



## CITY OF STONECREST, GEORGIA

### CITY COUNCIL WORK SESSION – AGENDA

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, February 10, 2025 at 6:00 PM

*Mayor Jazzmin Cobble*

*Council Member Tara Graves - District 1      Council Member Terry Fye - District 2*

*Council Member Alecia Washington - District 3      Mayor Pro Tem George Turner - District 4*

*Council Member Tammy Grimes - District 5*

Citizen Access: [Stonecrest YouTube Live Channel](#)

**I. CALL TO ORDER:** George Turner, Mayor Pro-Tem

**II. ROLL CALL:** Sonya Isom, City Clerk

**III. AGENDA DISCUSSION ITEMS**

**a. Public Hearing** - Intent to Opt Out of HB 581, 2nd Public Hearing - *Michael McCoy, Deputy City Manager & Ed Wall, Financial Advisor*

*Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, position on the agenda item you are commenting on (for or against) via email to [cityclerk@stonecrestga.gov](mailto:cityclerk@stonecrestga.gov) by 2 pm the day of the Public Hearing to be read into the record at the meeting. A zoom link for the meeting will be sent to you.*

*When it is your turn to speak, please state your name, address and relationship to the case..*

*There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.*

**b. For Discussion** - Finance Report - *Gia Scruggs, City Manager*

**c. For Discussion** - TMOD 24-001 Truck Parking - *Ralph Butts, Code Enforcement Director*

**IV. EXECUTIVE SESSION**

*(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate, 4) Cyber Security*

## V. ADJOURNMENT

### Americans with Disabilities Act

*The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.*

*If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.*



## CITY COUNCIL AGENDA ITEM

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**SUBJECT: HB581 Intent to Opt-Out, 2<sup>nd</sup> Public Hearing**

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**AGENDA SECTION:** *(check all that apply)*

- PRESENTATION**     **PUBLIC HEARING**     **CONSENT AGENDA**     **OLD BUSINESS**  
 **NEW BUSINESS**     **OTHER, PLEASE STATE:** Click or tap here to enter text.
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**CATEGORY:** *(check all that apply)*

- ORDINANCE**     **RESOLUTION**     **CONTRACT**     **POLICY**     **STATUS REPORT**  
 **OTHER, PLEASE STATE: Required Public Hearing for HB581**
- 

**ACTION REQUESTED:**  **DECISION**     **DISCUSSION**,     **REVIEW**, or     **UPDATE ONLY**

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**Previously Heard Date(s):** 01/27/25 & Click or tap to enter a date.

**Current Work Session:** Monday, February 10, 2025

**Current Council Meeting:**

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**SUBMITTED BY:** Michael McCoy, Deputy City Manager

**PRESENTER:** Michael McCoy, Deputy City Manager and Ed Wall, Financial Advisor

**PURPOSE:** Satisfy Public Hearing Requirement to opt out of HB581. The hearing is being held to gather input on whether the City of Stonecrest should exercise its option to opt out of HB581.

**FACTS:** HB581 is legislation that mandates standardized homestead exemption policies across local governments. It aims to provide uniform property tax relief for homeowners but includes an option for cities to opt out and maintain control over their own tax policies.

**OPTIONS:** Discussion only Click or tap here to enter text.

**RECOMMENDED ACTION:** Review Only Click or tap here to enter text.

**ATTACHMENTS:**

- (1) Attachment 1 - Cover Letter
- (2) Attachment 2 - HB 581 Opt Out Schedule Draft
- (3) Attachment 3 - Opting Out vs Not Opting Out
- (4) Attachment 4 - Financial Advisor Opinion



## CITY COUNCIL AGENDA ITEM

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(5) Attachment 5 - 2<sup>nd</sup> Public Hearing Presentation

**Subject:** Cover Letter for HB581 Intent to Opt-Out Homestead Exemption Agenda Item

Dear Mayor and City Council,

This email serves as a cover letter for the HB581 opt-out agenda item that you will consider at the **January 13, 2025, Council Meeting**. I want to provide a simple overview to ensure everyone is prepared for the discussion and decision.

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## What is HB581?

HB581, also called the **Save Our Homes Act**, limits how much property taxes can increase each year for **homesteaded properties** (homes where the owner lives as their primary residence). The increase is capped at a small percentage based on inflation, using the Consumer Price Index (CPI).

For **non-homesteaded properties** (such as rental properties or businesses), these limits do not apply, meaning their taxes could increase more significantly over time.

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## Why Consider Opting Out?

If the City does not opt out, property taxes for homesteaded properties will grow more slowly, but this could limit the City's ability to generate revenue for essential services. Opting out allows the City to align revenue with rising costs and avoid shifting the tax burden to non-homesteaded property owners.

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## Examples Using Stonecrest's Tax Rate (1.257%)

### If the City Does Not Opt Out (HB581 Applies):

- **Home Value:** \$100,000
- **Market Growth:** 10% increase (value becomes \$110,000)
- **CPI Cap:** 3% increase (assessed value for tax purposes becomes \$103,000)
- **Tax Rate:** 1.257%
- **Property Tax:** Increases from \$1,257 to \$1,294.71

### If the City Opt's Out (HB581 Does Not Apply):

- **Home Value:** \$100,000
- **Market Growth:** 10% increase (value becomes \$110,000)
- **Assessed Value:** Matches market value at \$110,000

- **Tax Rate:** 1.257%
- **Property Tax:** Increases from \$1,257 to \$1,382.70

In this example, opting out allows the City to collect **\$87.99 more per homeowner**, which adds up across all properties and helps the City maintain services without shifting the tax burden unfairly.

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## What Happens at the January 13 Meeting?

At the meeting, the Council will decide whether to take formal action on the **intent to opt out of HB581**. If you choose to move forward, here's the process:

1. **Public Hearing Notifications:**
    - The City must publish notices for three public hearings in a local newspaper and on the City website at least one week before each hearing.
  2. **Public Hearings Schedule:**
    - **First Hearing:** January 27, 2025, at 6:00 PM
    - **Second Hearing:** February 10, 2025, at 6:00 PM
    - **Third Hearing:** February 24, 2025, at 6:00 PM
  3. **Final Vote:**
    - After the third public hearing on **February 24, 2025**, the Council will take final action to adopt the resolution to opt out.
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## Things to Consider

- HB581 may appeal to homeowners as it limits how much their property taxes can increase.
- However, opting out ensures the City can collect enough revenue to meet its financial obligations and maintain services without overburdening non-homesteaded property owners.

Attached is the **comprehensive opt-out timeline schedule** for your review.

We will be available to support your discussion and answer questions during the January 13 meeting. Please feel free to reach out beforehand if you need additional information.

Best regards,

Michael McCoy  
Deputy City Manager

**Intent to Opt-Out of Homestead Exemption -HB581**  
**Schedule**  
**City of Stonecrest**  
**Draft 2**  
**January 6, 2025**

Date	Action
<b>January 13, 2025</b>	Council Meeting: M&C takes formal action on the intent to opt out of HB581.
<b>January 15, 2025</b>	Publish notification for the first public hearing in a newspaper of general circulation and on the City website, including meeting time (6:00 PM).
<b>January 27, 2025</b>	<b>First Public Hearing:</b> Held during the regular Council meeting at <b>6:00 PM</b> .
<b>January 29, 2025</b>	Publish notification for the second public hearing in a newspaper of general circulation and on the City website, including meeting time (6:00 PM).
<b>February 10, 2025</b>	<b>Second Public Hearing:</b> Held during the regular Council meeting at <b>6:00 PM</b> .
<b>February 12, 2025</b>	Publish notification for the third public hearing in a newspaper of general circulation and on the City website, including meeting time (6:00 PM).
<b>February 24, 2025</b>	<b>Third Public Hearing and Final Action:</b> Held during the regular Council meeting at <b>6:00 PM</b> . M&C will vote on the resolution to adopt the opt-out.
<b>March 1, 2025</b>	Submit opt-out resolution to the Secretary of State’s Office.

**Notes:**

1. **Meeting Times:** All public hearings will be held at **6:00 PM**, ensuring compliance with the requirement for one meeting to be held on a weekday between 6:00 PM and 7:00 PM.
2. **Notifications:**
  - o Each public hearing notification will be published **at least one week prior** to the hearing date.
  - o Notifications must include the meeting date, time, and location.
  - o Notifications must be prominently displayed (minimum size: 30 square inches), not placed in the legal notices section, and posted on the City website.
3. **Final Action:** The final resolution vote will occur immediately following the third public hearing on **February 24, 2025**, eliminating the need for a special called meeting.

### Opt-Out vs. Not Opt-Out: Property Tax Impact Example

Scenario	Initial Home Value	Taxable Value (40%)	Tax Rate (1.257%)	Property Tax
Initial Tax	\$100,000	\$40,000	1.257%	\$502.80
Not Opting Out (CPI Cap)	\$100,000	\$41,200 (3% Growth)	1.257%	\$517.88
Opting Out (Market Growth)	\$100,000	\$44,000 (10% Growth)	1.257%	\$553.08

**Key Takeaways:**

- **Not Opting Out (CPI Cap):** Property taxes increase by **\$15.08** under the CPI cap (3% growth).
- **Opting Out (Market Growth):** Property taxes increase by **\$50.28** based on market growth (10% growth).
- **Difference:** Opting out allows the City to collect **\$35.20 more per homeowner**, helping fund City services and operations.



# PIPER | SANDLER

## SUBJECT: HB 581 – FLOATING HOMESTEAD EXEMPTION AND FLOST

### Background

During the final week of the 2024 legislative session, four separate bills were consolidated: House Bill 581 (HB 581). This comprehensive legislation introduces significant changes to property taxes and local sales tax options aimed at reducing the reliance on property taxes by shifting some of the tax burden to sales taxes. Specifically, HB 581:

1. Establishes a floating homestead exemption for property taxes tied to inflation.
2. Creates a new Floating Local Option Sales Tax (FLOST), a 1% sales tax that functions similarly to a LOST (Local Option Sales Tax) but replaces property tax revenue with sales tax revenue.
3. Simplifies the process for calculating and adopting property tax millage rates and rollback millage rates.

HB 581 required approval through a statewide Constitutional Amendment, which was on the ballot in November 2024. The amendment passed with 63% of the vote (3,087,240 votes in favor and 1,818,724 votes against).

The legislation allows local governments to opt out of the new homestead exemption between January 1, 2025, and March 1, 2025. If a government takes no action, it is automatically included in the exemption. After March 1, decisions to opt in or out are permanent—local governments that do not opt out will retain the exemption indefinitely, while those that opt out will be permanently excluded.

### How Does the New Homestead Exemption Work?

The new floating homestead exemption ties the assessed value of a property to the annual Consumer Price Index (CPI) rate, limiting the increase in taxable value to the rate of inflation. Here's an example:

A house valued at \$250,000 in Georgia is assessed at 40% of its market value for property tax purposes. This means the assessed value of the house is \$100,000 ( $\$250,000 \times 40\%$ ). Under HB 581, the base year for the homestead exemption is set as the assessed value in 2024.

If, in 2025, the tax assessor determines the house's fair market value has increased by 10%, the new market value would be \$275,000 ( $\$250,000 + \$25,000$ ). At 40%, the assessed value would rise to \$110,000 ( $\$275,000 \times 40\%$ ).

However, under HB 581, the increase in assessed value is limited to the annual inflation rate. Assuming inflation in 2025 is 3%, the allowable increase would be \$7,500 ( $\$250,000 \times 3\%$ ), resulting in a new market value of \$257,500. At 40%, this gives a new assessed value of \$103,000 ( $\$257,500 \times 40\%$ ).

The \$7,000 difference between the \$110,000 assessed value and the inflation-adjusted \$103,000 would be added to the homestead exemption. This means the homeowner would be exempt from property taxes on the \$7,000, resulting in a savings and further reducing their tax liability due to the City.

This formula is applied annually, increasing the homestead exemption amount year over year. When a property is sold, the homestead exemption resets, and the new owner begins the process again based on the updated assessed value.

While this exemption benefits homeowners, it reduces the growth of the tax digest from residential properties, shifting the tax burden to other property classes, such as commercial, industrial, and multi-family properties.

**How Does the FLOST Work?**

Each of Georgia’s 159 counties is eligible to implement a new 1% sales tax, known as the Floating Local Option Sales Tax (FLOST), to offset property taxes. However, this option is contingent on the county and all its municipalities choosing not to opt out of the new floating homestead exemption. The FLOST is exclusively available to cities and counties and does not apply to schools.

Unlike other sales taxes that require the full 1% rate, the FLOST can be levied in increments as small as 0.05%. The revenue generated from the tax is shared between the county and its cities based on population distribution.

FLOST does not generate new revenue; rather, it replaces property tax revenue in the same way as the Local Option Sales Tax (LOST). FLOST functions as an alternative to property taxes, shifting the revenue source from property owners to a broader base through sales taxes.

FLOST differs from LOST in several key ways. While LOST operates on a 10-year cycle with renegotiations between the county and its cities, FLOST is limited to a 5-year term. To renew FLOST after the initial term, the following process is required:

1. A new local act must be approved by the county’s legislative delegation, passed by the General Assembly, and signed by the Governor.
2. A new intergovernmental agreement (IGA) must be executed between the county and all its cities.
3. The renewal must be approved by voters in a referendum.

If the FLOST renewal fails, the City will lose a critical source of revenue. Since FLOST is designed to replace property taxes, the City will need to increase its millage rate to make up for the loss, placing the burden back on property owners.

**Current Homestead Exemptions in the City**

The City Charter currently provides the following homestead exemptions:

1. **General Homestead Exemption:** An exemption of \$10,000 of the assessed value of the homestead from City of Stonecrest ad valorem taxes for municipal purposes.
2. **Senior Citizens and Disabled Residents Exemption:** An exemption of \$14,000 of the assessed value of the homestead for residents who are senior citizens or disabled.
3. **Unremarried Surviving Spouse of Armed Forces Member Exemption:** An exemption for the unremarried surviving spouse of a member of the armed forces killed in action, equal to the greater of \$32,500 or the maximum amount allowed under federal law.
4. **One Mill Equivalent Exemption:** An exemption providing the dollar equivalent of a one-mill reduction in the millage rate for the taxable year.

**Should the City Opt Out?**

Stonecrest’s 2023 Tax Gross tax digest was \$3.2 billion. The residential component was \$1.85 billion. That represents 58%. That is very high. The homestead property is \$1.1 million. 60% of residences in Stonecrest have a homestead exemption.

If the DeKalb Tax Assessor revalued homestead property this year at 10%, the homestead property (40% value) would go up by \$110 million or \$1.210 billion. If inflation is 3%, the \$1.1 billion would be allowed to go up by \$33 million. That would be \$1.133 billion. Subtracting the two would be a new homestead exemption of \$77 million. Stonecrest already gives a homestead exemption of 1 mill. The millage rate is 1.257 mills. So the 0.257 mills times the new homestead exemption of \$77 million would be lost revenue of approx \$20,000.

This number would increase each year if the tax assessor raises property higher than inflation and if you ever raise your millage rate for other city services.

Opting out would disqualify the City and DeKalb County from implementing a FLOST. But any City opting out will disqualify the FLOST.

**Conclusion**

The City provides very generous Homestead Exemptions already. The property tax break for homeowners of the equivalent of 1 mill is something I have never seen and is very generous.

HB 581 floating homestead exemption, once opted in, does not allow a local government to ever opt out. Georgia’s Constitution provides for Home Rule so that local governments, where city, county or schools, can control their own destiny and make decisions that are right for them. By staying opted in, the City of Stonecrest is giving up that local control. For this reason and other reasons stated, opting out, is my recommendation.

# HB581 2<sup>nd</sup> Public Hearing

## Property Tax Implications and HB581 Impact



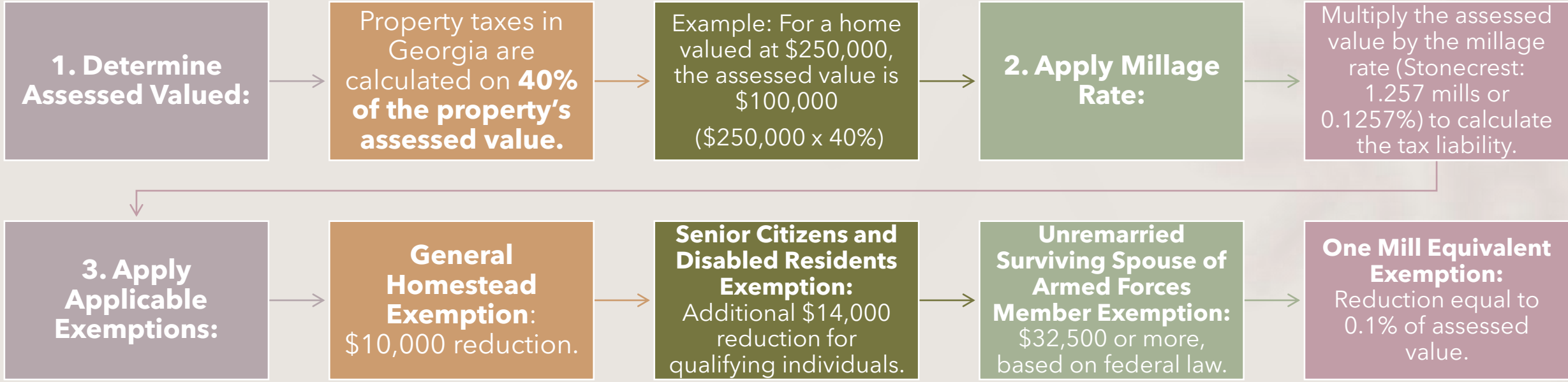
Presented by:  
Deputy City Manager Michael McCoy  
&  
Financial Advisor Ed Wall  
February 10, 2025

# Understanding the Floating Homestead Exemption (HB581)

- **HB581 limits property value increases for homestead properties to the inflation rate as measured by the consumer price index.**
- **Example:** If a **\$100,000** property's value rises to **\$110,000**, but **inflation** is **2%**, **the taxable value can only increase \$102,000**. The exemption covers the remaining **\$8,000.**



# Step-by Step: How Property Taxes are Calculated in Georgia



# Example 1- \$250,000 Home (City of Stonecrest)



- **Home Value:** \$250,000
- **Assessed Value (40%):** \$100,000
- **Millage Rate: 1.257 mills** (0.001257%)
- **Tax Before Exemptions:** \$126
- **Exemptions Applied:**
- **General Homestead Exemption:** -\$10,000 assessed value
- **Adjusted Value:** \$90,000
- **One Mill Equivalent Exemption:** -\$90 x
- **Final Property Tax:** \$23.13

## Example 2- \$500,000 Home (City of Stonecrest)



- **Home Value:** \$500,000
- **Assessed Value(40%):** \$200,000
- **Millage Rate:** 1.257 mills (0.001257%)
- **Tax Before Exemptions:** \$251
- **Exemptions Applied:**
- **General Homestead Exemption:** -\$10,000 assessed value
- **Adjusted Assessed Value:** \$190,000
- **One Mill Equivalent Exemption:** -\$190
- **Final Property Tax:** \$48.83



## Example 3: \$1,000,000 Home (City of Stonecrest)



- **Home Value:** \$1,000,000
- **Assessed Value (40%):** \$400,000
- **Millage Rate:** 1.257 mills (0.1257%)
- **Tax Before Exemptions:** \$503
- **Exemptions Applied:**
- **General Homestead Exemption:** -\$10,000 assessed value
- **Adjusted Assessed Value:** \$390,000
- **One Mill Equivalent Exemption:** -\$390
- **Final Property Tax:** \$100.23

# Hypothetical Property Tax Impact: 10% Market Appreciation vs. 3% CPI Cap

Base Year Value (\$)	Increased Market Value (10%)	Inflation Limit Value (3%)	Difference in Values	Final Property Tax Without HB581	Final Property Tax With HB581	Tax Savings Due to HB581
\$250,000	\$275,000	\$257,500	<u>\$17,500</u>	\$23	\$22	\$1
\$500,000	\$550,000	\$515,000	<u>\$35,000</u>	\$49	\$46	\$3
\$1,000,000	\$1,100,000	\$1,030,000	<u>\$70,000</u>	\$100	\$94	\$6

NOTE: Doesn't include the following exemptions

1. **Senior Citizens and Disabled Residents Exemption:** An exemption of \$14,000 of the assessed value of the homestead for residents who are senior citizens or disabled.
2. **Unremarried Surviving Spouse of Armed Forces Member Exemption:** An exemption for the unremarried surviving spouse of a member of the armed forces killed in action, equal to the greater of \$32,500 or the maximum amount allowed under federal law.

# 2024 Property Tax Impact Analysis: Actual Market Appreciation vs. CPI Cap

Base Year Value	Increased Market Value (5.44%)	Inflation Limit Value (2.9%)	Difference in Values	Final Property Tax Without HB581	Final Property Tax With HB581	Tax Savings Due to HB581
\$250,000	\$263,600	\$257,250	<u>\$6,350</u>	\$25	\$24	\$0.65
\$500,000	\$527,200	\$514,500	<u>\$12,700</u>	\$52	\$50	\$1
\$1,000,000	\$1,054,400	\$1,029,000	<u>\$25,400</u>	\$106	\$103	\$3

# Example 3: \$1,000,000 Home (City of Stonecrest)



**Minimal Financial Impact:** Stonecrest exemptions already provide significant relief, reducing the need for additional measures under HB581.



**Equity and Fairness:** Opting out protects residents from potential tax disparities and unnecessary administrative complexity.



**Local Control:** Ensures Stonecrest maintains authority over its own exemptions and taxation process.

Questions?





## CITY COUNCIL AGENDA ITEM

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**SUBJECT: Finance Report**

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**AGENDA SECTION:** *(check all that apply)*

- PRESENTATION**     **PUBLIC HEARING**     **CONSENT AGENDA**     **OLD BUSINESS**  
 **NEW BUSINESS**     **OTHER, PLEASE STATE:** Click or tap here to enter text.
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**CATEGORY:** *(check all that apply)*

- ORDINANCE**    **RESOLUTION**    **CONTRACT**    **POLICY**    **STATUS REPORT**  
 **OTHER, PLEASE STATE:** Click or tap here to enter text.
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**ACTION REQUESTED:**  **DECISION**    **DISCUSSION**,  **REVIEW**, or  **UPDATE ONLY**

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**Previously Heard Date(s):** Click or tap to enter a date. & Click or tap to enter a date.

**Current Work Session:** Monday, February 10, 2025

**Current Council Meeting:** Click or tap to enter a date.

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**SUBMITTED BY:** Gia Scruggs, City Manager

**PRESENTER:** Gia Scruggs, City Manager

**PURPOSE:** Financial Report update.

**FACTS:** Click or tap here to enter text.

**OPTIONS:** Discussion only Click or tap here to enter text.

**RECOMMENDED ACTION:** Discussion only Click or tap here to enter text.

**ATTACHMENTS:**

- (1) Attachment 1 - Click or tap here to enter text.
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



## CITY COUNCIL AGENDA ITEM

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**SUBJECT: TMOD 24-001 Truck Parking**

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**AGENDA SECTION:** *(check all that apply)*

- PRESENTATION**     **PUBLIC HEARING**     **CONSENT AGENDA**     **OLD BUSINESS**  
 **NEW BUSINESS**     **OTHER, PLEASE STATE:** Click or tap here to enter text.
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**CATEGORY:** *(check all that apply)*

- ORDINANCE**    **RESOLUTION**    **CONTRACT**    **POLICY**    **STATUS REPORT**  
 **OTHER, PLEASE STATE:** Click or tap here to enter text.
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**ACTION REQUESTED:**  **DECISION**    **DISCUSSION**,  **REVIEW**, or  **UPDATE ONLY**

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**Previously Heard Date(s):** Click or tap to enter a date. & Click or tap to enter a date.

**Current Work Session:** Monday, February 10, 2025

**Current Council Meeting:** Click or tap to enter a date.

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**SUBMITTED BY:** Ralph Butts, Code Enforcement Director

**PRESENTER:** Ralph Butts, Code Enforcement Director

**PURPOSE:** To have a discussion on TMOD 24-001 Trucking Parking.

**FACTS:** Click or tap here to enter text.

**OPTIONS:** Discussion only Click or tap here to enter text.

**RECOMMENDED ACTION:** Discussion only Click or tap here to enter text.

**ATTACHMENTS:**

- (1) Attachment 1 - Recommended Text Changes
- (2) Attachment 2 - Revised and Recommended Text Changes
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

**RECOMMENDED TEXT CHANGES:**

12. Commercial trucks and/or trailers: A commercial truck (including medium and heavy-duty trucks, semi-trucks, tractor trailer flatbed trucks, tow trucks, box trucks, and delivery trucks) and/or trailer or semitrailer shall not be parked or stored in any O-I (OFFICE INSTITUTIONAL), OD (OFFICE DISTRIBUTION), C-1 (LOCAL COMMERCIAL), C-2 (GENERAL COMMERCIAL), MU-1 (MIXED USE LOW DENSITY), MU-2 (MIXED USE LOW DENSITY), MU-3 (MIXED USE MEDIUM DENSITY), MU-4 (MIXED USE HIGH DENSITY) and NS (NEIGHBORHOOD SHOPPING) districts. Commercial trucks are prohibited from parking in all residentially zoned property. The following are exceptions.

- a) The vehicle is engaged in loading or unloading activity where the driver is present and in charge thereof; or
- b) The vehicle is owned or is being used by a business located on the property; or
- c) A business on the property is conducting operations and the vehicle is being used in connection with such activity. Where a commercial vehicle is parked in an O-I, C-1, C-2, or MU district, it shall park only in areas designated and posted as loading zones and/or loading docks.
- d) Using loading zones and unloading docks by commercial vehicle operators for sleeping or parking overnight is strictly prohibited.
- e) If any vehicle found upon a parking lot, driveway or entrance drive, in violation of this Section regulating the parking and/or storage of commercial trailers, the owner or person in possession of any real property or the vehicle operator, or both may be punished as provided in this code section.
- f) Commercial parking is permitted in an approved truck parking lot in the M (Light Industrial) and M-2 (Heavy Industrial) districts.



**12. Commercial trucks, tractor trailers and semi-trailers vehicles:** A commercial truck vehicle (including but not limited to medium and heavy-duty trucks, semi-trucks with or without, tractor trailer, dump trucks, flatbed trucks, tow trucks, utility trucks, box trucks, and delivery trucks) are prohibited from parking in all residentially zoned properties. Unless work is being performed by the business associated with said commercial vehicles and workers are present.

**13. Commercial trucks, tractor trailers or semitrailers vehicles** shall not be parked or stored overnight in any O-I (Office Institutional), OD (Office Distribution), C-1 (Local Commercial), C-2 (General Commercial), MU-1 (Mixed Use Low Density), MU-2 (Mixed Use Low Density), MU-3 (Mixed Use Medium Density), MU-4 (Mixed Use High Density) and NS (Neighborhood Shopping) districts. Unless the commercial vehicle is associated with the business or is engaged in loading or unloading activity where the driver is present.

The following are exceptions:

- a. The vehicle is engaged in loading or unloading activity where the driver is present and in charge thereof.
- b. The vehicle is owned or is being used by a business located on the property.
- c. A business on the property is conducting operations and the vehicle is being used in connection with such activity. Where a commercial vehicle is parked in an O-I, C-1, C-2, or MU district, it shall park only in areas designated and posted as loading zones and/or loading docks.
- d. Using loading zones and unloading docks by commercial vehicle operators for sleeping or parking overnight is strictly prohibited.
- e. If any vehicle found upon a parking lot, driveway or entrance drive, in violation of this Section regulating the parking and/or storage of commercial trailers, the owner or person in possession of any real property or the vehicle operator, or both may be punished as provided in this code section.

Also, in Sec. 6.1.3. (8). The parking of ~~business~~ commercial vehicles on private property located within residential zoning districts is prohibited. This section shall not prohibit:

- (1) Typical passenger vehicles, with or without logos, including automobiles, pickup trucks, passenger vans, and dually trucks;

(2) Vehicles engaged in active farming, construction activities or contractor services on the private property, or the temporary parking (12 hours or less) of vehicles for the purpose of loading/unloading within residential zoning districts; nor

(3) The parking of vehicles on property located in residential zoning districts, where such property is used for an authorized nonresidential use such as a church.

Vehicles used in law enforcement are exempt from the restrictions of this subsection.