property owner should be aware of and consult the other ordinances that may apply to the development or use of any property, including, but not limited to, any conditions applied by the Board of Commissioners at the time the property was rezoned, the International Building Code; chapter 18, Buildings and Building Regulations; chapter 22, Businesses; chapter 28, Development Regulations; chapter 30, Environment; chapter 32, Fire Code; chapter 46, Roads and Bridges; chapter 48, Signs; and chapter 50, Solid Waste and Scrap Tires.
- (i) *Parking requirements.* See development standards in each district for residential requirements. For commercial and industrial/manufacturing see chapter 28, development regulations.

- (j) *Projections into setbacks.* Every part of a required setback shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features, provided that these features do not project more than three feet into any required setback. Decks, porches, patios, carports, and similar structures (including steps to access the foregoing) are not permitted to project into the setback area. Setbacks for accessory uses are defined in each district's requirements.
- (k) *Street access.* Except as provided in this chapter, each building shall be located on a lot or parcel that abuts a public paved street. However, should an owner of an agriculture zoned tract of property subdivide it so as to provide smaller parcels only to other family members for their residential use, then the new parcels so created may be accessed by recorded, permanent and private easements between the original owner (grantor) and his grantees, upon approval of the director.
- (l) *Storage and parking of recreational vehicles, trailers, and other vehicles.* Commercial vehicles with more than four wheels, recreational vehicles, travel trailers, campers, buses, motorized homes, boat trailers and haulers, and boats shall not be stored in the front yard in any residential district. Travel trailers, recreational vehicles, campers, motorized homes, boat trailers and haulers, and boats may be parked or stored in an enclosed garage or carport or in rear or side yards, provided that they remain more than 20 feet from the rear property line and ten feet from the side property line. No such vehicle shall be occupied for sleeping or as a residence, either permanently or temporarily, when so parked.
- (m) *Lighting.* All exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
- (n) *One principal building per lot.* Only one principal building and its customary accessory buildings may hereafter be erected on any lot, unless this chapter specifically provides otherwise; further provided that more than one multi-family dwelling, office, institutional, commercial or industrial building may be located on a lot or tract.

### Sec. 66-35. Exceptions to general development standards.

- ~~(a) *Double buffer.* When a required buffer area would abut and be continuous to an established buffer area, which meets all requirements of this chapter, then this additional required buffer area need not be established.~~
- (b) *Height requirements.* The height limitations as stated in this chapter shall not apply to:
  - (1) Barns, silos or other farm structures when located on farms, belfries, cupolas and domes, monuments, water towers, windmills, chimneys, smokestacks, flagpoles, radio or television towers, masts and aerials; and
  - (2) Bulkheads, elevators, penthouses, water tanks and scenery lofts and similar structures, provided that these structures shall not cover more than 25 percent of the total roof area of the building on which these structures are located.
- ~~(c) *Special building height restrictions.* Where a new Village, C, or I M, R PUD, or C PUD district is adjacent to an R, RM, or MHP district or to an existing residential use, the building height of the nonresidential structures shall not exceed 25 feet along the property line(s) adjacent to the herein listed residential districts.~~
- (d) *Combining of acreage between lake lots and Georgia Power property.* The owner of a lot who has exclusive use of property owned by Georgia Power by written lease, license, or other document may combine the acreage of said lot with the acreage of the property owned by Georgia Power in order to meet the requirements of the development standards of the zoning district in which said lot is located provided that both the lot and property are depicted as a single lot filed in the land records of Putnam County.

DIVISION 3. DISTRICTS

**AG AG-1 AGRICULTURE DISTRICT**

**Sec. 66-72. Uses allowed.**

The uses allowed in the AG-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a) Allowed uses.

- ~~Adult day care center.~~
- Fairgrounds and amusement parks.
- Hangar (airplane)
- Helipad
- Personal care home, family
- Private landing strip (airplane)
- Riding stable, private
- Sawmill, temporary/portable
- Workshop
- ~~Hospice care facility, general.~~
- ~~Hospice care facility, limited.~~
- Helipad recreational vehicle park.

(b) Accessory uses that may be contained within the principal use structure or shall exist on the same property as the principal structure are as follows:

Commercial:



~~Barbershop.~~

~~Beauty salon.~~

~~Workshop, limited.~~

Home Occupation Business

~~Home occupation.~~

~~Helipad.~~

~~Riding stable, private.~~

~~Animal care, limited.~~

~~Sawmill, temporary/portable.~~

Dwellings: In addition to the primary residence on a parcel consisting of five acres or greater, the owner may subdivide three additional parcels for family use only, with a minimum of 1.25 acres each without rezoning as long as there is a deeded and platted easement from a public road to these parcels. Nonconforming parcels must be rezoned prior to subdividing any additional lots.

~~Personal care home, family.~~

~~Hospice care facility, limited dock, private.~~

~~Swimming pool, private.~~

~~Tennis court, private.~~

**Sec. 66-73. Development standards.**

- (a) Minimum lot size: Five acres.
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 100 feet.
- (d) Minimum setback requirements for the residential principal structure are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek, or river: 65 feet.
  - (5) State highway/main arterial road setback: 50 feet.

(e) Minimum set requirements for commercial structures are as follows:

- (1) Front setback: 100 feet.
- (2) Side setback: 50 feet.

(3) Rear setback: 50 feet.

(4) Setback from Lake Sinclair, Lake Oconee, creek, or river: 65 feet.

(5) State highway/main arterial road setback: 100 feet.

- (e) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory buildings are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) State highway/main arterial road setback: 50 feet.
- (f) Maximum height of all structures: 35 feet from highest point grade for any residential structures, 45 feet from highest point of grade for any nonresidential structures (except silos or water towers).
- (g) Minimum residential heated floor area:
  - (1) Dwelling, single-family detached: 1000 square feet.
  - (2) Dwelling, manufactured home: 600 square feet.
  - (3) Cabin or Hunting Lodge: 600 square feet.
- (h) Minimum off-street parking spaces is two spaces for the principal use and one additional off-street space for each 1,000 square feet of accessory use.
- (i) Up to one family accessory dwelling unit is permitted per lot.
- (j) A maximum of three tenant dwellings.
- (k) Slaughterhouses are only allowed on a minimum of ~~20~~ 5 acres; not allowed on existing nonconforming lots of record.
- (l) Racetracks are not allowed on existing nonconforming lots of record.
- (m) Maximum lot coverage by impervious surface: 35 percent.

(Res. of 7-17-2007(4); Amend. of 4-17-2012(2); Amend. of 9-17-2013(2) ; Ord. of 12-4-2020(1) ; Ord. of 2-16-2021(3) ; Ord. of 12-3-2021(1) )

### ***R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT***

#### **Sec. 66-81. Uses allowed.**

The uses allowed in the R-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (d) Accessory uses that shall be on the same property as the principal use are as follows:

Hospice care facility, limited.

**Sec. 66-82. Development standards.**

- (a) Minimum lot size:
  - (1) Individual well and septic system:
    - a. Off-lake lot: 47,916 square feet (1.1 acre).
    - b. On-lake lot: 65,340 square feet (1.5 acre).
  - (2) Public well and septic system:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (3) Individual well and sewer:
    - a. Off-lake lot: 30,000 square feet (.69 acre).
    - b. On-lake lot: 36,250 square feet (.83 acre).
  - (4) Public well and sewer: 20,000 square feet (.46 acre).
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 100 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent.
- (e) Minimum setback requirements for principal structures are as follows:
  - (1) Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State highway/main arterial road: 50 feet.
- (f) Minimum setback requirements for allowed accessory uses, including accessory buildings, decks, porches, carports, garages, swimming pools and other allowed accessory uses are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 15 feet.
  - (3) Rear setback: 15 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.
  - (5) State highway/main arterial road setback: 50 feet.
- (g) Maximum height of structures: 35 feet from the highest point of the grade.
- (h) Minimum heated floor area:
  - (1) 1,200 square feet: site-built, modular.
  - (2) 1,000 square feet: **minimum width of 24 ft.** manufactured.

- (i) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.
  - (j) Only one principal dwelling unit is permitted per lot, except for one family accessory dwelling unit, which may be enclosed as part of principal structure or detached from principal structure. This building shall not be a manufactured home.
  - (k) Accessory buildings: Maximum of two per lot, excluding one garage, or carport and one well house.
- (Res. of 7-17-2007(4); Amend. of 4-17-2012(2); Amend. of 9-17-2013(2) ; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

**R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT**

**Sec. 66-84. Uses allowed.**

The uses allowed in the R-2 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (d) Accessory uses that shall be on the same property as the principal use are as follows:

~~Hospice care facility, limited.~~

**MHP MANUFACTURED HOME PARK DISTRICT**

**Sec. 66-87. Uses allowed.**

The uses allowed in the MHP zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses.

~~Dwelling, tiny homes.~~

- (b) Accessory uses and structures incidental to any permitted use within the park.

~~Tiny house.~~

**Sec. 66-88. Development standards.**

- (a) Development standards for total MHP area.
  - (1) Minimum MHP lot area: Ten acres.
  - (2) Maximum density: Five **manufactured homes residential unit** per acre.
  - (3) Minimum MHP setback requirements (before individual lots are established):
    - From state/federal highway: 150 feet.
    - From county roadway: 100 feet.
    - Front: 50 feet.
    - Sides: 25 feet, 100 feet if the side abuts other R districts.
    - Rear: 40 feet, 100 feet if the side abuts other R districts.
    - Setback from Lake Sinclair, Lake Oconee, creek or river: 100 feet.
  - (4) Minimum open space requirement: 15 percent, which may include recreational uses.
  - (5) Internal street requirements: Streets within MHPs shall be privately owned, constructed and maintained. Streets shall be constructed in accordance with chapter 28, development regulations, for local streets and shall provide direct accessibility to each lot and residential unit. No lot or unit shall be accessible except by way of an internal street. Internal streets shall have a minimum of a 40-foot right-of-way and a minimum of 20 feet of paved surface.
  - (6) Parking and traffic requirements:
    - a. Minimum width of the entrance to the manufactured home park shall be 50 feet.
    - b. Parking spaces: Two per **manufactured home residential unit** space.
    - c. Internal driveways must be paved and have a minimum width of 12 feet.
  - (7) Buffer or berm: 25 feet (or 50 feet when adjacent to other R or RM districts) densely planted with evergreen and hedge-type shrubs designed to provide full screening on the park.
  - (8) Illumination: Street lighting shall be provided not less than every 250 feet to ensure the safe movement of pedestrians and vehicles at night. Such lighting shall not create a direct glare into surrounding residential areas.
  - (9) Unit requirements: See chapter 18, buildings and building regulations.
  - (10) Recreational vehicles: See RV park guidelines in article III, performance standards.
  - (11) Commercial uses: If permitted accessory commercial uses are developed on the site, those uses must comply with the setback, buffer, minimum lot size and minimum lot width of the C-1 district in this article. Any portion of a manufactured home park tract used for such purposes cannot be counted as available acreage for purposes of calculating **dwelling residential** unit density. No more than ten percent of the park may be used for commercial purposes.
  - (12) Maximum lot coverage by impervious surface: 35 percent.
- (b) Minimum development standards for each **manufactured home residential unit** lot: Each **home residential unit** shall be located on an individual lot. Each lot shall have all corners clearly marked. Each lot shall have the parking areas required in this section and, in addition, shall have a concrete patio of at least 100 square feet,

which shall be convenient to the entrance of the home. In no event shall the home and parking areas cover more than one-third of the space of the individual lot.

- (1) Minimum lot area: 8,600 square feet.
- (2) Minimum lot width at building setback line: 50 feet.
- (3) Minimum lot depth: 80 feet.
- (4) Minimum required setbacks/yards:
  - a. From right-of-way of interior streets: 25 feet.
  - b. From adjacent units: 20 feet end-to-end, and 40 20 feet side-to-side.
- (c) Accessory buildings: Maximum of two per lot, ~~excluding one garage, or carport and one well house.~~

### **RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT**

#### **Sec. 66-90. Uses allowed.**

The uses allowed in the RM-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

- (a) Allowed uses.
  - ~~Hospice care facility, general.~~
- (c) Accessory uses.
  - ~~Hospice care facility, limited.~~

#### **Sec. 66-91. Development standards.**

- (a) Minimum parcel size: 20,000 square feet.
- (b) Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.
- (c) Minimum lot width at the building setback line: 125 feet.
- (d) Maximum lot coverage by impervious surface: 35 percent.
- (e) Minimum setback requirements are as follows:
  - (1) Front setback: 30 feet.
  - (2) Side setback: 20 feet.
  - (3) Rear setback: 20 feet.
  - (4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.

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- (5) State highway/main arterial road: 50 feet.
  - (6) All buildings must be separated on all sizes by a minimum of ten feet from any other building.
  - (7) For lots that abut a single-family residential district (R-1R, R-1, R-2), the buildings must be set back at least 50 feet from adjoining property lines
  - (f) Buffer requirements.
    - ~~(1) 20-foot wide nonaccess buffer along the entire length of the property where abutting an arterial or collector street.~~
    - (2) 20-foot wide natural undisturbed buffer or a berm, replanted where sparsely vegetated, for developments adjacent to all R1-R, R-1, R-2 zoning districts.
  - (g) Multi-family residential developments with at least four dwelling units shall dedicate a minimum of 15 percent to open space. This may include community recreation uses.
  - (h) Maximum height of structures: 35 feet from the highest point of the grade.
  - (i) Minimum heated floor area:
    - (1) One bedroom unit: 700 square feet.
    - (2) Two bedroom unit: 900 square feet.
    - (3) Three bedroom unit: 1,100 square feet.
  - (j) Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a community recreation facility, depending on the number of people the health department determines can be in the community recreation areas and the fire marshal determines the occupancy rating for any building. Parking shall be provided on the same lot as the use it serves.
  - (k) Density: Six dwelling units per acre.
  - (l) Accessory buildings: Maximum of one per dwelling unit, excluding one garage, or carport and one well house.
  - (m) Community water and an approved septic system or sewer.
- (Res. of 7-17-2007(4); Amend. of 3-18-2008; Amend. of 4-17-2012(2); Amend. of 9-17-2013(2); Ord. of 12-3-2021(1))

**C-1 COMMERCIAL DISTRICT<sup>1</sup>**

<sup>1</sup>Cross reference(s)—Businesses, Ch. 22.

**Sec. 66-103. Uses allowed.**

The uses allowed in the C-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a) Allowed uses:

Automobile sales and rental, limited

Recreation, outdoor religious facilities

Religious facilities.

Retail package sale of distilled spirits

Hospice care facility, general

(b) Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

(Res. of 7-17-2007(4); Amend. of 3-18-2008; Amend. of 4-17-2012(2); Amend. of 9-17-2013(2) ; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

**Sec. 66-104. Development standards.**

(a) Minimum lot size: 20,000 square feet.

(b) Minimum lot width at the building setback line: 100 feet.

(c) Minimum setbacks requirements are as follows:

(1) Front setback: 30 feet.

(2) Side setback: 15 feet.

(3) Rear setback: 20 feet.

(4) Setback from Lake Sinclair, Lake Oconee, creek or river: 65 feet.

(5) A 50-foot setback is required when any commercial use or district adjoins any residential use or district.

(6) State highway/main arterial road: 50 feet.

(d) Maximum height of structures: 45 feet from the highest point of the grade.

(e) Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial uses.

(f) Maximum lot coverage by buildings: 35 percent.

(g) Buffer requirements:

(1) A berm or a 50-foot buffer is required when any commercial use or district adjoins any residential use or district and shall be included within the required setback.



- (2) Additional buffer and screening requirements may be required based on use in accordance with article III, performance standards.
- (h) Maximum commercial floor area is computed at 15,000 square feet per acre.
- (i) Maximum of three outside displays of goods or services specifically related to the C-1 business on premises.
  - (1) The outside display shall not be allowed in the front yard at anytime.
  - (2) A screened privacy fence shall be erected and maintained along the property where it abuts R-zoned or residential-used property.
- (i) Outside seating in approved designated area**
  - (1) No seating shall be located on designated sidewalks or parking lots**

**Sec. 66-105. Purpose.**

The uses in this district are those most commonly expected to be present in a commercial environment serving a large consumer area. Very large floor area commercial uses, multiplex theaters, large hardware and indoor **or outdoor** building supply stores, existing as anchors in a mall or on a single-user site are encouraged.

(Res. of 7-17-2007(4))

**ARTICLE III. PERFORMANCE STANDARDS**

**Sec. 66-132. List of uses and performance standards.**

- (a) *Accessory uses and structures.*
  - (1) *Accessory uses and structures customarily incidental to any allowed use.*
    - a. An accessory structure shall be located on the same lot and within the same zoning boundary as the principal building/use to which it is accessory.
    - b. No accessory structure shall be constructed upon a lot until construction of the principal building has commenced. If the principal building has not been completed within 12 months of the issuance of a building permit, then the accessory use shall be continued only with express permission of the director of the planning and development department based upon unusual circumstances or hardship. Under no circumstances shall the accessory structure or use continue for more than 24 months if the principal structure/use has not been completed.
    - c. An accessory structure, with the exception of garages and carports, shall be permitted in the side or rear yard of any R, RM or R-PUD district.
    - d. Setback use for waterfront lots on Lakes Oconee and Sinclair. A detached accessory structure may be located in the portion of the setback between the house on the property and the street. Setbacks for the district must be followed.
    - e. No accessory structure in a nonresidential district shall be used by other than employees or relatives of the owner unless otherwise allowed by provisions of this chapter.

- f. Accessory structures shall not exceed two stories in height and may not cover more than 30 percent of the rear yard.
- g. Where a corner lot in a residential district adjoins another lot, no accessory structure shall be located closer to the side street right-of-way line than the principal building or closer than 25 feet to the rear property line. The setback of 25 feet will not be required when the adjoining yard is a rear yard.
- h. When an accessory structure is attached to the principal building by a breezeway, passageway or similar means, the accessory structure shall comply with the setback requirements of the principal building to which it is accessory.
- i. Private accessory structures such as swimming pools in a residential district shall comply with the minimum side and rear setback requirements of that district. Setback minimums shall be measured from the decking or closest part of the pool structure to the applicable property line. Accessory swimming pools shall be permitted only upon written approval by the director of planning and development department.
- j. Accessory uses in a multi-family development or manufactured home park may include laundry facilities and must be housed in a separate area for the convenience of residents.
- k. The square footage of an accessory building or structure shall not exceed 75 percent of the square footage of the principal building or structure to which it is accessory, except in the AG districts.
- l. Accessory structures shall be constructed in conjunction with or after a building permit for the principal building is lawfully approved.
- m. There shall be no less than five feet of distance between a principal and accessory building unless they are connected by a common wall, passageway, or other similar means.
- n. All docks shall meet Georgia Power Company regulations pertaining to docks.
- o. No private riding stable, private shall be located within 50 feet of any property line.
- p. Family accessory dwelling units.
- q. Dwelling, tenant.
  - 1. A dwelling, tenant is subject to the dimensional standards of the AG district.
  - 2. No more than ten persons, unrelated or related by family, may occupy a tenant dwelling at any one time.
  - 3. Buildings associated with this use must have a residential or agricultural façade.
- (2) The following commercial businesses use are allowed in AG and do not conform to the standards specified for the businesses as a as home occupation businesses. Requirements for these commercial home occupation businesses are as follows:
  - a. Barbershop or beauty salon.
    - 1. The front setback shall be no less than 30 feet. The side and rear setbacks shall be no less than 20 feet.
    - 2. Outside storage shall be in the rear of the building and must be screened from view.
    - 3. Building must be frame construction with a residential or agriculture façade.
    - 4. Driveway must be paved at least five feet into the property.

- 5. The maximum number of employees is five.
  - b. Animal care, limited or general.
    - 1. The front setback shall be no less than 50 feet.
    - 2. If the property abuts a residential use, the side and rear setbacks shall be no less than 100 feet. If the property abuts a nonresidential use, the side and rear setbacks shall be no less than 50 feet.
    - 3. Outside storage shall be in the rear of the building and must be screened from view.
    - 4. If the property abuts a residential use there shall be a 50-foot buffer that screens use from view.
    - 5. Driveway to business must be paved at least five feet into the property.
    - 6. All structures must have adequate soundproofing and odor-proofing so the use does not create a nuisance.
    - 7. Any facility with an outdoor component such as an exercise area shall require a fence surrounding the outdoor area that is at least six feet tall and located more than 100 feet from a residential property or building. This fence shall be completed prior to occupancy of the primary structure.
  - c. Workshop.
    - 1. The front setback shall be no less than 30 feet.
    - 2. If the property abuts a residential use, the side and rear setbacks shall be no less than 100 feet. If the property abuts a nonresidential use, the side and rear setbacks shall be no less than 50 feet.
    - 3. Outside storage shall be in the rear of the building and must be screened from view.
    - 4. If the property abuts a residential district there shall be a 50-foot buffer that screens use from view.
    - 5. The use must be within an enclosed structure that has frame construction with a residential or agriculture façade.
    - 6. Driveway to business must be paved at least five feet into the property.
    - 7. All structures must have adequate soundproofing, so the use does not create a nuisance.
- (3) *Specific accessory use restrictions.*
- a. Automobile, truck and trailer lease and rentals, as an accessory use to an automobile service station.
    - 1. This use shall not occupy more than ten percent of the lot area.
    - 2. No more than four trailers, trucks or cars shall be permitted outdoors on the lot at any one time.
    - 3. Parking areas for the permitted trailers shall be located only in portions of the lot where off-street parking is permitted, but no area or space shall occupy spaces set aside for required off-street parking or use by cars awaiting service. No trailer shall be parked in any way that interferes with normal traffic flow to, within, or out of the lot.
    - 4. All parking areas shall be clearly marked and no trailer, truck or car shall be parked outdoors other than within these boundaries except when being serviced.

- b. Accessory retail sales and services. Retail sales and services accessory to the operation of an office building or institutional use, motel or hotel, conducted wholly within the building housing the use to which these activities are accessory, provided that the floor space used or to be used for these secondary uses shall be limited to a total of 25 square feet per room in a hotel or motel, or ten percent of the net floor area in an office building or institutional use, and provided that:
  - 1. Every public entrance to this use shall be from a lobby, hallway or other interior portion of the primary use structure.
  - 2. No show window, advertising or display shall be visible from the exterior of the primary use structure.
  - 3. No merchandise shall be stored or displayed outside of the primary use structure. However, the requirements of this section shall not apply to restaurants and cafeterias secondary to a hotel or motel and office building or institutional use; these secondary uses may be located in a structure other than the primary use structure.
  - 4. The following accessory uses are permitted: barbershops, beauty shops, laundry and dry cleaning pickup and distribution stations and other similar personal service establishments; drugstores; bookstores; florists; convenience food stores; gift shops; cafeterias and restaurants; private clubs; laundry facilities for the convenience of residents; newsstands; and shoe repair shops.
- (b) *Adult entertainment.* The following applies to any type of adult entertainment (see article I, definitions):
  - (1) Minimum yard requirements:
    - a. Front yard: 500 feet.
    - b. Side yard: 500 feet.
    - c. Rear yard: 500 feet.
  - (2) Maximum height of structures: 25 feet.
  - (3) Basic parking requirements: One space per 200 square feet of building space.
  - (4) Setback requirements: The boundaries of this use shall be 1,000 feet from the boundaries of all residential uses or districts. The boundaries of this use shall be 1,000 feet from any historic district or structure defined or created pursuant to this chapter or by applicable state or federal law.
  - (5) Distance requirements for alcoholic beverage sales: No bar, tavern, saloon, nightclub, or restaurant serving alcohol or any place where alcohol is sold for consumption on the premises shall be established, operated or maintained within 2,000 feet of an adult entertainment establishment. In addition, an adult entertainment establishment shall not be established, operated or maintained within 2,000 feet of a bar, tavern, saloon, nightclub, or restaurant serving alcohol or any place where alcohol is sold for consumption on the premises. The distance established by this section shall be radial distances determined by a straight line and not street distance, measured from property line to property line. Adult entertainment establishments are prohibited from serving or selling any alcoholic beverages. Alcoholic beverages may not be consumed on the property.
  - (6) Distances from existing structures: This use shall not be established, operated or maintained within 1,000 feet of a property line of a dwelling unit, a church or other place of worship, park or recreation area, a school, a day care facility, kindergarten or play school, colleges and universities, group homes, orphanages, halfway houses and existing structures. This use shall not be established, operated or maintained within 2,000 feet of another adult entertainment establishment.
- (c) *Agriculture and forestry.*

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- (1) *Animal production.*
    - a. No structure used for housing poultry, livestock, or hogs shall be located within 200 feet of any property line or within 300 feet of a residential dwelling unit located on another parcel.
    - b. No area where manure is stored shall be located within 200 feet of any property line or within 300 feet of a residential dwelling unit located on another parcel.
    - c. No machinery or functions that produce odor or dust shall be located or occur within 200 feet of any property line or within 300 feet of a residential dwelling unit located on another parcel.
  - (2) *Confined animal feeding operations.*
    - a. Livestock quarters associated with this use must be located at least 200 feet from all property lines.
    - b. This cannot be located within the 100-year floodplain.
    - c. This use must comply with all regulations and permitting requirements of the Georgia Department of Natural Resources, Environmental Protection District.
    - d. This use must be located at least 1,500 feet from the nearest residentially zoned district, or any building used as a residents, 2,500 feet from the nearest potable water well, and 2,500 feet from the nearest school or recreation area.
  - (3) *Produce stands.* Produce stands shall be temporary or seasonal stands for the sale of produce. There shall be a minimum of four off-street parking spaces. Such stands shall have access to at least a collector street and shall not be operated so as to create a traffic hazard. Entrances to and exits from produce stand shall be clearly delineated and located so as to provide safe ingress and egress from roads. Entrances and exits shall be channeled to prevent unrestricted access to and from premises. A permit from the director of planning and development department is required prior to the establishment of the stand.
  - (4) *Riding stables, commercial.*
    - a. Barns, stables arenas, and other event facilities must be at least 200 feet from all property lines and at least 200 feet of a residential dwelling unit, unless it is the owner's dwelling.
    - b. The use shall comply with the Putnam County Health Department regulations.
    - c. A site plan for any proposed commercial equine development shall be submitted to the Putnam County Director of Planning and Development with the application for a conditional use permit.
    - d. Parking requirements will be evaluated based on a review by the director of planning and development. Approval shall be subject to consideration of seating capacity, size of designated parking area, ingress and egress, erosion control, adequate parking areas for animal trailers, and other issues specific to the site and proposed use.
  - (5) *Riding stables, private.* No structure shall be located within 50 feet from any property line, except in AG-1 district.
  - (6) *Sawmill, permanent/temporary.*
    - a. This use must be set back at least 500 feet from any property zoned or used for residential purposes or a school, park, church, playground or hospital.
    - b. A minimum buffer of 100 feet shall be required.
    - c. This use is subject to hours of operation from 7:00 a.m. to 7:00 p.m.
    - d. All vehicular access shall be from an arterial street.

- (7) *Exotic animals.* (Conditional use only in AG District)
  - a. All structures associated with the keeping and raising of exotic animals shall be at least 100 feet from any property from any property or building zoned or uses for residential purposes.
  - b. This minimum lot size shall be determined by the director of planning and development.
  - c. All facilities shall be constructed and activities conducted so as not to create a nuisance.
  - d. All exotic animals shall be kept in an enclosure that is appropriate for the size of the exotic animal. The height and type of enclosure are subject to approval by the director of planning and development.
  
- (d) *Animal services.*
  - (1) *Animal care, limited.*
    - a. All structures shall be located and activities conducted at least 100 feet from any property or building zoned or used for residential purposes.
    - b. All structures shall have adequate soundproofing and odor-proofing shall be provided so the use does not create a nuisance.
    - c. No boarding shall be allowed unless required in connection with medical treatment.
  - (2) *Animal care, general.*
    - a. All structures shall be located and activities conducted at least 100 feet from any property or building zoned or used for residential purposes.
    - b. All structures shall have adequate soundproofing and odor-proofing shall be provided so the use does not create a nuisance.
    - c. Any facility with an outdoor component such as an exercise area shall require a fence surrounding the outdoor area that is at least six feet in height and located more than 100 feet from a residential property or building.
    - d. Animals are prohibited from being in the outdoor area between 9:00 p.m. and 7:00 a.m.
  - (3) *Boarding or breeding kennels.*
    - a. All structures used for boarding or breeding kennels shall be at least 100 feet from any property or building zoned or used for residential purposes.
  - (4) *Noncommercial kennels/shelters.*
    - a. All structures must be set back at least 100 feet from any property zoned or used for residential purposes
    - b. All facilities shall be constructed and activities conducted so as not to create a nuisance.
    - c. A six-foot fence shall enclose all property on which such shelters are operated.
    - d. All structures shall have adequate soundproofing, and odor-proofing shall be provided so the use does not create a nuisance.
    - e. No more than 20 small animals are allowed in noncommercial kennels. However additional animals may be allowed by determination by planning and development upon determination of factors including, but not limited to, parcels sizes and characteristic of adjoining land owners.
  
- (e) *Automobile sales and rental and Commercial truck or equipment rental sales.*
  - (1) *Automobile sales.*

- a. All vehicles shall be set back at least 15 feet from the street right-of-way lines.
  - b. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards.
  - c. All parking areas shall be clearly marked, and no trailer, truck or car shall be parked outdoors other than within these boundaries, except when being serviced.
- (2) *Boat sales.*
  - a. All vehicles shall be set back at least 15 feet from the street right-of-way lines.
  - b. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards
- (3) *Commercial truck or equipment rental or sales.*
  - a. All vehicles shall be set back at least 15 feet from the street right-of-way lines.
  - b. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards
- (f) *Vehicle service.*
  - (1) *Automobile maintenance.*
    - a. There shall be no body and fender repair, painting or related dismantling of vehicles on the premises.
    - b. All minor auto repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
    - c. For uses with a *wash service*, a paved area shall be located on the same lot as the principal use for the storage of vehicles awaiting service equal to one-third of the practical hourly capacity of the wash machines.
    - d. All activities associated with this use in a C-1 district must be in an enclosed structure.
  - (2) *Automobile service.*
    - a. Property on which such service is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
    - b. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
  - (3) *Automobile service station.*
    - a. Property on which such service station is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
    - b. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
    - c. Gasoline pumps and other service facilities shall be set back not less than 15 feet from the right-of-way line and also shall not be located less than 60 feet from the centerline of the arterials or collectors or 45 feet from the centerline of local streets.
  - (4) *Automobile repair.*

- a. All auto repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - b. Property on which such service station is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - c. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (5) *Automobile retail.*
- a. There shall be no dismantling of vehicles on the premises to obtain auto parts.
  - b. Auto part installation shall only include the installation of tires and the installation of minor maintenance or accessory parts.
  - c. Major auto repair shall not be permitted. Minor auto repair and maintenance may be permitted, provided this repair and maintenance shall be incidental to the normal upkeep of an automobile.
- (6) *Scrap and salvage yards.*
- a. This use shall not be established on a lot which is either adjacent to or directly across the street from any R, RM, MHP or R-PUD district.
  - b. This use shall not be permitted within 500 feet of the boundary of any R, RM, or R-PUD district.
  - c. A solid fence or wall at least six feet in height shall be erected along all property lines.
  - d. This use may be subject to limitation upon hours of operation or noise levels.
  - e. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.
- (7) *Boat yard.*
- a. All boat repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - b. Property on which such service is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - c. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (8) *Commercial truck or equipment service or repair.*
- a. All commercial truck or equipment repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.
  - b. Property on which such service is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.
  - c. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.
- (9) *Truck stop.*



- a. This use shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. This use shall not be permitted within 1,000 feet of the boundary of any R, RM, MHP or R-PUD district.
  - c. The principal structure associated with this use shall be set back at least 200 feet from all property lines.
  - d. A minimum buffer of 100 feet or a berm shall be required.
  - e. All uses other than the dispensing of fuel must be contained within a single principal structure. Such building may contain convenience shopping space, a restaurant, TV viewing and recreation lounges, restroom facilities, showers, and laundry spaces.
  - f. Facilities may include a service center to provide minor repairs or service such as oil changes, tire replacement or repair, brakes and minor engine and transmission work. No major repairs such as engine and transmission overhaul, differential repairs, body and fender work or other repairs of a similar nature shall be performed on site.
  - g. No outside storage of parts or non-operable vehicles is permitted.
- (f) *Commercial recreation and entertainment.*
- (1) *Carnival, rodeos and sporting events (temporary).*
    - a. The user must apply for a permit from the county clerk.
    - b. All buildings or other structures must be set back a minimum of 500 feet from all property lines.
    - c. Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
    - d. This use may be subject to limitation upon hours of operation or noise levels.
    - e. This use may be restricted to property with frontage on a county arterial or county collector with access limited to the same, if deemed appropriate.
    - f. Permittee must provide evidence that suitable parking is available/present.
    - g. Additional conditions may be required as deemed necessary to protect public health, human life and the environment.
  - (2) *Fairgrounds and amusement parks (permanent).*
    - a. A conditional use permit shall be required for this use.
    - b. All buildings and structures associated with this use shall be set back not less than 500 feet from any property line.
    - c. This use shall not be permitted within 500 feet of an R, RM, MHP, or R-PUD district.
    - d. Vehicular access shall be derived only and directly from an arterial street and never through an R, RM, MHP, or R-PUD district.
    - e. If within 1,000 feet of residential districts or uses, hours of operation shall be limited to 8:00 a.m. to 11:00 p.m.; and a maximum average sound level of 60 dBa (maximum peak sound level of 75 dBa) shall be maintained at all property lines.
    - f. The facility shall be enclosed by a security wall or fence not less than six feet in height.
  - (3) *Shooting range, indoor or outdoor, commercial.*

- a. This use shall not be permitted adjacent to or across the right-of-way from an R, RM, MHP or R-PUD district. In the case of an outdoor range, it shall not be permitted adjacent to or across the right-of-way from a dwelling unless there is a 2,000-foot setback from the property line adjacent to the dwelling or consent is obtained from any affected owner(s) of the dwelling(s) for a lesser distance.
  - b. Any outdoor range shall be designed, constructed, and maintained in accordance with the guidelines and regulations contained in The Range Source Book, Section II Chapter 2, Outdoor Range Design Criteria published by the National Rifle Association in 2012, with the exception that any regulation established by this chapter that stands in contradiction to the NRA guidelines shall control.
  - c. The outdoor range shall have at least a 300-foot planted or naturally forested buffer or berm from any property line.
  - d. The downrange direction of an outdoor range shall be in a direction that is the least likely to cause any harm or damage in the case of a gross accident but in no case shall bear directly upon a street, dwelling or place of business.
  - e. A berm of at least 20 feet in height shall run downrange and to the outside of the outdoor range and encompass the shooters' booth/bench or discharge point. At the end of the range (indoor or outdoor) there shall be some type of bullet trap whether earthen or of a manufactured/constructed nature and shall be of a suitable height but no less than 20 feet in the case of an outdoor range.
  - f. There shall be some means of protection between each shooter bench or position in the case of a lateral discharge.
  - g. Any exterior lighting shall be directed away from adjacent properties.
  - h. A six-foot minimum fence shall completely encompass at least the physical outdoor shooting range.
  - i. Adequate ventilation shall be provided for indoor facilities.
  - j. Operational hours may be established and/or restricted by the director, as he deems appropriate.
  - k. In the case of compound bows, recurved bows, long guns, or other forms of weapon ranges, as well as the above, the director may waive certain conditions or place additional conditions as the director deems necessary.
- (4) *Racetrack, auto.*
- a. This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP or R-PUD district.
  - c. A solid fence or wall at least six feet in height shall be erected along all property lines.
  - d. A minimum buffer of 100 feet or a berm shall be required.
  - e. This use may be subject to limitation upon hours of operation or noise levels.
  - f. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.
- (5) *Racetrack, horse.*

- a. This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP or R-PUD district.
  - c. A fence or wall at least six feet in height shall be erected along all property lines.
  - d. A minimum buffer of 100 feet or a berm shall be required.
  - e. This use may be subject to limitation upon hours of operation or noise levels.
- (6) *Community recreation (public, neighborhood).*
- a. Site plans of the community recreation facility(ies) shall be approved by the director to ensure compatibility of the facility with the neighborhood in which it is to be located. If the facility is part of a residential subdivision or multifamily development, the site plan shall be submitted to the director at the time of the application for a development permit.
  - b. Buildings and structures established in connection with this use shall be set back not less than 100 feet from any property line except that the front setback of the zoning district shall apply along all property lines adjacent to the public rights-of-way.
  - c. A swimming pool or other water feature, public or private, shall be enclosed by a fence having a height of not less than four feet.
  - d. Outdoor activity shall cease by 12:00 midnight.
  - e. Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
  - f. Central loudspeakers shall be prohibited
  - g. A swimming pool use shall be permitted only upon written approval of the Putnam County Health Department to indicate compliance with the health department swimming pool regulations prior to the issuance of a permit by the director.
  - h. Adequate off-street parking must be provided. The director shall determine the number of off-street parking spaces necessary for a community recreation facility based on the health department's determination about the number of people that can use the facility and the fire marshal's determination of the facility's occupancy rating.
- (7) *Golf course, tennis center, swimming center, or country club (private).*
- a. All buildings and structures associated with such use shall be set back not less than 50 feet from property zoned for R, RM, MHP or R-PUD district.
  - b. Central loudspeakers shall be prohibited.
  - c. Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.
  - d. Outdoor activity shall cease by 12:00 midnight.
- (8) *Zoos.*
- a. This use shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground or hospital.
  - b. A solid fence or wall at least six feet in height shall be erected along all property lines.
  - c. A minimum buffer of 100 feet shall be required.
  - d. This use may be subject to limitation upon hours of operation or noise levels.

- e. Parking shall be provided per recommendations of the director of the planning and development department.
- (g) *Communication.*
- (1) *Radio, television and other communication transmission towers.*
    - a. All towers in excess of 100 feet must be set back from any lot used or zoned for a residential structure a distance equal to one-half the height of the tower.
    - b. All towers in excess of 100 feet must be set back from any off-site structure a distance of one-third the height of the tower or 100 feet, whichever is greater.
    - c. All towers less than 100 feet must be set back from all property lines a distance of one-third the height of the tower.
    - d. Refer to chapter 27 of this Code for additional regulations regarding communication towers.
- (h) *Community facilities.*
- (1) *Assembly halls.*
    - a. Any building or structure established in connection with these uses shall be set back not less than 75 feet from any property line, except where this adjoining property is zoned for nonresidential use, in which case the setback shall be the same as required for the adjoining nonresidential district. Where this property line is a street line, the front yard setback established for the district shall apply.
    - b. These uses shall be permitted only on a lot that has direct access to an arterial or collector street.
  - (2) *Cemetery, public.*
    - a. All graves or burial lots and structures must be set back no less than 25 feet from any property line or local street right-of-way lines, and no less than 50 feet from any collector, arterial, expressway, or freeway right-of-way line.
    - b. The entire cemetery property must be landscaped and maintained.
  - (3) *Cemetery, family burial plot.*
    - a. The minimum size of the tract or parcel of contiguous land on which a family burial plot shall be five acres.
    - b. All graves or burial lots and structures must be set back no less than 25 feet from any property line or local street right-of-way lines, and no less than 50 feet from any collector, arterial, expressway, or freeway right-of-way line.
    - c. The landowner is required to provide a survey, by a registered surveyor, containing a registration point and the boundaries of the family burial plot.
    - d. The owner shall provide perpetual access to the county and immediate family and descendants of those persons interred in the burial plot. A minimum five-foot ingress-egress pedestrian access path shall be provided. The access path shall be delineated on the survey of the burial plot. The property owner shall provide a pedestrian access easement for the path.
    - e. The family burial plot must be approved by the Putnam County Health Department.
    - f. The family burial plot must be landscaped and maintained.
  - (4) *Crematorium.* All buildings used for a crematorium shall be set back not less than 200 feet from all property lines and not less than 1,000 feet from any property zoned or used for residential purposes.

- (5) *Landfills, sanitary.* This use is prohibited by the zoning ordinance.
- (i) *Personal care homes and assisted living facilities.*
  - (1) The minimum lot size shall be the minimum required by the zoning district within which the home is located.
  - (2) No personal care home shall be established or erected within 1,000 feet of the nearest property line of an existing personal care home.
  - (3) All personal care homes or assisted living facilities shall be set back from the road right-of-way and from all property lines as required by the zoning district within which the group home is located except:
    - a. Where adjacent to properties zoned for residential use, the minimum side or rear setbacks shall be 50 feet.
    - b. When adjacent to a state highway the minimum set back shall be 50 feet.
  - (4) No certificate of occupancy shall be issued prior to the issuance of required permits and certificates by federal, state, and local agencies.
  - (5) Personal care homes or assisted living facilities shall provide linkages with hospitals and community services and provide access to transportation for residents.
  - (6) Personal care homes or assisted living facilities shall provide timely assistance to residents for response to urgent or emergency needs, including, but not limited to, timely response to the home by emergency medical services (EMS).
  - (7) Personal care homes serving as halfway houses, drug rehabilitation centers and centers for treatment of drug dependency are allowed by conditional use permit only and follow special public hearing requirements in accordance with O.C.G.A. § 36-66-4(f).
  - (8) Prior to application for a conditional use permit, the applicant shall obtain a qualified inspection from the county building official to determine if any existing building proposed for use as any type of personal care home will be satisfactory for the requested use.
- (j) *EMS services.*
  - (1) *Ambulance and emergency medical services (private).*
    - a. These uses shall be permitted only on property with frontage on an arterial or collector with access limited to that arterial or collector.
    - b. The proposed development shall be reviewed and written approval granted by the director of emergency services and the director of planning and development prior to the issuance of any permit or license.
    - c. The owner of the business shall bear all costs for traffic signs and signals necessary to advise the motoring public of emergency vehicle access. The requirement for, and location of, these warning signs and signal devices shall be determined by the director and shall not be located within the public rights-of-way.
- (k) *Lodging (temporary).*
  - (1) Reserved.
  - (2) *Recreational vehicle (RV) park.*
    - a. No travel trailer/RV park shall be located except with direct access to a county, state or federal highway, with a minimum lot width of not less than 50 feet for access points. No entrance or exit

shall be through a residential district, or shall require movement of traffic from the park through a residential district.

- b. The minimum lot area per park shall be ten acres with a maximum density of ten spaces per acre.
- c. Spaces in travel trailer/RV parks may be used by travel trailers/RVs, provided that they meet any additional laws or ordinances and shall be rented by the day or week only, and an occupant of such space shall remain in the same trailer park for a period of not more than 30 days per six-month period.
- d. Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which trailer parks are allowed, provided that:
  - 1. No space shall be so located so that any part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of any freeway, expressway, arterial or collector streets.
  - 2. In addition to meeting the above requirements, the RV park site plan shall be accompanied by a certificate of approval from the Putnam County Health Department.
  - 3. A minimum 50-foot buffer or a berm is required when adjacent to any residential use, 25 feet for other districts, densely planted with evergreen and hedge-type shrubs designed to provide full screening for the park.
  - 4. Setbacks, open space requirement, parking, refuse collection and illumination shall meet the standards of MHP district regulations.

(3) *Bed and breakfast.*

- a. Bed and breakfasts must be owner-occupied with the owner-operator residing on the premises.
- b. No more than ten guestrooms may be rented for overnight use.
- c. The only uses permitted shall be the renting of rooms and the serving of food to guests renting said rooms.
- d. Accessory uses commonly associated with hotels and motels, i.e., laundry services banquet halls, barber and beauty shops, shall not be permitted.
- e. All parking shall be off-street and in accordance with regulations in chapter 28.
- f. One sign, not exceeding six square feet in area, shall be permitted.

(l) *Manufacturing and industrial uses.* No plant shall be designed to operate in a manner that will emit smoke, odor or objectionable waste materials or produce noise or vibration so as to create a nuisance.

(1) *Manufacturing, heavy*

- a. The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.
- b. This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.

(2) *Extractive industry.*

- a. General requirements.

1. This use, exclusive of office and administrative space, shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground, hospital and any property zoned for residential or commercial use.
  2. The boundary of the property shall not be within two miles of Lake Sinclair or Lake Oconee.
  3. A solid fence or wall at least six feet in height shall be erected no less than 300 feet from the excavated area.
  4. A minimum buffer of 200 feet shall be required along all property lines.
    - i. Access through properties used for or zoned for residential uses is prohibited.
    - ii. The use shall have direct access to a state highway or an arterial road having a minimum of six inches graded, aggregate base.
  5. A minimum of 100 acres is required.
    - i. The operators or owners of the quarry/mine must present to the director of planning and development and to the board of commissioners an acceptable comprehensive plan for the re-use of the property at the cessation of the quarry/mining operation. The plan shall include:
      - Plans for the property after the operation has ceased;
      - Re-vegetation plans;
      - Maintenance of the site during the operation;
      - Return water turbidity levels.
  6. All blasting shall be done in accordance to O.C.G.A. §§ 25-8-1 through 25-8-12.
  7. At the time of application for the building permit, the owners or operators shall present to the administrative officer documentation and permit number which confirms that a permit has been issued in accordance with the Georgia Surface Mining Act of 1968, as amended O.C.G.A. § 12-4-75.
  8. The board of commissioners may require a performance bond in an amount satisfactory to cover any exposure to the citizens that is not required by EPA.
  - b. Removal or extraction of dirt, sand, soil and other natural materials. The removal area shall be completely enclosed with a fence not less than six feet in height.
    1. Drainage plans and a plan for the development of the site when the removal is completed shall be submitted with the application for a development permit.
    2. This section shall not prohibit the removal of earth and rock and filling and grading in any district for land development purposes, upon issuance of a development permit in accordance with the provisions of this chapter.
  - c. Removal or extraction of rock and other natural materials for the production and processing of crushed stone.
    1. Blasting shall coincide with the period between 8:00 a.m. and 5:30 p.m., Monday—Friday, except when on-site hazards to safety dictate otherwise.
    2. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.
- (m) *Sewage treatment plants (private).*

- (1) The design and operation of a sewage treatment plant facility shall be approved by the directors of the county health, water and sewer departments, and the state department of natural resources.
  - (2) Any building or structure comprising the facility shall be set back not less than 100 feet from any property line and 500 feet from the nearest property zoned for or used for residential purposes.
- (n) *Storage.*
- (1) *Fuel oil/gas distribution.*
    - a. This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP, or R-PUD district.
    - b. There shall not be outside storage of materials, supplies, equipment or vehicles.
  - (2) *Junkyards.*
    - a. Minimum area: Five acres.
    - b. Minimum lot width: 300 feet.
    - c. Access shall be limited to arterial or collectors.
    - d. Setbacks: 500 feet from any residential use other than residence of the property owner; 100 feet from all property lines.
    - e. Fence: A solid fence at least eight feet high shall be erected around the entire perimeter of the property with a gate to be opened only to access the site. The gate shall contain a lock to prevent unauthorized entry.
    - f. Minimum buffer: 100 feet.
    - g. Approval is subject to the provision of a plan for rodent/pest control by the Putnam County Health Department.
  - (3) *Mini-warehouse.*
    - a. All structures must be set back 100 feet from the front property line.
    - b. The property line must be fenced with a minimum six-foot security barrier.
  - (4) *Automobile and other storage.*
    - a. This use shall not be permitted within 300 feet of any property used for a residence, school, park, church, playground or hospital.
    - b. This use shall not be permitted within 300 feet of the boundary of an R, RM, MHP, or R-PUD district.
    - c. A solid fence or wall at least six feet in height shall be erected along all property lines.
    - d. The maximum lot coverage is 50 percent.
    - e. A minimum buffer of 100 feet or berm shall be required.
- (o) *Temporary uses associated with construction activity.*
- (1) *Mobile office/temporary sales center.* Mobile office and temporary sales centers may be permitted as long as such use shall cease at such time as 80 percent of the lots are sold or occupied.
  - (2) *Storage or occupancy during construction.* Temporary structures may be used during construction for storage or security; provided, however, that they shall be removed within ten days after the sale of the last structure or issuance of a building permit to construct the last structure, whichever first occurs.



(3) *Recreational vehicle.* RVs may be used by permit but not to exceed 14 days in any one consecutive month period. No permit is required when a valid building permit has been issued.

(p) *Home occupations.*

- (1) There shall be no exterior evidence of the home occupation, other than a non-illuminated identification sign having an area of not more than six square feet, which shall be attached to the dwelling below the roof line, or, if not attached to the dwelling, may be placed in the front yard between the dwelling and the right-of-way, the height of which shall not be more than four feet above the ground.
- (2) No use shall create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference that would be detected beyond the dwelling unit.
- (3) This use shall be conducted entirely within the dwelling unit and only persons living in the dwelling unit shall be employed at the location of the home occupation. Non-owner applicants for home occupations must have expressed authorization from the property owner.
- (4) No more than 25 percent of the heated floor area of the dwelling unit may be used for the conduct of the home occupation.
- (5) Any use involving the sale of products or services, or public contact on the property, shall require the obtaining of a "home occupation registration" permit.
- (6) Other than the personal vehicles of the legal residents, no more than two business visitor vehicles may be parked on the property at any one time. In addition, any material or equipment must be stored out of public view within the premises or within an enclosed garage or storage shed. One business vehicle, the carrying capacity of which shall not exceed one and one-half tons, may be kept on the premises. There shall be no storage of any mechanical earthmoving or similar equipment unless the property is five acres or more and the equipment is screened from public view.
- (7) A permit for a home occupation shall expire every year or whenever its holder ceases to occupy the premises for which it was granted, whichever shall first occur; provided, however, that this provision should not prevent reapplication for a new permit. This permit must be renewed and a fee paid by January 1 of each year.

(q) *Child home day care.*

- (1) Child home day care may serve no more than six children.
- (2) A child home day care means a private residence operated by any person who receives therein pay for the supervision and care for children less than 24 hours per day, without transfer of legal custody, who are not related to such persons, and whose parents are not residents in the same private residence.
- (3) No more than 25 percent of the heated floor area of the residence may be used for a home occupation day care service, and an outdoor play or exercise area must be provided.
- (4) A child home day care may not be established and operated in the county until a permit to do so has been obtained in accordance with the Georgia Department of Human Services (DHS) to issue final permits to operate, and the county does not enforce or supervise such permits. Said permit shall be presented to the director prior to initiation of use.
- (5) A permit for a home occupation day care service shall expire every year or whenever its holder ceases to occupy the premises for which it was granted, whichever shall first occur; provided, however, that this provision shall not prevent reapplication for a new permit. This permit must be renewed by January 1 of each year.

- (r) *Fences and walls.* No fences or freestanding wall in a required yard, other than a retaining wall, shall be more than eight feet in height, or be constructed in a public right-of-way or future street or right-of-way. Any fence in a required front yard in a residential district shall not exceed four feet in height. No fence, wall or shrubbery, which creates an obstruction to vision or traffic safety hazard, shall be erected, permitted or maintained. When this chapter requires a fence to be constructed, such fence shall be completed prior to occupancy of the primary use structure.
- (s) *Family accessory dwelling unit.* Any accessory dwelling structure may serve as a family accessory dwelling unit on condition that:
  - (1) The square footage of the additional dwelling unit shall not be less than 600 square feet and no greater than 1,000 square feet.
  - (2) The accessory dwelling is not a manufactured home;
  - (3) The accessory dwelling may not be rented or leased separately from the principal residence; however, this provision shall not restrict the rental or lease of the accessory structure to family of the occupants of the primary structure. Family, as used in this subsection, shall mean one or more persons related by blood, adoption, or marriage.
  - (4) An ADU may be accessory only to a single-family detached dwelling (site build or modular).
  - (5) The ADU must be a complete living space, with kitchen and bathroom facilities separated from the principal unit.
  - (6) The ADU shall meet all setback requirements of the principal dwelling. When detached from the principal dwelling, the ADU shall be back not less than 20 feet from the principal dwelling.
  - (7) Two additional off-street parking spaces shall be required for the ADU.
  - (8) ADUs in the R-1R district must be enclosed as part of the principal dwelling unit.

**(t) Campgrounds.**

- (1) Campgrounds are subject to the standards of this code, the rules of the Department of Human Resources Chapter 290-5-18, Tourist Accommodations, and the plan submittal process described herein.
- (2) The submittal plan pack shall include: Site layout meeting specifications below prepared by a design professional, written certification from EPD accepting the well system design, written certification from the county health officer accepting the septic sewage system design, and the appropriate fee as set forth in the fee schedule. The following common use facilities shall be required to be included in the site plan:
  - a. solid waste collection area and facilities, permanently dedicated to service the development, with a minimum of one 6 cubic yard dumpster per 15 campsites;
  - b. designation for postal appurtenances/equipment;
  - c. dedicated ingress and egress for the development;
  - d. any required detention/retention facilities;
  - e. common bathhouses or community shower facilities; and
  - f. common laundry facilities, to include details concerning grey water disposal.
- (3) All construction activities must comply with state licensing regulations.
- (4) Site design standards for campgrounds are as follows:

Development Features	Standard
Minimum setbacks for camper sites on lots adjoining public roads	150 feet from the right-of-way and shall include an undisturbed vegetive buffer within such setback
Minimum camper site setbacks from side and rear property lines	50 feet and shall include an undisturbed vegetive buffer within such setback
Minimum lot size	45 feet by 50 feet
Water & Sanitary Sewage (for each camper site)	Individual connection to a central water supply system. Written certification must be obtained from the county health officer that the proposed location can satisfactorily accommodate the central water system and on-site sewage disposal.
Electricity (for each camper site)	Individual electric power connection.

(u) Hunting clubs

(1) Site design standards for hunting clubs are as follows:

Development Features	Standard
Minimum setbacks for camper sites on lots adjoining public roads	150 feet from the right-of-way and shall include an undisturbed vegetive buffer within such setback
Minimum camper site setbacks from side and rear property lines	50 feet from the right-of-way and shall include an undisturbed vegetive buffer within such setback

Development Features	Standard
Minimum lot size	45 feet by 50 feet
Sewage	In the event the development has electrical power, on-site sewage disposal shall be required and approved in the same fashion as recreational campgrounds.

(v) Slaughterhouses.

- a. All activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 500 feet away from any residential district or use.
- b. Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 100 feet from the right-of-way lines.

(w) Bandominiums. All barndominium single-family detached dwelling units shall meet or exceed the requirements of this section.

- a. Minimum floor area. The dwelling portion of the unit shall provide a heated gross floor area of at least 1,400 square feet.
- b. Roof composition. All roof surfaces exposed to view from the fronting street shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (noncorrugated) metal, clay tiles, slate or similar approved materials.
- c. Roof pitch. All roof surfaces shall have a minimum pitch of 3:12 (three inches of rise for every 12 inches of run), except that mansard and gambrel roofs must meet this requirement only for those surfaces that rise from the eaves.
- d. Exterior siding. Exterior siding materials shall consist of any combination of wood, brick, stone, stucco or similar material, vinyl or fiber cement lap siding, or similar materials. Noncorrugated metal siding is also allowed.
- e. Foundation. The structure shall be attached to a permanent foundation constructed in accordance with applicable requirements for the type of dwelling constructed or installed. The area beneath the ground floor of the structure shall either be a slab foundation or shall be enclosed around the exterior of the structure with a foundation wall or a nonload bearing curtain wall constructed of masonry (stone or brick), cast in place concrete or concrete block finished with stucco or similar approved material, at least four inches thick, penetrated by openings only for installed vents and access doors.
- f. Landings, etc. For any door elevated above the ground, there must be a landing that is a minimum of 36 inches by 36 inches. All exterior landings, stairways, decks, porches and balconies, and all appurtenances attached thereto, shall be maintained so that they are

structurally sound, in good repair with proper anchorage and capable of supporting the imposed loads.

g. Compliance with codes. The dwelling shall be constructed in accordance with all applicable requirements of the building code as applicable in the county, or in accordance with state law and regulations, whichever apply.

## ARTICLE IV. ADMINISTRATION AND ENFORCEMENT

### DIVISION 2. SCOPES OF AUTHORITY AND GENERAL PROCEDURES

#### Sec. 66-157. Planning and zoning commission, scope of authority.

- (a) *Initiation.* All planning and zoning issues, including those relative to the official zoning maps, shall be reviewed by the planning and zoning commission. Amendments to the official zoning maps may only be made by the board of commissioners.
- (b) *Conditional use permits.* If a use is not permitted in any zoning district, the planning and zoning commission may hear and recommend a conditional use permit approval application as submitted according to the rezoning process. In granting recommending such a conditional use permit, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. ~~Conditional use permits shall be issued to the applicant solely, are not transferrable, and shall extinguish upon cessation of such activity for a period of 12 months. Conditional uses permits may be renewed by application by successive owners or operators.~~
- (c) *Variations.* The planning and zoning commission shall hear applications for variances from the development standards and performance standards of this chapter. All variance approval shall be contiguous with the property. Such variances may be granted only:
  - (1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or
  - (2) Where by reason of exceptional topographic conditions to include floodplains or other extraordinary or exceptional conditions of a piece of property, strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.
  - (3) In granting a variance, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. ~~However, the planning and zoning commission shall not be authorized to grant a density variance or a use variance to permit a density or use in a district in which the density or use is otherwise prohibited.~~ The planning and zoning commission shall not be authorized

to grant a variance to development standards set forth in a statement of zoning conditions accompanying a conditional zoning.

(4) No variance may be granted for a reduction in minimum lot size.

(d) *Appeals of administrative decision.*

(1) *Who may seek an appeal.* Any person, firm or officer, department, board or agency directly affected by the decision of the planning and development department director may bring an appeal before the planning and zoning commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the planning and zoning commission all papers constituting the record upon which the action appealed from was taken.

(2) *Extent of commission power.* The planning and zoning commission may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.

(3) *Effect of appeal.* An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

(Amend. of 1-12-2010; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

**Sec. 66-158. Board of commissioners, scope of authority.**

(a) *Initiation.* This chapter, including the official zoning maps, may be amended by the board of commissioners on its own motion or by private petition or on recommendation of the planning and zoning commission.

(b) *Conditional use permits.* If a use is not permitted in any zoning district, the board of commissioners may grant a conditional use permit according to the rezoning process. In granting such a conditional use permit, the board of commissioners may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. Conditional use permits shall be issued to the applicant solely, are not transferrable, and shall extinguish upon cessation of such activity for a period of 12 months. Conditional uses permits may be renewed by application by successive owners or operators.

(b) *Variances.* The board of commissioners shall hear and decide on applications for variances from the development standards or performance standards of this chapter only on appeal of the decision of the planning and zoning commission. Such variances may be granted only:

(1) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or

(2) Where, by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, the strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon, the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.

(3) In granting a variance, the board of commissioners may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem

advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. ~~The board of commissioners is authorized to grant a density variance or a use variance to permit a density or use in a district where otherwise prohibited.~~

- (4) No variance may be granted for a reduction in minimum lot size.
- (c) *Appeals of administrative decision.*
  - (1) *Who may seek an appeal.* Any person, firm or officer, department, board or agency directly affected by the decision of the planning and zoning commission may bring an appeal before the board of commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the board of commissioners all papers constituting the record upon which the action appealed from was taken.
  - (2) *Decisions subject to appeal.* Actions of the planning and zoning commission subject to appeal are limited to the following administrative decisions:
    - a. Grant or denial of variance requests; and/or
    - b. Interpretation of the provisions of chapter 66 as appealed to the planning and zoning commission pursuant to section 66-157(d).
  - (3) *Extent of commission power.* The board of commissioners may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.
  - (4) *Effect of appeal.* An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

(Res. Of 7-17-2007(4); Amend of 3-18-2008; Amend. of 1-12-2010; Ord. of 9-15-2020(1) ; Ord. of 12-4-2020(1) ; Ord. of 12-3-2021(1) )

### DIVISION 3. ZONING CHANGES

#### Sec. 66-161. Application for a zoning change.

- (a) *Authority to initiate amendments.* Applications to amend this chapter may be in the form of proposals to amend the text, or proposals to amend part or all of the official zoning maps (a rezoning) or by actions initiated by the board of commissioners. An application for an amendment to the official zoning map, affecting the same property, shall not be submitted more than once every 12 months. Such interval begins with the date of the final decision by the board of commissioners. The board of commissioners, in its discretion and by unanimous vote, may reduce or waive the final six-month time interval to amend the official zoning map affecting the same property. However, an application to alter conditions of rezoning as contemplated in subsection 66-166(b) of this division may be submitted at any time. Applications shall be the same as for a rezoning and shall comply with the requirements of this section, excluding subsections (b) and (c) hereof.
- (b) *Application: receipt and acceptance.* Whenever an application is initiated by a person or persons other than the board of commissioners, the following requirements shall be met. Prior to processing any such application, the applicant shall be required to file the necessary documentation and follow the procedures as set forth in this section:

- 
- (1) ~~Whenever an application is initiated by a person or persons other than the board of commissioners, the following requirements shall be met. Prior to processing any such application, the applicant shall be required to file the necessary documentation and follow the procedures as set forth in this section.~~
- (2) An application shall be made in writing to the planning and development department on forms provided by the department. Each application shall include the signatures of the applicant and property owner. It shall affirm the owner is in fact the current owner of record. The letter of agency form shall be notarized.
- (3) No application will be considered to have been made until such form(s) as described in subsection 66-161(c) herein have been completed and submitted to the planning and development department with the application fees as established by the board of commissioners and supporting materials as required under this article. Materials, documents, or evidence presented in favor of an application for zoning change must be submitted no later than the immediate Friday preceding the planning and zoning commission's consideration of the request.
- (4) Any communication relative to an application for a zoning change will be regarded as informational only until a proper and complete application is accepted by the director of the planning and development department or designee. The planning and development department shall review the application for completeness within five workdays following the submission deadline. Incomplete or improper applications will be returned to the applicant with a written list of deficiencies and signed by the director. The application submittal deadline shall be the ~~first~~ ~~last~~ Thursday of every month, unless said day is a holiday, as may be established by the board of commissioners, then the deadline shall be the day before.
- (c) *Application contents.* An application is to be submitted in one signed original copy and in a number of copies as established by the planning and development department. The following is required for all residential and commercial subdivision rezoning requests. All other requests must include subsections (c)(1)—(13).
- (1) Properly executed application form supplied by the planning and development department, including the owner's signature and a letter of agency form or a specific notarized written authorization by the owner delegating the applicant to act on behalf of the owner and that the applicant may agree to any conditions and stipulations on the behalf of the owner that may be attached to the application by the approval of the application by the board of commissioners.
  - (2) The location of the subject property, including street number, if any;
  - (3) Copy of warranty deed;
  - (4) Legal description and recorded plat of the property to be rezoned;
  - (5) Existing zoning district classification of the property and adjacent properties; and the proposed zoning district desired;
  - (6) The comprehensive plan future land use map category in which the property is located. If more than one category applies, the areas in each category are to be illustrated on the concept plan;
  - (7) A detailed description of existing land uses;
  - (8) The area of land proposed to be rezoned, stated in square feet if less than one acre and in acres if one acre or more;
  - (9) A statement as to the source of domestic water supply;



- (10) A statement as to the provision for sanitary sewage disposal;
- (11) Statement of political contributions by the applicant and the applicant's attorney as required by the Georgia Conflict of Interest in Zoning Act (O.C.G.A. § 36-67A);
- (12) The application designation, date of application and action taken on all prior applications filed for rezoning for all or part of the subject property;
- (13) Proof that property taxes for the parcel(s) in question have been paid;
- (14) Concept plan. (If the application is for less than 25 single-family residential lots, a concept plan need not be submitted.)
  - a. An application shall be accompanied by a concept plan. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.
  - b. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a currently registered Georgia Registered Land Surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. § 15-6-67(b).
  - c. The concept plan shall show the following:
    - 1. Proposed use of the property.
    - 2. The proposed project layout including:
      - i. For residential subdivisions, commercial, or industrial applications, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
      - ii. For multifamily and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, stormwater detention facilities, and driveways, entrances and exits.
    - 3. Name, address, and telephone number of the applicant, if different than the owner.
    - 4. The approximate location of proposed stormwater detention facilities and the location shown.
    - 5. Such additional information as may be useful to permit an understanding of the proposed use and development of the property particularly with respect to the compatibility of the proposed use with adjacent properties.
- (15) Impact analysis. An impact analysis is required for all applications unless the application will result in fewer than 25 single-family residential lots. The impact analysis shall be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.
  - a. The application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration, which are enumerated under subsection 66-165(d).
  - b. A traffic impact analysis is to include the existing average daily traffic on road/streets leading to the nearest intersection and the projected average daily traffic. Additional requirements of the analysis may be provided by the planning and development department and included with the application.

- c. The estimated number of dwelling units and total floor area of nonresidential uses (if applicable) of the proposed development.
  - d. Effect on the environment surrounding the area to be rezoned including the effect on all natural and historic resources. (State source of the information.)
  - e. Impact on fire protection with respect to the need for additional firefighting equipment or personnel. (State source of the information.)
  - f. What are the physical characteristics of the site with respect to topography and drainage courses?
  - g. Adjacent and nearby zoning and land use.
- (d) *Processing of zoning change applications by staff.*
- (1) Prior to a public hearing for any zoning change pursuant to section 66-161, the director shall send a copy of the agenda to each member of the planning and zoning commission and the board of commissioners.
  - (2) Conflict of interest. Following receipt of the agenda and prior to the first public hearing, the individual officials shall file a conflict of interest disclosure report as may be required by O.C.G.A. § 36-67A.
  - (3) Staff review and recommendation. The planning and development department director shall prepare, with the assistance of the technical review process when applicable, a written recommendation and zoning analysis that shall include: The items listed in subsection (c)(14)c.1—5 as appropriate, and the items listed in subsection (c)(15)a—g as appropriate, and the following:
    - a. Comments on a site review of the property and surrounding area, as well as an analysis of any previous zoning history relative to the tract; and
    - b. Statement as to the conformity with Putnam County's Comprehensive Plan; and
    - c. The opinions and findings resulting from the technical review process.
- (e) *Recommendation distribution.* In advance of the public hearing by the planning and zoning commission, copies of the written recommendations and the attachments shall be provided to each member of the planning and zoning commission and the board of commissioners. A copy of the recommendation shall be provided to the applicant within a reasonable time after distribution has been made. A reasonable number of copies will be available to the public on a first-come basis.
- (Res. of 7-17-2007(4); Amend. of 1-12-2010; Amend. of 4-17-2012(2); Ord. of 9-15-2020(1) ; Ord. of 12-4-2020(1) )

**Sec. 66-163. Public notification of zoning hearings.**

- (a) *Legal notice.* Due notice of the public hearings before the planning and zoning commission and the board of commissioners shall be published in the newspaper of general circulation in the county in which are carried the legal advertisements of the county by advertising the nature of the application and the date, time, place and purpose of the public hearings at least **15 30** days and not more than 45 days prior to the date of the first hearing conducted by the planning and zoning commission, and not more than 45 nor less than 15 days prior to the date of any deferred public hearing as contemplated in subsection 66-165(f)(3). If the application is for amendment to the official zoning maps, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed zoning district of the property.

**Sec. 66-165. Action on rezoning application or text amendment.**

- (a) *Hearing.* The planning and zoning commission and the board of commissioners shall hold public hearings on each application or text amendment as provided in section 66-162.
- (b) *Director's reports.*
  - (1) The director of the planning and development department at the public hearings shall state staff's recommendation for each application or text amendment after hearing proponents and opponents issues.
  - (2) For the BOC hearing, the director will also state the planning and zoning recommendation.
- (c) *Considerations.* In addition, the planning and zoning commission and the board of commissioners shall, with respect to each application or text amendment, consider each of the matters set forth in subsection (d) of this section, **the opinions and findings of the technical review process** and the recommendation of the director of the planning and development department.
- (d) *Standards governing consideration of a zoning change.* All amendments to the zoning map shall be viewed by the planning and zoning commission and the board of commissioners in light of the following standards used to determine the balance between an individual's unrestricted right to the use of his or her property and the public's right to the protection of its health, safety, morality, or general welfare of the community. These standards shall be printed and copies thereof shall be available to the general public during regular business hours. Emphasis may be placed on those criteria most applicable to the specific use proposed:
  - (1) Is the proposed use consistent with the stated purpose of the zoning district that is being requested?
  - (2) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?
  - (3) Will the proposed use adversely affect the existing use, value or usability of adjacent or nearby property?
  - (4) Is the proposed use compatible with the purpose and intent of the comprehensive plan?
  - (5) Are there substantial reasons why the property cannot or should not be used as currently zoned?
  - (6) Will the proposed use cause an excessive or burdensome use of public facilities or services or exceed the present or funded capabilities, including, but not limited to, streets, water or sewer utilities, and police or fire protection?
  - (7) Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?
  - (8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, and a reasonable private use of the subject property?
  - (9) In addition to the standards enumerated in items (1)—(8) of this section, the planning and zoning commission and the board of commissioners may consider the following standards in a rezoning application if applicable:
    - a. Duration for which the property has been vacant;
    - b. Development patterns and trends in the community; and
    - c. Potential air, water, noise and light pollution.
- (e) *Amendments to the application or to text amendments.*
  - (1) The planning and zoning commission may recommend amendments to an applicant's request which would: reduce the land area, change the district requested, number of dwelling units, locations of

ingress and egress, and building height. The planning and zoning commission may also apply buffers, increase setbacks and hours of operation and impose conditions of rezoning, which may be deemed advisable so that the purpose of this chapter will be served, and the health, public safety and general welfare are secured.

- (2) The board of commissioners is hereby authorized also to enter into a development agreement setting forth the conditions placed on the approval of a zoning application. The development agreement will be referred to the planning and zoning commission to draft the conditions and terms before resubmitting to the board of commissioners for approval.
  - (3) If the request is for a rezoning of a portion of a parcel or shall result in the combination of multiple parcels or a portion of multiple parcels, the approval of such rezoning shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within **60 120** days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action. If conditions have been made to the rezoning approval, the new zoning district designation on the official zoning maps shall include an asterisk (\*), such conditions being reflected in the official minutes of the meeting of the board of commissioners.
- (f) *Planning and zoning commission's and board of commissioners' decisions.*
- (1) The planning and zoning commission may recommend approval or deny the application, or change, reduce or modify any part of the application to best achieve a balance between rights of the applicant and the public interest.
  - (2) The board of commissioners may grant approval or deny the application, or change, reduce or modify any part of the application to best achieve a balance between rights of the applicant and the public interest.
  - (3) The planning and zoning commission and the board of commissioners may defer its vote to another hearing date, or allow an application to be withdrawn with or without prejudice with respect to the 12-month limitation of this division. An action by the planning and zoning commission or the board of commissioners to defer the application shall include a statement of the date and time of the next meeting at which the application will be considered. However, if the second public hearing will allow continued presentation of positions or information by proponents or opponents, the deferred hearing also shall be readvertised in compliance with section 66-163.
- (g) *Communication to property owner after approval.* After each application has been disposed of by the board of commissioners, the property owner shall receive notification from the director of the planning and development department of the zoning change and the conditions related thereto. The director shall also notify the property owner to survey and plat new divisions of property for recording, if applicable.
- (h) *File maintenance.* The department of the planning and development shall maintain a file containing each application, which shall remain current throughout the development's construction to completion. The file shall contain references to all other permits issued pursuant to the approval of the rezoning. The department may maintain a summary of the pertinent data and status of the development in a computer database.

## Chapter 28 DEVELOPMENT REGULATIONS

### ARTICLE II. THE PRELIMINARY PLAT PROCESSES AND SITE DEVELOPMENT REQUIREMENTS

#### DIVISION 1. GENERALLY

##### Sec. 28-21. Model homes.

For the purpose of allowing the early construction of model homes in a residential subdivision, the director may permit the construction of no more than four model homes prior to the recordation of a final plat, provided the following are met:

- (a) The preliminary plat has been approved.
- ~~(b) A development permit has been approved for at least that portion of the preliminary plat within which the model homes are proposed to be constructed.~~
- (c) There is only one model home per proposed lot in the subdivision.
- (d) The lots for the model homes must comply with the requirements of the zoning district and be in locations shown on the preliminary plat.

##### Sec. 28-22. ~~Development permit.~~ Reserved.

~~A development permit shall be required for any proposed use of lands or buildings to indicate and ensure compliance with all provisions of this chapter before any building permit is issued or any improvements, clearing and grubbing, grading or alteration of lands or buildings commences. Notwithstanding the foregoing, approval of a comprehensive site land disturbance permit and approval of a preliminary plat in accordance with all applicable provisions of this chapter shall be a condition precedent to the issuance of the development permit for such subdivision or site development.~~

##### Sec. 28-27. Suitability of the land.

Land subject to flooding, inadequate drainage or erosion that is for topographical or other reasons unsuitable for residential use shall not be platted for residential use, nor for any other use that will continue or increase the danger of health, safety and property destruction. The developer shall be required to accommodate a solution to the drainage or erosion ~~condition in the development permit~~, unless, in the opinion of the director, the hazard is not within the bounds of, or affected by the proposed development.

PART II - CODE OF ORDINANCES  
Chapter 28 - DEVELOPMENT REGULATIONS  
ARTICLE II. - THE PRELIMINARY PLAT PROCESSES AND SITE DEVELOPMENT REQUIREMENTS  
DIVISION 2. PREAPPLICATION REVIEW PROCEDURE

*DIVISION 2. PREAPPLICATION REVIEW PROCEDURE*

**Sec. 28-40. Development consultation and concept plan.**

(c) *Site development.*

- (1) The term "site development" means any multifamily or a commercial or industrial project intended to be developed as an entity. Each site development is described, in part, by a site plan, which shows the development in detail.
- (2) For all multifamily, commercial, or industrial projects, the developer shall submit a concept plan to the director for processing to the TRC that shall comply in all respects to chapter 66, zoning, subsection 66-161(c)(12).
- (3) Subsequent to the review of the application by the TRC and approval of the concept plan by the director, the applicant shall prepare a detailed site plan ~~to accompany the application for a development permit.~~ (See section 28-52.)

*DIVISION 3. APPLICATION AND REVIEW PROCEDURES*

**Sec. 28-50. Preliminary plat or site development application procedure.**

The application shall include all of the following:

- (a) A letter stating the general purpose and intent of the plat and a summary of the developer's intentions with respect to whether the streets will be public or private, the amount of open space proposed, the contemplated minimum lot sizes and floor areas of the structures, the amount and percent of lot coverage and any other aspect of the development the applicant chooses to express;
- (b) The applicant shall state on the plat that it includes all of the applicant's ownership in that location, including any contiguous parcels owned by the applicant.
- (c) Include the payment of a fee listed in the schedule of fees.
- (d) Include ~~four copies~~ **two physical copies and one digital copy** of the preliminary plat (see section 28-52).
- (e) Include ~~four copies~~ **two physical copies and one digital copy** of a traffic study.
- (f) Upon receipt, the director shall have five working days to determine if the application is complete and to so advise the applicant the reason(s) why the plat has not been accepted for processing.

**Sec. 28-53. Proposed improvements for subdivisions and site developments.**

The following proposed improvements shall be indicated on preliminary plats and site plans: (Site developments need not comply with the items denoted by an asterisk (\*) unless the Director deems it appropriate to require them.)

- (a) \* Location and pavement width of all proposed streets, easements, and other public and private ways, including rights-of-way.

- (b) Require minimum building setback lines. Site developments shall show setbacks for all property lines.
- (c) Locations, dimensions and areas in square feet of all proposed and existing lots. Site development plans shall be drawn to an engineering scale of one inch equals 200 feet (or as otherwise may be approved by the director) and showing all proposed improvements to the property, including but not limited to: buildings, parking, landscaping, lighting, stormwater detention, vehicular ingress and egress, total floor area and/or number of dwelling units, total land area, building coverage, and building height (in feet and floors). ~~Development in the village zoning district may be required by the director to show more details related to the utilization of exterior spaces proposed adjacent to and among the proposed improvements.~~
- (d) Total area of the subdivision/site development expressed in acres and decimals of an acre. If less than one acre, the area shall be described in square feet.
- (e) Location and dimensions of all property proposed to be set aside for park or playground use, or other public dedication or private reservation, or landscaping with designation of purpose thereof. ~~This is generally not required of a site development, however, it is required of developments within the village zoning district.~~
- (f) Indications of all uses proposed by the applicant. ~~If the site development is in the village zoning district, the floor area relationship between commercial and residential uses must be indicated.~~
- (g) \* Proposed names of all streets. The developer shall submit a list of alternate street names.
- (h) \* Blocks shall be consecutively numbered and lettered. The blocks in numbered additions to existing subdivisions bearing the same name shall be numbered and lettered consecutively throughout the various additions.
- (i) \* All lots in each block shall be numbered consecutively.
- (j) If the subdivision or site development is to be developed in phases ~~coincidental with ensuing development permits~~, the phases shall be shown and numbered consecutively.

**Sec. 28-54. Phasing of development.**

- (a) The applicant may choose to develop the land contained within the preliminary plat or site development in phases (segments of the whole) ~~with a single development permit for each phase~~. The phasing plan must be shown on preliminary plat or the site development.
- (b) The director may impose such conditions upon the distribution and/or size of the phases as he or she may deem necessary to ensure the orderly development and to minimize unnecessary construction traffic among the new homes and uses in the development. ~~The boundaries of each development permit shall coincide with the phases shown.~~
- (c) Any change in the size or distribution of the phases shown on the approved preliminary plat or site development will require the submission of a new phasing plan for the entire application, and if the new phasing plan arrangement is found to be significant by the director, he or she may require an entirely new application and a new review per the requirements of this chapter applicable at the time of the new application.

**Sec. 28-55. Preliminary plat and site development certifications.**

- (e) *Infrastructure certifications.*
  - (1) Public works.

I hereby certify that the construction plans for all proposed roads meet the requirements of the Putnam County Development Regulations.

Date Public Works Director

(2) Eatonton Putnam Water and Sewer Authority (EPWSA).

I hereby certify that the construction plans for the proposed water system meet the installation requirements of this department.

Date EPWSA Director

(3) Putnam County Fire Rescue Chief.

I hereby certify that the preliminary plat was found to comply with the requirements of Chapter 32 of the Putnam County Code of Ordinances.

Date Putnam County Fire Rescue Chief

(4) Count Engineer

I hereby certify that the preliminary plat was found to comply with the requirements of the Putnam County Development Regulations.

Date County Engineer

Sec. 28-57. Preliminary plat and site development processing.

- (a) The director of the planning and development department shall review the application and formulate the changes necessary to cause it to comply with the conditions of zoning approval (if any) and the applicable ordinances, regulations, and statutes the director is charged to enforce.
(b) The technical review committee (TRC) shall review all preliminary and final plats, concept and site developments for compliance with the applicable rules and regulations of the various jurisdictions and agencies of government represented. The TRC shall consist of a representative of each of the following individuals, or their designee, and entities: Planning and Development Director, Fire Chief, County Engineer, Public Works Director, EMS Director, Georgia Power, Tri-County Gas, EPWSA, Piedmont Water, Putnam County Health Department, U.S. Post Office, and Sheriff's Department.
(c) The director shall distribute copies of the application to the representatives on the TRC no later than one week prior to the review meeting. The director shall prepare a list of the applications, stating the location, applicant's name or corporate name, number of lots, proposed use, zoning district, date of the TRC meeting and any other information the director deems appropriate, transmitting it to each member of the board of commissioners for their information and shall post the list in locations obvious to the public.
(d) The technical review committee shall hold a meeting to discuss and review the preliminary plat or site development application within 45 days of the date of application. The applicant or authorized representative is required to attend the scheduled meeting of the TRC. If attendance is not achieved, application shall not be discussed and shall be rescheduled for the next meeting of the TRC when the applicant can attend.
(e) The applicant shall make any changes required to the application, delivering such to the director.
(f) Once all the comments of the members of the TRC have been satisfied and so noted in writing on the copy of the revised application, the director may approve the application and thus certify on the application where indicated that it meets all the requirements of the applicable regulations.



(g) The director shall retain a copy of the approved application in the official departmental files.

**Sec. 28-60. Issuance of development permit. Reserved.**

Following approval of preliminary plat or site development applications, construction plan, and land disturbance application, the director shall issue a development permit. If construction does not commence within six months from the date of the issuance of the development permit, such development permit shall be null and void and the developer shall be required to submit new applications for a development permit

Reserved.

**ARTICLE III. DESIGN STANDARDS**

**DIVISION 1. INFRASTRUCTURE REQUIREMENTS**

**Sec. 28-67. Design standards for streets.**

In order to provide for roads suitable in location, width and improvement, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required and shall be planned for and provided by the developer, prior to the approval of the development permit. Road classifications may be indicated in the comprehensive plan; otherwise, they shall be determined by the director. The developer shall dedicate and/or deed the required right-of-way to the county at no cost to the county.

- (j) *Design standards for cul-de-sacs.* Except where topographic or other conditions make a greater length unavoidable, as determined by the director, cul-de-sacs (dead-end streets) should not be greater than 1,200 feet in length measured from the nearest (existing or proposed) intersection. It is recommended that they be not greater than 500 feet in length in multifamily areas. They shall be provided at the closed end with a turnaround having a property line radius of at least 60 feet with an outside pavement radius of at least 40 feet for residential developments and a 70-foot property line radius with an outside pavement radius of at least 50 feet for commercial and industrial developments. Temporary paved turnarounds are required at the end of any roadway of each phase until the next phase of the development is initiated.

**DIVISION 2. PARKING AND LANDSCAPING**

**Sec. 28-75. Parking requirements.**

(b) *Design standards.* All parking facilities, including entrances, exits and maneuvering areas, shall comply with the following provisions:

- (9) No parking or loading area shall be established within the required front yard of any multifamily district.

**ARTICLE IV. FINAL PLAT AND CERTIFICATE OF COMPLETION**

**Sec. 28-80. Application procedure and requirements for requests for inspection.**

Following the completion of construction authorized by the development permit of a subdivision or site development, the developer shall submit to the director a written request for a final inspection of the subdivision or site development. As-built surveys of all improvements, structures, buildings, rights-of-way and utilities shall accompany the application in addition to any required bonds or surety and deeds for rights-of-way, and applicable fees.

**Sec. 28-81. Inspection process.**

The director, using the construction drawings of the development permit, shall conduct a field inspection of the subdivision or development seeking compliance with the development permit as issued. If there are deviations from the approved drawings deemed by the director to be significant, the director shall require the developer to submit revised drawings and/or engineering studies (as appropriate), reflecting the changes. The changes shall be further reviewed for compliance with the original approval and comments of the TRC. Once the director is satisfied that compliance with the development permit has been achieved, the developer shall be notified that a final plat may be submitted. A satisfactory inspection of a site development shall cause the director to issue a certificate of completion letter to the developer, stating the development has met all applicable requirements.

**Sec. 28-83. Final plat certifications.**

(6) Putnam County Fire Rescue Chief.

I hereby certify that the final plat was found to comply with the requirements of Chapter 32 of the Putnam County Code of Ordinances.

Date	Putnam County Fire Rescue Chief
------	---------------------------------

(7) Count Engineer

I hereby certify that the final plat was found to comply with the requirements of the Putnam County Development Regulations.

Date	County Engineer
------	-----------------

(68) Board of commissioners:

a. The Putnam County Board of Commissioners hereby accepts this final plat.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

Chairman, Board of Commissioners

AND

\_\_\_\_\_  
County Clerk

- b. Board of commissioners' acknowledgement of surety bonds of performance and maintenance for dedication and deed of rights-of-way.

The Putnam County Board of Commissioners does hereby acknowledge receipt of surety bond for performance and maintenance of the right-of-way with improvements and to acknowledge receipt by dedication and deed the right-of-way subject to final inspection.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Chairman, Board of Commissioners

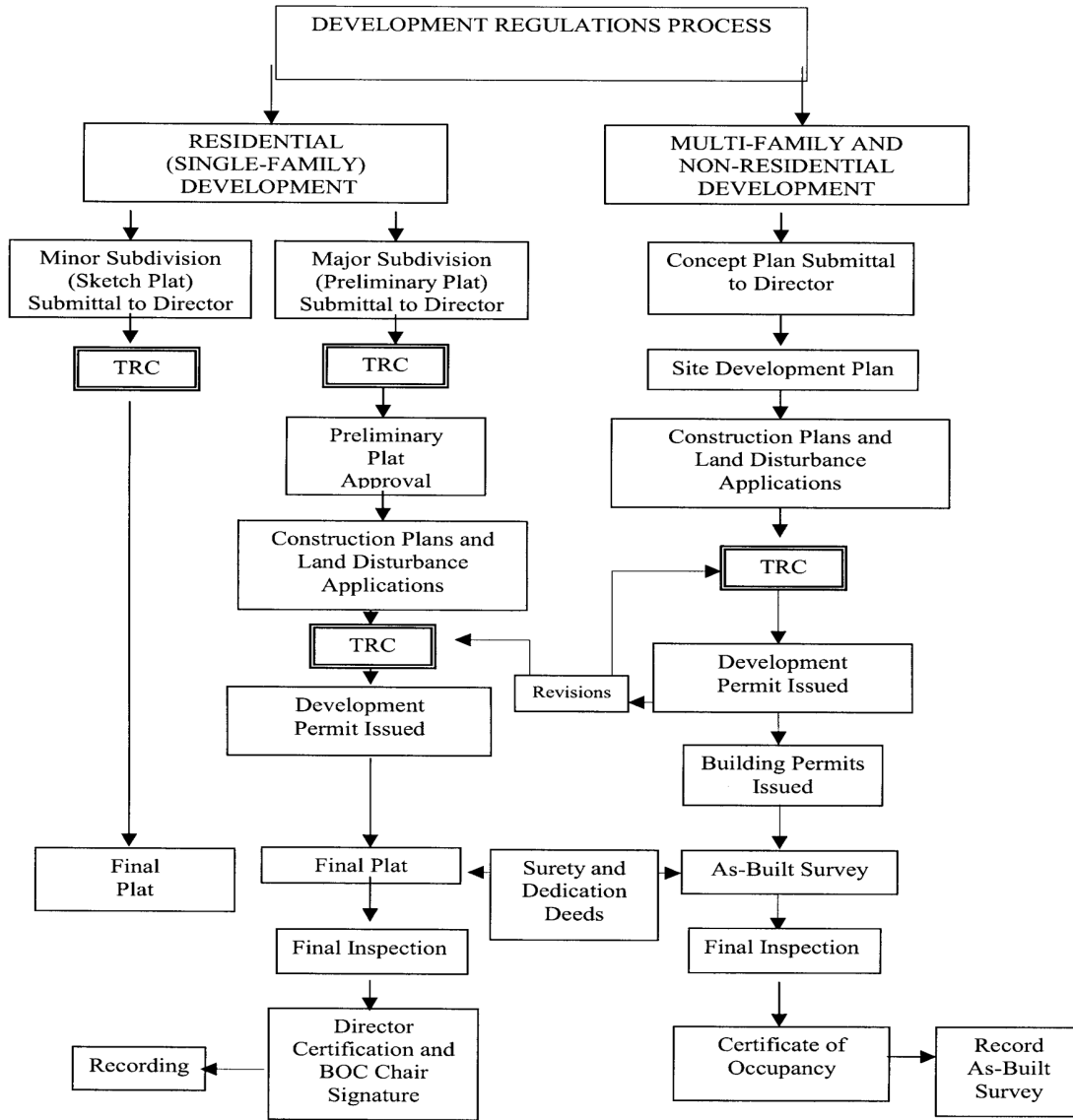
AND

\_\_\_\_\_  
County Clerk

**Sec. 28-85. Approval of and recordation of the final plat.**

- (a) The review of the final plat shall conform to the same requirements of the preliminary plat found in section 28-52 and section 28-53 of this article.
- (b) Once the members of the TRC are satisfied their individual requirements have been met and the director has conducted an on-site inspection of all the improvements **authorized by the applicable development permit** and shown on the as-built survey and is satisfied all requirements have been met, the director shall notify the developer the final plat is ready for signature and recordation.
- (c) The director and county sanitarian shall sign the appropriate certificates stating all applicable requirements have been met.
- (d) The director shall transmit the final plat and bond to the clerk of board of commissioners who shall place the final plat on the board of commissioners agenda for acceptance of the bond, dedication deeds, and the final plat for acceptance by the board of commissioners and signature of the chairperson of the board of commissioners.
- (e) The director shall then record the final plat with the clerk of the superior court and provide the developer with two copies.

**ARTICLE V. ENFORCEMENT, REMEDIES AND PENALTIES**



**File Attachments for Item:**

8. Request for waiver of late fees and interest for Ms. Andrea Chastain (TA)

**From:** Andrea Chastain [REDACTED]  
**To:** "pctc117@yahoo.com" <pctc117@yahoo.com>  
**Sent:** Monday, April 1, 2024 at 02:45:37 PM EDT  
**Subject:** Property Tax Late Fees/Penalty/Interest Dispute

RE: Bill# 2023 010592  
Attn: Putnam County Tax Board of Commissioners

To Whom it May Concern:

Regarding the above-mentioned tax bill, it has come to my attention that late fees, interest, and penalties in the amount (to date) of \$188.69 has been assessed. I would like to dispute this amount and have it removed from my account based on the fact that no late notices were sent to me regarding this delinquency.

I purchased the property located at 404 W. Harris Street in January 2023. Because Tammy Hobbs was the owner of record as of January 1st, 2023, the delinquency notice(s) were sent to her. On November 28, 2023, I went to your website and attempted to make full payment of this invoice. For whatever reason, the payment did not go through but I was under the impression that it did. Two days ago Tammy Hobbs notified me that she has received notification that the account was delinquent. At the first opportunity I visited your office and made full payment of the original amount, \$1,253.69. While I take full responsibility for whatever error I made making the online payment, I do not feel that I should be made to pay the penalties assessed from 11/28/23 through the current date due to the fact that your system failed to notify me, the CURRENT homeowner, of the deficiency. The fact that the previous homeowner ONLY was notified has caused my great embarrassment and stress, causing me to have health issues (it has triggered an stress-induced migraine).

I pay all my bills on a timely basis, but I have to know about them in order to do so. While I acknowledge that a glitch occurred on my end in this bill payment successfully being processed, I think you all need to similarly acknowledge that there is a glitch in your system wherein notifications do not get sent to the CURRENT owner when payment is not received promptly. Meanwhile, significant amounts of interest, penalties and late fees are accruing monthly. I only found out about my outstanding debt through happenstance - the former owner and I are still in touch with one another and she was kind enough to let me know.

Please consider my appeal to your fairness and dismiss the \$188.69 assessed due to this issue. I have made a payment today in full for the original amount of the tax bill, \$1253.69. Thank you for your consideration. Also, if you could please acknowledge receipt of this letter immediately I would greatly appreciate it.

Sincerely,

Andrea Chastain

Sent from my iPad

**File Attachments for Item:**

9. Authorization for Chairman to sign Transit Drug and Alcohol Testing Policy (staff-Transit)

**DRUG AND ALCOHOL TESTING POLICY  
PUTNAM COUNTY TRANSIT  
Adopted as of APRIL 16, 2024**

**A. PURPOSE**

- 1) The Putnam County Board of Commissioners provides public transit and paratransit services for the residents of Putnam County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Putnam County declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
  
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. Covered employees shall abide by the terms of this policy statement as a condition of employment. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates drug and alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of specimens for drug and alcohol testing.
  
- 3) Any provisions set forth in this policy that are included under the sole authority of Putnam County and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Putnam County will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

**B. APPLICABILITY**

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue



service, security personnel who carry firearms, persons controlling the dispatch or movement of revenue service vehicles and any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver’s License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

**C. DEFINITIONS**

*Accident:* An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Adulterated specimen:* A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

*Alcohol:* The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

*Alcohol Concentration:* Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

*Aliquot:* A fractional part of a specimen used for testing, It is taken as a sample representing the whole specimen.

*Alternate specimen:* An authorized specimen, other than the type of specimen previously collected or attempted to be collected.

*Canceled Test:* A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

*Collection Site:* A place selected by the employer where employees present themselves for the purpose of providing a specimen for a drug test.

*Confirmatory Drug Test:* A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify a specific drug or drug metabolite.

*Confirmatory Validity Test:* A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

*Covered Employee Under FTA Authority:* An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

*Cutoff:* The analytical value (e.g., drug or drug metabolite concentration) used as the decision point to determine a result (e.g., negative, positive, adulterated, invalid, or substituted) or the need for further testing.

*Designated Employer Representative (DER):* An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

*DOT, The Department, DOT Agency:* These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

*Dilute specimen:* A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

*Disabling damage:* Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Employee:* Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under 49 CFR Part 40, the term employee has the same meaning as the term “donor” as found on CCF and related guidance materials produced by the Department of Health and Human Services.

*Evidential Breath Testing Device (EBT):* A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations, and appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

*Initial Drug Test:* The first test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

*Initial Specimen Validity Test:* The first test used to determine if a specimen is adulterated, diluted, substituted, or invalid

*Invalid Result:* The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

*Laboratory:* Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of HHS; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under 49 CFR Part 40.

*Limit of Detection (LOD):* The lowest concentration at which the analyte (e.g., drug or drug metabolite) can be identified.

*Limit of Quantification (LOQ):* For quantitative assays, the lowest concentration at which the identity and concentration of the analyte (e.g., drug or drug metabolite) can be accurately established.

*Medical Review Officer (MRO):* A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

*Negative Dilute:* A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

*Negative result:* The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

*Non-negative specimen:* A specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), or invalid.

*Oral Fluid Specimen:* A specimen that is collected from an employee's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands. An oral fluid specimen is considered to be a direct observation collection for all purposes of 49 CFR Part 40, as amended.

*Oxidizing Adulterant:* A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

*Performing (a safety-sensitive function):* A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

*Positive result:* The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

*Primary specimen:* In drug testing, the specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of specimen validity

testing. The primary specimen is the portion of the donor’s subdivided specimen designated as the primary (“A”) specimen by the collector to distinguish it from the split (“B”) specimen, as defined in 49 CFR Part 40, as amended.

*Prohibited drug:* Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine as specified in 49 CFR Part 40, as amended.

*Reconfirmed:* The result reported for a split (Bottle B) specimen when the second HHS-certified laboratory corroborates the original result reported for the primary (Bottle A) specimen.

*Rejected for Testing:* The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

*Revenue Service Vehicles:* All transit vehicles that are used for passenger transportation service.

*Safety-sensitive functions:* Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling dispatch or movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

*Specimen:* Fluid, breath, or other material collected from an employee at the collection site for the purpose of a drug or alcohol test.

*Specimen Bottle:* The bottle that, after being sealed and labeled according to the procedures in 49 CFR Part 40, is used to hold a primary (“A”) or split (“B”) specimen during the transportation to the laboratory. In the context of oral fluid testing, it may be referred to as a “vial,” “tube,” or “bottle.”

*Split Specimen:* In drug testing, the specimen that is sent to a first laboratory and stored with its original seal intact, and which is transported to a second laboratory for retesting at the employee’s request following MRO verification of the primary specimen as positive, adulterated or substituted.

*Split specimen collection:* A collection in which the single specimen collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

*Substance Abuse Professional (SAP):* A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

*Substituted specimen:* An employee's specimen not consistent with a normal human specimen, as determined by HHS (e.g., a urine specimen, with creatinine and specific gravity values that are so diminished, or so divergent that they are not consistent with normal human urine).

*Test Refusal:* The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of specimen without a valid medical explanation.
- (6) Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection .
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.
- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

*Undiluted (neat) oral fluid:* An oral fluid specimen to which no other solid or liquid has been added. For example: A collection device that uses a diluent (or other component, process, or method that modifies the volume of the testable specimen) must collect at least 1 mL of undiluted (neat) oral fluid.

*Urine specimen:* Urine collected from an employee at the collection site for the purpose of a drug test.

*Vehicle:* A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

*Verified negative test:* A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use at or above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

*Verified positive test:* A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use at or above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

*Validity testing:* The evaluation of the specimen to determine if it is consistent with normal human urine or oral fluid. Specimen validity testing will be conducted on all specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the specimen, if the specimen was diluted, or if the specimen was altered.

**D. EDUCATION AND TRAINING**

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.
  
- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

**E. PROHIBITED SUBSTANCES**

- 1) Prohibited substances addressed by this policy include the following.
  - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1308.11 through 1308.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. It is important to note that the use of marijuana in any circumstances remains completely prohibited for any safety-sensitive employee subject to drug testing under USDOT regulations. The use of marijuana in any circumstance (including under state recreational and/or medical marijuana laws) by a safety-sensitive employee is a violation of this policy and a violation of the USDOT regulation 49 CFR Part 40, as amended.

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Putnam County Transit supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.
  - c. Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.



**F. PROHIBITED CONDUCT**

- 1) Illegal use of the drugs listed in this policy and as defined in 49 CFR Part 40, as amended is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty if they have used a prohibited drug as defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
  - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
    - i. The employee's alcohol concentration measures less than 0.02; or
    - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

- 7) Putnam County, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all Putnam County employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

**G. DRUG STATUTE CONVICTION**

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Putnam County Transit management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in this policy.

**H. TESTING REQUIREMENTS**

- 1) Drug testing and alcohol testing will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Putnam County authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

All covered employees will be subject to drug testing and alcohol testing as a condition of ongoing employment with Putnam County. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in this policy.

**I. DRUG TESTING PROCEDURES**

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will

be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.

- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine and/or oral fluid specimen will be collected as described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary specimen. For those specimens that are not negative, a confirmatory test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the confirmatory test are at or above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to Putnam County. If a legitimate explanation is found, the MRO will report the test result as negative.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample

test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Putnam County will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Putnam County will seek reimbursement for the split sample test from the employee.

6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.

7) Observed collections

a. Consistent with 49 CFR Part 40, as amended, collection under direct observation with no advance notice will occur if:

- i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Putnam County that there was not an adequate medical explanation for the result;
- ii. The MRO reports to Putnam County that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
- iii. The laboratory reported to the MRO that the urine specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the urine specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).
- iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- v. The temperature on the original urine specimen was out of range (See §40.65(b)(5));

- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with (See §40.65(c)(1)).
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

Urine collections that are required to be directly observed will be conducted by a person of the same gender as the donor as required by 49 CFR Part 40.67.

**J. ALCOHOL TESTING PROCEDURES**

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices”. Alcohol screening tests may be performed using a non-evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC’s Web page for “Approved Screening Devices to Measure Alcohol in Bodily Fluids”. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.
- 2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer

and will be subject to the consequences described in this policy. An alcohol concentration of less than 0.02 will be considered a negative test.

- 3) Putnam County affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

**K. PRE-EMPLOYMENT TESTING**

- 1) All applicants for covered transit positions shall undergo drug testing prior to performance of a safety-sensitive function.
  - a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
  - b. An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
  - c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
  - d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with this policy.

- e. If a pre-employment test is canceled, Putnam County will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide *Putnam County* with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. *Putnam County* is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide Putnam County proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

**L. REASONABLE SUSPICION TESTING**

- 1) All Putnam County FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just

before, during, or just after the performance of a safety-sensitive job function. However, under Putnam County authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.

- 2) Putnam County shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in this policy.
- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to Putnam County.
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with this policy. Putnam County shall place the employee on administrative leave in accordance with the provisions set forth under this policy. Testing in this circumstance would be performed under the direct authority of Putnam County. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in this policy or the associated consequences.

**M. POST-ACCIDENT TESTING**

- 1) FATAL ACCIDENTS – A covered employee will be required to undergo drug and alcohol testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as



determined by the employer using the best information available at the time of the decision.

- 2) NON-FATAL ACCIDENTS – A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
- a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
  - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an

employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Putnam County is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Putnam County may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

**N. RANDOM TESTING**

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Individuals who may be covered under company authority will be selected from a pool of non-DOT-covered individuals.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Putnam County authority.
- 6) Random tests can be conducted at any time during an employee’s shift for drug testing. Alcohol random tests can only be performed just before,

during, or just after the performance of a safety sensitive duty. However, under Putnam County authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee’s shift.

- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

**O. RETURN-TO-DUTY TESTING**

Putnam County will terminate the employment of any employee that tests positive or refuses a test as specified in this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

**P. FOLLOW-UP TESTING**

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP’s assessment of the employee’s unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee’s return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not

constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

**Q. RESULT OF DRUG/ALCOHOL TEST**

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be immediately removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.
  
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
  
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal is defined as any of the following circumstances:
  - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
  - b. Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
  - c. Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
  - d. In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
  - e. Fail to provide a sufficient quantity of specimen without a valid medical explanation.
  - f. Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
  - g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
  - h. Fail to cooperate with any part of the testing process.
  - i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection.

- j. Possess or wear a prosthetic or other device used to tamper with the collection process.
  - k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
  - l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
  - m. Fail to remain readily available following an accident.
  - n. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
- 4) An alcohol test result of  $\geq 0.02$  to  $\leq 0.039$  BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
- a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return-to-work agreement;
  - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Putnam County employment.
    - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in this policy; however, all follow-up testing performed as part of a return-to-work agreement required under this policy is under the sole authority of Putnam County and will be performed using non-DOT testing forms.
  - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return-to-work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
  - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal**

**regulations and will not be considered as a positive test result in relation to the progressive discipline defined in this policy.**

- e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in this policy.
  - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Putnam County.
  - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

**R. GRIEVANCE AND APPEAL**

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

**S. PROPER APPLICATION OF THE POLICY**

Putnam County is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

**T. INFORMATION DISCLOSURE**

- 1) Drug/alcohol testing records shall be maintained by the Putnam County Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.

- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Putnam County or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the *Putnam County Board of Commissioners* on *April 16, 2024*.

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B.W. "Bill" Sharp, Chairman  
Putnam County Board of Commissioners



### Attachment A

Job Title	Job Duties	Testing Authority
<b>Transit System Supervisor</b>	Hires, supervises, evaluates, and schedules the work of PTS employees engaged in operating passenger vans or buses to transport county residents to various locations inside and outside of the county; disciplines and counsels' subordinates.	
o	Logs incoming calls; communicates passenger information to drivers; dispatches drivers to calls; operates two-way radio to communicate with drivers on assigned routes or assignments.	
o	Prepares bus routes.	
o	Receipts fees from drivers.	
o	Oversees the maintenance of department vehicles.	
o	Prepares and administers the transportation budget.	
o	Completes required reports.	
o	Maintains department inventory.	
o	Trains employees in vehicle operations, related clerical work, and customer service.	
o	Reviews and approves time sheets.	
o	Performs other related duties as assigned.	

**Testing Authority: FTA/DOT**

<b>Transit System Driver</b>	Drives a PTS van or mini-bus to transport clients to medical appointments and other locations.	
o	Assists the disabled and elderly with packages such as groceries, etc.; helps patrons on and off the bus when needed.	
o	Communicates with dispatcher for additional or added work load.	
o	Records client pick-up and drop-off times; records vehicle mileage.	
o	Completes pre-trip safety inspections of vehicles; performs minor vehicle maintenance; reports vehicle maintenance issues to supervisor.	
o	Operates a lift van to load and unload clients.	
o	Accepts money from patrons; maintains records of some.	
o	Assists clients by scheduling transportation times.	
o	Performs other related duties as assigned.	

Testing Authority: FTA/DOT

<b>Mechanic</b>	Assists in small and large engine repair work; repairs weed-eaters, lawnmowers, cars, trucks, and construction equipment.	
o	Assists in servicing county vehicles and equipment; checks and changes fluids.	
o	Checks and replaces belts, hoses, and brakes.	
o	Assists in performing road service and repairs as needed.	
o	Transports personnel to and from equipment as needed.	
o	Repairs and replaces tires.	
o	Performs other related duties as assigned.	

Testing Authority: FTA/DOT

**Attachment B Contacts**

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

**PUTNAM COUNTY Drug and Alcohol Program Manager**

Name: Cynthia Miller  
Title: Human Resources Director  
Address: 117 Putnam Drive, Suite A Eatonton, GA 31024  
Telephone Number:

**Medical Review Officer**

Name: Allied Safety & Health LLC: Dr. Dan Azar  
Title: AAMRO  
Address: 2315 E Palmdale Blvd Suite G Palmdale CA. 93550  
Telephone Number: 661-274-0127

**Substance Abuse Professional #1**

Name: Dawn Dreiger  
Title: SRS-SAP Referral Services LLC  
Address: 8831 Satyr Hill Rd. Baltimore MD. 21234  
Telephone Number: 410-668-8110

**Substance Abuse Professional #2**

Name: Dawn Dreiger  
Title: SRS-SAP Referral Services LLC  
Address: 8831 Satyr Hill Rd. Baltimore MD. 21234  
Telephone Number: 410-668-8110