

**Mayor**  
Rhonda Haight

**City Council**  
Angie Arp, Mayor Pro Tempore  
Jack Taylor  
Christy Kay  
Bill Bivins  
William Whaley



**City Administrator**  
Eric M. Soroka

**City Clerk**  
Amy Mintz

**City Attorney**  
Chuck Conerly

## **City of Blue Ridge**

# **City Council Meeting Agenda**

### **August 16, 2022**

**5:00 p.m.**

**Blue Ridge City Hall**

**480 West First Street**

**Blue Ridge, Ga 30513**

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- 1. Call Meeting to Order**
- 2. Prayer and Pledge of Allegiance**
- 3. Approval of Minutes from Previous Meeting**
  - a) July 19,2022 (Council Meeting)
  - b) August 3,2022 (Workshop Meeting)
- 4. Approval of Agenda or Motion to Amend Agenda (if applicable)**
- 5. Called Public Hearings**
  - a) AN ORDINANCE OF THE CITY OF BLUE RIDGE, GEORGIA, ESTABLISHING SURPLUS PROPERTY REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (BR2022-25) SECOND READING
  - b) AN ORDINANCE TO AMEND CHAPTER 18 ("SOLID WASTE") OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA WITH RESPECT TO APPLICATIONS FOR AND THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR GARBAGE COLLECTION WITHIN THE CITY AND FOR OTHER PURPOSES.(BR2022-26) SECOND READING
  - c) AN ORDINANCE TO AMEND CHAPTER 140 ("ZONING"), ARTICLE XVI ("SIGNS AND OUTDOOR ADVERTISING") OF THE CODE OF THE CITY OF BLUE RIDGE,GEORGIA TO PROVIDE FOR A NEW SECTION 140-474 ("MURALS"), TO ALLOW FOR AND REGULATE MURALS WITHIN THE CITY, AND FOR OTHER PURPOSES.(BR2022-30) FIRST READING

#### **Our Mission Statement**

Our mission is to enrich the quality of life in Blue Ridge for all our citizens. We pledge to work in partnership with our residents, all stake holders and the Fannin County government to protect, preserve and secure the quaintness of our small-town community and to enhance the natural beauty of our environment.

## **6. Consent Agenda**

- a) A ZONING ORDINANCE/ACTION AMENDING THE ZONING MAP OF THE CITY OF BLUE RIDGE, GEORGIA, BY REZONING ONE PARCEL OF LAND WITHIN THE CITY OF BLUE RIDGE, BEING A PORTION OF TAX PARCEL BR01 02801 OWNED BY KAREN A.STEPHENS AND BEING APPROXIMATELY 0.18 ACRES, MORE OR LESS, AS MORE PARTICULARLY DESCRIBED IN THE METES AND BOUNDS DESCRIPTION TO BE PROVIDED BY THE APPLICANT AS A CONDITION OF THE REQUESTED REZONING("PROPERTY"), AND REZONING THE PROPERTY FROM MEDIUM DENISTY RESIDENTIAL (R-2) TO HIGH DENISTY RESIDENTIAL ("R-3"), WITH CONDITIONS; REPEALING CONFLICTION ZONING ORDINANCES APPLICABLE TO THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA APPROVING THE CERTIFICATE OF DISTRIBUTION FOR THE LOCAL OPTION SALES TAX BETWEEN FANNIN COUNTY, CITY OF MCCAYSVILLE AND THE CITY OF BLUE RIDGE; AUTHORIZING THE MAYOR ON THE CITY'S BEHALF TO EXECUTE THE ATTACHED CERTIFICATE OF DISTRIBUTION AND PROVIDING AN EFFECTIVE DATE.
- c) MOTION TO RELEASE AND TERMINATE THE CITY'S INTEREST IN AN EASEMENT DATED NOVEMBER 18, 1986, WHICH IS RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF FANNIN COUNTY, GEORGIA AT DEED BOOK 605, PAGE 4273 AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE OF EASEMENT.
- d) MOTION TO APPROVE A NON-BUDGETED EXPENDITURE OF \$25,000 FOR APPALACHIAN FENCE LLC TO INSTALL A NEW FENCE AND GATES AROUND THE FARMERS MARKET.

## **7. Action Agenda Items (Items requiring the approval of the City Council)**

- a) MOTION TO APPROVE THE MAYOR'S RECCOMENDATION TO APPOINT STEVEN MARTIN TO THE FANNIN COUNTY LIBRARY BOARD.

## **8. Discussion Agenda Items (NONE)**

## **9. Reports**

- a) Downtown Development Authority Update
- b) Blue Ridge Business Association Update

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**10. Public Comments**

- a) Elliot Wilborn – Liquor License Cost

**11. Executive Session (if needed)**

**12. Adjournment**

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**City of Blue Ridge  
City Council Meeting**

**MINUTES**

**July 19, 2022**

**5:00 p.m.**

**Blue Ridge City Hall**

**480 West First Street**

**Blue Ridge, Ga 30513**

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**1. Call Meeting to Order**

Mayor Rhonda Haight called the meeting to order at 5:00 pm. Present were Mayor Rhonda Haight, Council Members William Whaley, Angie Arp, Jack Taylor, Christy Kay, Bill Bivins, City Attorney Chuck Conerly, City Administrator Eric Soroka, and City Clerk Amy Mintz.

**2. Prayer and Pledge of Allegiance**

Led by Council Member Whaley.

**3. Approval of Minutes from Previous Meeting**

a) June 21, 2022 – Council Meeting

A motion to approve was offered by Council Member Taylor, seconded by Council Member Kay, passed unanimously.

**4. Approval of Agenda or Motion to Amend Agenda (if applicable)**

Mayor Haight asked for a motion to amend the agenda and move item 6C to 8A.

A motion was offered by Council Member Arp, seconded by Council Member Kay, passed unanimously.

**5. Called Public Hearings (rezoning or appeals authorized by Ordinance)**

City Attorney discussed the following item to be voted on:

a) AN ORDINANCE TO AMEND CHAPTER 2 ("ADMINISTRATION"), ARTICLE VII ("TAXATION AND FINANCE"), DIVISION 3 ("ADMINISTRATION, COLLECTION AND ENFORCEMENT OF TAXES AND SPECIAL ASSESSMENTS") OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA TO REASSIGN CERTAIN DUTIES TO THE CITY ADMINISTRATOR OR HIS/HER DESIGNEE; AND FOR OTHER PURPOSES. (BR2022-22) SECOND READING

A motion to adopt was offered by Council Member Whaley, seconded by Council Member Taylor, passed unanimously.

City Administrator discussed the following item to be voted on:

- b) MOTION TO ACCEPT THE PLANNING COMMISSION'S RECCOMENDATION OF JULY 5, 2022 TO APPROVE THE REZONING OF A PORTION OF PARCEL BR01 02801, OWNED BY KAREN A. STEPHENS AND BEING APPROXIMATELY 0.18 ACRES, FROM R2 TO R3.

A motion to approve was offered by Council Member Arp, seconded Council Member Bivins, passed unanimously.

City Administrator discussed the following item to be voted on:

- c) MOTION TO ISSUE A NON-EXCLUSIVE FRANCHISE FOR GARBAGE COLLECTION SERVICE IN THE CITY IN THE NAME OF ALLEN DISPOSAL, LOCATED IN HIWASSEE, GEORGIA, WHOSE OWNER IS TRUDY R. ALLEN, BASED ON THE APPLICATION DATED JUNE 14, 2022 ON FILE WITH THE CITY.

A motion to approve was offered by Council Member Whaley, seconded by Council Member Bivins, passed unanimously.

City Attorney discussed the following item for the first reading:

- d) AN ORDINANCE OF THE CITY OF BLUE RIDGE, GEORGIA, ESTABLISHING SURPLUS PROPERTY REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (BR2022-25) FIRST READING

City Attorney discussed the following item for the first reading:

- e) AN ORDINANCE TO AMEND CHAPTER 18 ("SOLID WASTE") OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA WITH RESPECT TO APPLICATIONS FOR AND THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR GARBAGE COLLECTION WITHIN THE CITY AND FOR OTHER PURPOSES. (BR2022-26) FIRST READING

City Attorney discussed the following item for the first reading:

- f) A ZONING ORDINANCE/ACTION AMENDING THE ZONING MAP OF THE CITY OF BLUE RIDGE, GEORGIA, BY REZONING ONE PARCEL OF LAND WITHIN THE CITY OF BLUE RIDGE, BEING A PORTION OF TAX PARCEL BR01 02801 OWNED BY KAREN A. STEPHENS AND BEING APPROXIMATELY 0.18 ACRES, MORE OR LESS, AS MORE PARTICULARLY DESCRIBED IN THE METES AND BOUNDS DESCRIPTION TO BE PROVIDED BY THE APPLICANT AS A CONDITION OF THE REQUESTED REZONING ("PROPERTY"), AND REZONING THE PROPERTY FROM MEDIUM DENISTY RESIDENTIAL ("R-2") TO HIGH DENISTY RESIDENTIAL ("R-3"), WITH CONDITIONS; REPEALING CONFLICTING ZONING ORDINANCES APPLICABLE TO THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (BR2022-28) FIRST READING

## **6. Consent Agenda**

A motion to approve the consent agenda was offered by Council Member Whaley, seconded by council

Member Kay, passed unanimously.

- a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA APPROVING THE UPDATED SERVICE DELIVERY STRATEGY FOR FANNIN COUNTY AND THE CITIES OF BLUE RIDGE, MCCAYSVILLE AND MORGANTON; AUHORIZING THE MAYOR ON THE CITY'S BEHALF TO EXECUTE THE ATTACHED UPDATED SERVICE DELIVERY STRATEGY AGREEMENTS AND TRANSMIT SAME TO THE DEPARTMENT OF COMMUNTIY AFFAIRS AND PROVIDING AN EFFECTIVE DATE. (BR2022-23)
- b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA AWARDDING AND LETTING A BID/CONTRACT FOR C&S PROJECT No.:B7970.052, MINERAL SPRINGS ROAD SANITARY SEWER REHABILITATION, TO PORTLAND UTILITIES CONSTRUCTION CO.,LLC (PUCC) AT THE BID PRICE OF \$1,192,936.54; AUTHORIZING THE MAYOR AND/OR THE CITY ADMINISTRATOR TO EXECUTE THE NOTICE OF AWARD AND ASSOCIATED CONTRACTS; PROVIDING FOR THE APPROPRIATION AND ALLOCATION OF FUNDS FOR SAID BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE. (BR2022-24)
- c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA APPROVING THE LICENSE AGREEMENT BETWEEN BLUE RIDGE ON ICE, LLC AND THE CITY OF BLUE RIDGE; AUTHORIZING THE MAYOR ON THE CITY'S BEHALF TO EXECUTE THE ATTACHED LICENSE AGREEMENT AND PROVIDING AN EFFECTIVE DATE. (BR2022-27) **MOVED TO 8A**
- d) MOTION TO APPROVE A NON-BUDGETED EXPENDITURE OF \$12,680 FOR PROFESSIONAL SERVICES AGREEMENT WITH QPUBLIC TO EXPAND WEB-BASED PROPERTY INFORMATION.

## **7. Action Agenda Items (Items requiring the approval of the City Council) (NONE)**

## **8. Discussion Agenda Items**

City Administrator discussed the following item to be voted on:

- a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA APPROVING THE LICENSE AGREEMENT BETWEEN BLUE RIDGE ON ICE, LLC AND THE CITY OF BLUE RIDGE; AUTHORIZING THE MAYOR ON THE CITY'S BEHALF TO EXECUTE THE ATTACHED LICENSE AGREEMENT AND PROVIDING AN EFFECTIVE DATE. (BR2022-27)

A motion to adopt was offered by Council Member Whaley, seconded by Council Member Taylor, passed unanimously.

## **9. Reports**

- a) Downtown Development Authority Update

Update provided by Council Member Arp and Vice Chairman Cesar Martinez

- b) Blue Ridge Business Association Update

Update provided by President Cesar Martinez

**Mayor**  
Rhonda Haight

**City Council**  
Angie Arp, Mayor Pro Tempore  
Jack Taylor  
Christy Kay  
Bill Bivins  
William Whaley



**City Administrator**  
Eric M. Soroka

**City Clerk**  
Amy Mintz

**City Attorney**  
Chuck Conerly

**City of Blue Ridge  
Workshop Meeting  
Minutes**

**August 3, 2022**

**5:00 p.m.**

**Blue Ridge City Hall (Conference Room)**

**480 West First Street**

**Blue Ridge, Ga 30513**

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## **1. Call Meeting to Order**

Mayor Rhonda Haight called the meeting to order at 5:00 pm. Present were Mayor Rhonda Haight, Council Members William Whaley, Angie Arp, Jack Taylor, Christy Kay, City Attorney Chuck Conerly, City Administrator Eric Soroka, and City Clerk Amy Mintz.

## **2. Review of Land Use and Zoning Code**

City Administrator introduced Paige Hatley from Hatley Plans LLC. Paige along with the Mayor and City Council discussed the Land Use Code, a review of Georgia Zoning Procedures Law, Consistency review, and Local needs for landscaping, CBD, and other zoning districts.

### **Our Mission Statement**

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**10. Public Comments**

- a) Shahab Fard – Parking – Not present
- b) Brian Higgins – Sidewalk adjacent to Farmers Market
- c) Sam Walker

**11. Executive Session (if needed)**

A motion to enter into executive session was offered by Council Member Whaley, seconded by Council Member Taylor, passed unanimously. Executive session opened at 5:41 PM.

A motion to adjourn executive session was offered by Council Member Whaley, seconded by Council Member Taylor, passed unanimously. Executive session adjourned at 6:29 PM.

A motion to approve hiring George A Kelley for Field Superintendent was offered by Council Member Whaley, seconded by Council Member Taylor, passed unanimously.

**12. Adjournment**

A motion to adjourn the meeting was offered by Council Member Taylor, seconded by Council Member Whaley, passed unanimously and the meeting was adjourned at 6:35 PM.

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Mayor, Rhonda Haight

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City Clerk, Amy Mintz

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Date



### **3. Adjournment**

Mayor Haight adjourned the meeting at 7:04 pm.

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Mayor, Rhonda Haight

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City Clerk, Amy Mintz

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Date

#### **Our Mission Statement**

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## City Council Meeting Agenda Submittal

**MEETING DATE: 8/16/2022**

**AGENDA NO: 5a**

**AGENDA ITEM:**

AN ORDINANCE OF THE CITY OF BLUE RIDGE, GEORGIA, ESTABLISHING SURPLUS PROPERTY REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**BACKGROUND:**

This Ordinance provides that any property owned by the City which has become obsolete, or which has outlived its usefulness, or which has become inadequate for the public purposes for which it was intended, or which is no longer needed for public purposes, may be disposed of in accordance with procedures established by the City Administrator and in accordance with State law, so long as the property has been declared surplus by a motion of the City Council. Currently, a City policy does not exist that requires City Council approval to dispose of City property.

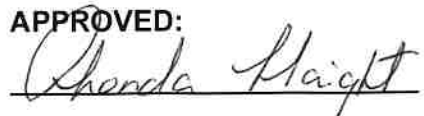
**RECOMMENDATION:**

It is recommended that the City Council adopt the attached Ordinance.

**ATTACHMENT (S):**

Ordinance No: BR2022-25

**APPROVED:**



**Mayor**



**City Administrator**

FIRST READING: July 19, 2022  
SECOND READING: August 16, 2022  
PASSED: \_\_\_\_\_

**AN ORDINANCE NO. BR 2022-25**

**AN ORDINANCE OF THE CITY OF BLUE RIDGE,  
GEORGIA, ESTABLISHING SURPLUS PROPERTY  
REGULATIONS; PROVIDING FOR SEVERABILITY;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, it is desirable to enact regulations governing the disposal of City property which has become obsolete.

**NOW, THEREFORE, BE IT ORDAINED, AND IT IS HEREBY ORDAINED** by the City Council of the City of Blue Ridge, Georgia, as follows:

Section 1. Any property owned by the City which has become obsolete, or which has outlived its usefulness, or which has become inadequate for the public purposes for which it was intended, or which is no longer needed for public purposes, may be disposed of in accordance with procedures established by the City Administrator and in accordance with State law, so long as the property has been declared surplus by a motion of the City Council.

Section 2. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 3. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

**SO ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BLUE RIDGE CITY COUNCIL

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Amy Mintz, City Clerk

## City Council Meeting Agenda Submittal

**MEETING DATE: 8/16/2022**

**AGENDA NO: 5b**

**AGENDA ITEM:**

AN ORDINANCE TO AMEND CHAPTER 18 ("SOLID WASTE") OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA WITH RESPECT TO APPLICATIONS FOR AND THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR GARBAGE COLLECTION WITHIN THE CITY AND FOR OTHER PURPOSES.

**BACKGROUND:**

This Ordinance updates Chapter 18 of the City Code which adopted the Solid Waste requirements with respect to the issuance of a non-exclusive franchise to collect garbage in the City as follows:

- Reassigns certain duties previously assigned to the City Clerk to the Planning and Zoning Department and City Administrator.
- Updates the application process and information required from an applicant and aligns the code section with state law.

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached Ordinance.

**ATTACHMENT (S):**

Ordinance No: BR2022-26

**APPROVED:**



**Mayor**



**City Administrator**

FIRST READING \_\_\_\_\_

SECOND READING \_\_\_\_\_

PASSED \_\_\_\_\_

**AN ORDINANCE NO. BR2022-26**

**AN ORDINANCE TO AMEND CHAPTER 18 (“SOLID WASTE”) OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA WITH RESPECT TO APPLICATIONS FOR AND THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR GARBAGE COLLECTION WITHIN THE CITY AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 18 (“Solid Waste”) of the Code of the City of Blue Ridge, Georgia (“Code”) provides generally for the collection of garbage within the City; and

**WHEREAS**, City staff has recommended certain changes to Chapter 18 (“Solid Waste”) of the Code with respect to applications for and the issuance of certificates of public convenience and necessity for garbage collection within the City; and

**WHEREAS**, the City Council finds it in the public interest to adopt the changes recommended by City staff.

**NOW, THEREFORE, BE IT ORDAINED, AND IT IS HEREBY ORDAINED** by the authority of the City Charter and general law, that Chapter 18 (“Solid Waste”) of the Code of the City of Blue Ridge, Georgia, is hereby amended to read as follows:

**SECTION 1. AMENDMENT TO CHAPTER 18 (“SOLID WASTE”)**

Chapter 18

**SOLID WASTE**

**Sec. 18-1. Purposes and intent.**

The Blue Ridge Garbage Collection Ordinance is a user ordinance as opposed to an availability ordinance and private garbage collection companies operating within the incorporated area of the city must hold a non-exclusive franchise by way of a certificate of public convenience and necessity issued by the city in order to so operate. This intent is expressly made in order to give guidance to any court as to any provision of this chapter requiring judicial interpretation.

(Ord. of 9-9-2014, § 1)

**Sec. 18-2. Title.**

This chapter shall be titled and known as "the Blue Ridge Garbage Collection Ordinance".

(Ord. of 9-9-2014, § 3)

### **Sec. 18-3. Definitions.**

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

*Alley* means a private or public thoroughfare which affords only a secondary means of access to a building or abutting property and is not intended for general traffic circulation.

*Biomedical waste* means pathological waste, biological waste, cultures and stocks of infectious agents and associated biologicals, contaminated animal carcasses (body parts, their bedding, and other wastes from such animals which have been exposed to infectious agents, capable of causing disease in man, during research, production of biologicals, or testing of pharmaceuticals), sharps, chemotherapy waste, discarded medical equipment and parts, not including expendable supplies and materials which have not been decontaminated, as further defined in rule 391-3-4-1.15 of the board of natural resources of the state, as amended, and other such waste materials, including, but not limited to, the following:

- (1) *Biological waste* means bulk blood and blood products, exudates, secretions, suctioning, and other bulk body fluids which cannot or are not directly discarded into the municipal sewer system.
- (2) *Chemotherapy waste* means any disposable material which has come in contact with cytotoxic/antineoplastic agents (agents toxic to cells) and/or any neoplastic agents (agents that inhibit or prevent the growth of tumors or malignant cells) during the preparation, handling, and administration of such agents. Such waste includes, but is not limited to, masks, gloves, gowns, empty IV tubing bags and valves, and other contaminated materials. This waste must first be classified as empty, which means such quantity that it is not subject to federal or state waste management regulations, prior to being handled as biomedical waste.
- (3) *Cultures and stocks of infectious agents and associated biologicals* means and includes cultures from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, waste from the production of biologicals, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, and mix cultures.
- (4) *Pathological waste* means all recognizable human tissues and body parts which are removed during surgery, obstetrical procedures, autopsy, and laboratory procedures.
- (5) *Sharps* means any discarded article which may cause punctures or cuts. Such waste includes, but is not limited to, items such as needles, IV tubing and syringes and needles attached, and scalpel blades.

*Certificate* means a non-exclusive franchise by way of a certificate of public convenience and necessity issued by the city council authorizing the holder thereof to conduct a garbage collection and disposal business in the city.

*Commercial garbage* means solid waste, litter, refuse, paper, or other discarded material ordinarily generated as byproducts of commercial enterprises.

*Discarded medical equipment and parts*, not including expendable supplies and materials which have not been decontaminated, means equipment and parts that were in contact with infectious agents.

*Doing business in the city* means operating a garbage collection and disposal, or transport service, over the streets of the city, for any garbage and/or commercial garbage, trash, or refuse for monetary consideration.

*Dwelling, single-family*, means a building designated or arranged to be occupied by one single housekeeping unit only.

*Garbage* means solid waste, litter, refuse, or other discarded putrescible and non-putrescible waste (except not including water carrying body waste and recovered materials, biomedical waste, or hazardous waste, or any combination thereof) and shall include, but not be limited to, animal, vegetable, and fruit refuse matter and other refuse matter ordinarily generated as byproducts of a household, such as tin cans, bottles, paper, cardboard, plastics, and wrapping or packaging materials.

*Hazardous waste* means any solid waste which has been defined as a hazardous waste in regulations promulgated by the administrator of the United States Environmental Protection Agency pursuant to the federal acts which are in force and effect on February 1, 1988, codified as 40 CFR 261.3 and any designated hazardous waste.

*Holder* means a person or legal entity to whom a non-exclusive franchise by way of a certificate of public convenience and necessity has been issued by the city for garbage collection and disposal.

*Landfill* means an area wherein solid wastes are placed, under license, compacted and covered, but specifically excluding hazardous or radioactive wastes.

*Litter* means trash, wastepaper, junk, filth, debris, scraps, rubbish, materials in a crumbled or broken condition or mass, debris from pruning or processing plant material, and any material or object having little or no value due to being discarded, crumbled, or broken, or being debris.

*Owner* means the holder of the title in fee simple of the property.

*Nuisance* means anything that interferes with the use or enjoyment of property, endangers public health or safety, or is offensive to the senses; anything that causes hurt, inconvenience or damage to another, even though it may otherwise be lawful.

*Person* means an individual, firm, partnership, cooperative, nonprofit membership corporation, joint venture, association, company, corporation, limited liability company, limited liability partnership, agency, syndicate, estate, trust, business trust, receiver, fiduciary, or other group or combination acting as a unit, body politic or political subdivision, whether public, private, or quasi-public.

*Premises* means a lot or tract of property as otherwise used in this chapter.

*Street* means a public or private thoroughfare which is open to the general public and which affords the principal means of access to abutting property.

*Use* means any purpose for which a building or structure or a tract of land may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on, or intended to be carried on, in a building or structure or on a tract of land.



*Zoning* means a legislative procedure in which the community is divided into districts or zones within which permitted uses, and in some cases conditional uses, are established as well as regulations governing lot size, bulk, height and other development requirements.

(Ord. of 9-9-2014, § 4)

#### **Sec. 18-4. Regulation of the business of operating a garbage collection and disposal service.**

The city, in order to ensure the proper collection and disposal of garbage within the incorporated area of the city, does hereby regulate the business of the collection and disposal of all garbage and commercial garbage, trash, and refuse within the city, and no person shall operate the business of operating a garbage collection and disposal service in the city without first meeting the requirements of this chapter and obtaining a non-exclusive franchise by way of a certificate of public convenience and necessity issued by the city. All garbage collection and disposal businesses holding a non-exclusive franchise by way of a certificate of public convenience and necessity shall make their service of garbage collection and disposal available to all residential and commercial premises within the city that desire to use the service, and with said users of the service obligated to pay the monthly sanitation and health charges assessed by said companies for their service.

(Ord. of 9-9-2014, § 5)

#### **Sec. 18-5. Required certificate of public convenience and necessity.**

No person shall do business or operate a garbage collection and disposal service owned or controlled by said person in the city without first having obtained a non-exclusive franchise by way of a certificate of public convenience and necessity from the city council.

(Ord. of 9-9-2014, § 6)

#### **Sec. 18-6. Application.**

An application for a certificate shall be filed with the ~~city clerk~~ Planning and Zoning Department upon forms provided by the city and shall be verified under oath. Each applicant is required to submit to a police clearance consisting of a background investigation including a criminal history check. If the applicant is other than sole proprietor, all partners, officers, managers and stockholders holding a ten percent or more interest in the company shall be subject to the provisions of this section. The application shall be made in the owner's name. An applicant must:

- (1) Be at least 21 years of age.
- (2) Be a citizen of the United States or an alien admitted for permanent residence or who has otherwise been granted employment authorization by the United States Immigration and Naturalization Service and must provide a Systematic Alien Verification for Entitlements (SAVE) affidavit.
- (3) Have not been convicted, entered a plea of guilty or nolo contendere, been on probation, parole or been imprisoned within a period of ten years previous to the date of the application, for any felony.

- (4) File applications for the initial inspections of garbage collection vehicles along with a list of all drivers and indicate whether drivers are company employees or independent contractors. An insurance binder must be provided for each vehicle which will be used.
- (5) Submit with the application payment of the regulatory fee of \$1,000.00 and the proper occupation tax, if applicable, upon being granted a certificate. A regulatory fee of \$1,000.00 shall be required for each annual renewal of a certificate. Besides the regulatory fee paid as a part of the initial application or any renewal application, each holder of a certificate of public convenience and necessity shall also pay the franchise fees required under section 18-19(b), and on a monthly basis as required by said section.
- (6) Provide the following information:
  - a. *Business.* Trade name of business; legal name of business; business address; business telephone number; federal employer ID number or Social Security number; mailing address; type of ownership; parties having any interest in the business; the amount, terms, and payee of any capitalization loans; the company color scheme and insignia to be used on its vehicles; detailed business plan; details of insurance coverage, including agency, copy of policy or binder number, length of coverage, amounts and types of coverage; the number of vehicles to be used.
  - b. *Applicant.* Full name; aliases; race; sex; nationality; Social Security number; alien registration number, if applicable; home address; length of residency; home phone number; birthplace; date of birth; occupation and employer; driver's license number; education; height; weight; hair color; eye color; other physical characteristics; previous employment history; previous addresses; previous arrests, including offense, location, date, and disposition; financial statement; the existence of any prior applications; the existence of any previous revocations or suspensions of any garbage collection license or certificate; the existence of an interest in any other garbage collection operations; the existence of any unpaid judgments against the applicant; the amount of experience in the transportation of garbage.
  - c. *Manager.* Full name; home address; date of birth; race; sex; Social Security number.
- (7) Submit any facts which the applicant believes tend to prove that public convenience and necessity requires the granting of a certificate.

~~(8) Provide such further information as the city council shall require.~~

(Ord. of 9-9-2014, § 7)

### **Sec. 18-7. Public hearing.**

Upon the filing of an application, the city shall schedule the application clerk shall fix a time and place for a public hearing thereon at the next available meeting of by the city council. Notice of such hearing shall be given to the applicant and to all persons holding certificates at the time of the application being filed. Due notice shall also be given the general public by advertising a

~~notice of such hearing in a newspaper of general circulation once before the hearing. Any interested person may file with the city clerk a memorandum in support of or in opposition to the issuance of a certificate.~~

(Ord. of 9-9-2014, § 8)

#### **Sec. 18-8. Issuance.**

(a) If the city council finds further garbage collection service in the city is required by the public convenience and necessity and that the applicant is fit, willing and able to perform such ~~public transportation service~~ and to conform to the provisions of this chapter and any rules promulgated by the city, then the ~~City Administrator~~~~city clerk~~ or ~~his/her~~ designee shall issue a non-exclusive franchise by way of a certificate in the name of the business as well as the owner named in the application, stating the name and address of the applicant, the date of operation authorized under such certificate and the date of issuance; otherwise the application shall be denied.

(b) In making the findings of subsection (a) of this section, the city council shall take into consideration the number of garbage collection companies already in operation, whether existing service is adequate to meet the public need, the probable effect of increased service on the economic feasibility of operation of the certificate holders, and the character, experience, and responsibility of the applicant.

(c) The following formula shall be used in determining whether additional garbage collection is required for the public convenience and necessity:

- (1) The total number of companies authorized under certificates issued shall not be greater than one company per 400 residents of the city. Such population shall be based upon the most current census information available from the U.S. Census Bureau.
- (2) This subsection is intended to establish a minimum number of authorized garbage collection companies, and should not be construed to limit the authority of the city council to deny an application for a non-exclusive franchise by way of a certificate if they determine that the public convenience and necessity does not warrant the issuance of such certificate.

(Ord. of 9-9-2014, § 9)

#### **Sec. 18-9. Liability insurance required.**

(a) No certificate shall be issued or continued in effect unless there is in full force and effect liability insurance for each garbage collection company authorized in the amount of \$300,000.00 for bodily injury to any one person, \$500,000.00 for injuries to more than one person which are sustained in the same accident and \$25,000.00 for property damage resulting from any one accident. Such liability insurance shall insure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder, his servants or agents. Written documentation of insurance coverage, signed by an authorized agent of the insurer, shall be filed ~~in the office of~~~~with~~ the city ~~clerk~~ and submitted with the application ~~o~~~~f~~ any renewal thereof. Such insurance shall be carried with some reputable

company with an agency and place of doing business in the state and subject to the approval of the state insurance commissioner.

(b) Each certificate holder shall provide to the city ~~clerk~~, upon application and any renewal thereof, proof that all vehicles used by the company are in compliance with the minimum insurance requirements of state law.

(c) Before any policy of insurance required by this section is voided for any cause, nonpayment of premium or otherwise, notice thereof shall be given immediately, in writing, to the city ~~clerk~~.

(Ord. of 9-9-2014, § 10)

#### **Sec. 18-10. License fees.**

(a) No certificate shall be issued or continued in operation unless the holder has paid an annual regulatory fee, as provided in section 18-6, for the right to engage in the garbage collection business, and the required franchise fees, as provided by section 18-19(b), on a monthly basis. Such fees shall be for the calendar year and shall be in addition to any other license fees or franchise charges established by proper authority and applicable to such holder or the vehicle under his operation and control.

(b) In the event the certificate is denied or the application is withdrawn prior to the issuance, the amount of the regulatory fee shall be refunded, with the exception of the amount of \$100.00 which will be retained by the city to cover administrative and investigative costs.

(Ord. of 9-9-2014, § 11)

#### **Sec. 18-11. Suspension or revocation of certificate.**

(a) A certificate may be suspended or revoked by the ~~mayor, e~~City ~~a~~Administrator ~~or other designated agent of the city~~ for the following reasons:

- (1) Furnishing fraudulent or untruthful information or omitting information requested in any application or report.
- (2) Failure to pay all fees, taxes or other charges imposed by the provisions of this Code.
- (3) Failure to maintain all of the general qualifications applicable to the initial issuance of a certificate.
- (4) Allowing the required insurance coverage to lapse.
- (5) Violation of any provision of this chapter.
- (6) Commission of any act which would disqualify a person from obtaining a certificate.
- (7) Discontinuing operations for a period of more than 30 days, or failing to begin operations within 60 days of the date of issuance of a certificate.

(b) Prior to any suspension or revocation by the city ~~agent~~, the certificate holder shall be given written notification of the action, which shall include the grounds for such action and notice of the certificate holder's right to appeal.

(Ord. of 9-9-2014, § 12)

**Sec. 18-12. Appeals procedure.**

(a) Decisions ~~of any city agent~~ that adversely affect or aggrieve any applicant or certificate holder under this chapter may be appealed to the city council. All appeals shall be submitted in writing to the city clerk within ten calendar days after notification of the adverse decision.

(b) A hearing shall be conducted on each appeal within 30 days of the date of the filing of the written appeal, unless a continuance of such hearing is agreed to by the appellant and the city clerk, or unless the hearing is rescheduled by the city council. The appellant at such hearing shall have the right to be represented by an attorney, at the expense of the appellant, and to present evidence and cross examine witnesses.

(c) The appellant shall be notified in writing of the date and time of the hearing at least seven calendar days prior to the date of the hearing.

(d) The findings of the city council shall be final unless appealed, within 30 days of the date of the finding, by certiorari to the superior court of ~~the~~Fannin ~~e~~County.

(Ord. of 9-9-2014, § 13)

**Sec. 18-13. Renewal of certificates.**

(a) All certificates shall expire on December 31 of each year, including the year of issue, but may be reinstated by the Planning and Zoning Department ~~city clerk~~ for the following year, upon renewal application being made and a determination by the ~~clerk~~Planning and Zoning Department that the applicant remains qualified as set forth in this chapter, and upon payment of the appropriate fees.

(b) Certificates may be renewed only between November 1 and December 31 of each year for the following year. Certificates not renewed by December 31 shall be void and such certificate holder must reapply as a new applicant in order to obtain a certificate.

(Ord. of 9-9-2014, § 14)

**Sec. 18-14. Alteration of certificates.**

It shall be unlawful for any person willfully to alter, deface, obliterate, or destroy a certificate of public convenience and necessity issued pursuant to this chapter.

(Ord. of 9-9-2014, § 15)

**Sec. 18-15. Collection requirements.**

In order to qualify for a non-exclusive franchise by way of a certificate of public convenience and necessity to operate a garbage collection and disposal business within the incorporated area of the city, a garbage collection business must meet the following requirements and swear under oath in their application that they will meet the requirements:

- (1) Each garbage collection business must be able to provide residential pickup and commercial dumpster service. If the garbage collection business provides sanitary containers (garbage cans or carts, in the discretion of the garbage collection business) or commercial dumpsters, or both, then said containers and dumpsters shall be maintained in good working condition, and in a sanitary condition, free from odor and in proper condition to prevent the overflow or scattering of trash, garbage or refuse. If the garbage collection business requires the customer to provide the container then the customer shall be responsible for the condition of the container.
- (2) Collection from residential premises shall be made at least once weekly. Said collection shall occur on a designated day of the week as selected by the garbage collection business, and the selected date shall be provided ~~both to the customer and to the city.~~ Collection from commercial premises shall be made at least once weekly, but may occur more often depending upon the volume and type of commercial garbage. The collection days may be changed by the garbage collection business, but any change must be done with 30 days advance notice to the customers ~~and to the city.~~
- (3) Each garbage collection business must provide a customer service phone number to its customers and to the city and must return customer phone calls within 24 hours of a call by a customer. Each garbage collection business will handle all customer service issues in a prompt and professional manner and will be responsible for handling all customer issues, including billing and collections for the bills for services.
- (4) Each garbage collection business shall provide an information sheet to the city that the city will use to provide to potential customers and allow a potential customer to select which garbage collection service that the customer desires. The information sheet shall include, at a minimum, the following: name of the garbage collection business; name of local manager handling customer service within the city; and contact information for the customers as to the garbage collection business, including, but not limited to, the customer service phone number; ~~service prices of the garbage collection business; and pick-up requirements and regulations of the garbage collection business for service. The city will not encourage one garbage collection business over another and will merely provide the information sheets of the garbage collection businesses holding a certificate of public convenience and necessity within the city to the potential customers and answer questions regarding billing matters.~~
- (5) Each garbage collection business, upon contracting with a new customer, shall for; franchise fee purposes; provide to the city the following information: customer name; customer location; type of customer (residential or commercial); type of container pick-up (residential garbage can or commercial dumpster and the size of commercial dumpster); the number of days of pick-up a week or a month, designated day for garbage pick-up, and pricing for the service that is to be billed.
- (6) Garbage collection businesses must provide to their customers, both new and old, labels no smaller than five inches by seven inches to go on the residential and commercial garbage containers. The labels provided to customers must state the name of the company and the customer service contact information. ~~as well as any other information that the business desires (garbage pick-up day, etc.).~~

- (7) Any garbage collection business operating under a certificate of public convenience and necessity shall hold the city harmless against any and all liability, loss, cost, damages, or expense which may accrue to the city by reason of the negligence, default, or misconduct of the garbage collection business in connection with the rights granted to such business hereunder. Nothing in this chapter shall be considered to make the city liable for damages because of any negligent act or omission or commission by any garbage collection business, its servants, agents, drivers, or other employees, during the operation of the business of the garbage collection service, either with respect to injuries to persons or with respect to damage to property which may be sustained.

(Ord. of 9-9-2014, § 16)

**Sec. 18-16. Sanitary trash and garbage containers required; maintenance.**

(a) All persons or entities receiving garbage collection (which shall not include those premises, the occupants or owners of which elect not to use the garbage collection system made available to said premises) from the residential or commercial premises within the city shall use sanitary containers (garbage cans or carts) in which trash, garbage, commercial garbage, or refuse shall be kept prior to collection, and all persons or entities of residential or commercial premises shall use said sanitary containers (which can be a dumpster for commercial premises). The containers shall be provided either by the customers or the garbage collection business, as shall be determined between them. No person or entity shall place biomedical waste, hazardous waste or industrial waste, or any combination thereof, into said containers, and such an act shall be a violation of this chapter subjecting the violator to the maximum penalties allowed by the city Charter.

(b) All persons or entities using sanitary containers shall maintain said containers in a sanitary condition, free from odor and in proper condition to prevent the overflow or scattering of trash, garbage or refuse.

(c) All garbage and/or commercial garbage shall first be placed in a plastic or paper bag before placement in the container.

(d) On or before the day of collection, the sanitary containers containing the garbage and/or commercial garbage to be collected and disposed of shall be placed at the access point into the premises from the public way (curbside) in order to facilitate the pickup of the garbage, unless otherwise permitted by the garbage collection business or city due to age or disability of the occupant of the premises or due to the volume or type of commercial garbage or due to being placed in an approved dumpster.

(Ord. of 9-9-2014, § 17)

**Sec. 18-17. Owner or occupants prohibited ~~to~~from collection or scattering of garbage, trash, etc.**

No person, firm or corporation who shall own or occupy a residential premises or commercial premises within the city shall permit residential garbage, commercial garbage, trash, or refuse to collect or remain on such premises except during periods between the authorized pick-up times of the garbage collection businesses, and no person, firm, or corporation who shall

own or occupy premises in the city shall permit garbage, commercial garbage, trash or refuse to be scattered from such premises into the public streets or alleys of the city. Any premises that does not utilize a garbage collection business shall properly dispose of its garbage, commercial garbage, trash or refuse in a properly permitted solid waste landfill, and shall dispose of said garbage, commercial garbage, trash or refuse in a scheduled periodic manner and in such a fashion as to prevent foul odors, unsightliness, or a public nuisance to adjoining property owners.  
(Ord. of 9-9-2014, § 18)

**Sec. 18-18. Monthly sanitation and health charges; authorized liability for payment.**

(a) In order to protect the health, welfare and good order of the citizens of the city by providing a garbage collection and disposal system by the regulation of holders of certificates of public convenience and necessity for garbage collection and disposal, and to defray the cost and expense of providing said system within the city, a monthly sanitary and health charge or fee shall be assessed against the owner or occupant, or both, of every premises within the city that uses the services of an authorized garbage collection business, and with said charge as set by the garbage collection business providing the service. Each authorized garbage collection business shall monthly bill and collect the charges for the services of the garbage collection business used by the customers within the city.

(b) The occupant or owner, or both, of every premises that uses city's garbage collection and disposal system shall be liable for the payment of said monthly charge to the authorized garbage collection business providing the service, but if, for any reason, the occupant of any premises that uses city's garbage collection and disposal system shall fail to pay said monthly charge to the authorized garbage collection business providing the service, then the owner of said premises shall be liable for the payment. Any other premises in the unincorporated area of the county utilizing the garbage collection and disposal system of the city with the express permission of the city council shall be assessed with the fees charged by the garbage collection business, and the occupant or owner, or both, of said premises shall be liable for the payment of said monthly fee charged to the authorized garbage collection business providing the service. If, for any reason, the occupant of said premises shall fail to pay said monthly charge to the authorized garbage collection business providing the service, then the owner of said premises shall be liable for the payment thereof.

(Ord. of 9-9-2014, § 19)

**Sec. 18-19. Fee schedule.**

(a) The monthly sanitary and health charges referred to in section 18-18 for the various premises within the corporate limits (and outside the corporate limits where the system is utilized) and which use the garbage system of the city shall be as fixed by the garbage collection businesses used by the customers. Each garbage collection business shall provide its pricing information or services to the city, as well as the other information required by section 18-15.

(b) Each garbage collection company shall pay to the city 12 percent of the fees charged for their services as a franchise fee to the city on a monthly basis and such fee shall be based upon the amount of fees collected in the prior month by the authorized garbage collection company.



(Ord. of 9-9-2014, § 20)

**Sec. 18-20. Billing procedure.**

The monthly sanitary and health charge for each premises using the system shall be billed and collected on a monthly basis by each authorized garbage collection business. ~~Each authorized garbage collection business shall send to each premises using their service a bill for the monthly sanitary and health charge for each month on the first day of the following month, and payment of the bill will be due by the 15th day of each month, unless the garbage collection business secures from the city council different dates for billing and collection.~~ Each authorized garbage collection business shall remit to the city the franchise fees required under section 18-19(b) on the 20th day ~~first Thursday~~ of each month for fees collected in the previous month. ~~The garbage collection charges, at the election of the person owing the charge, may be paid up to a year in advance. However, such payment will not prevent or stop the garbage collection business from changing the fee as necessary at the discretion of the garbage collection business.~~

(Ord. of 9-9-2014, § 21)

**Sec. 18-21. Nonpayment of fees deemed violation requiring termination of services.**

Any person, firm, or corporation failing for any reason or refusing to pay the monthly sanitary and health charge after having been duly billed for same by the authorized garbage collection business shall be subject to any remedy allowed by law to the authorized garbage collection service for the nonpayment of the charges. Any violation as described in this section may, at the discretion of the authorized garbage collection company, result in an assessment against any garbage service deposit that the violator may have with the authorized garbage collection company, or termination of any service provided by the garbage collection company to the violator, or both.

(Ord. of 9-9-2014, § 22)

**Sec. 18-22. Cleanup charge.**

In the event city employees or agents of the garbage collection business, or both, have to clean up loose garbage or remove loose garbage left in a container, a person, firm, or corporation, the occupant of the premises, or the owner of the premises, shall be responsible for paying a minimum charge of \$20.00 (and a maximum charge of the amount of the business or city's labor cost) to reimburse the cost of the labor charges and the work necessary to clean up the garbage or container. The occupant of the premises shall be liable for this charge, but if, for any reason, the occupant of a premises shall fail to pay said charge to the city, the owner of said premises shall be liable for the payment thereof. This cleanup charge is set at a minimum charge of \$20.00 (and a maximum charge of the amount of the labor cost) and may be paid from any garbage service deposit that has been presented to the city by the person, firm, corporation, occupant or owner of the premises.

(Ord. of 9-9-2014, § 23)

~~Sec. 18-23. Deposit required garbage service only customers.~~

~~Each occupant of a premises who receives garbage service (and has no deposit) after the date of passage of this chapter may be assessed by the authorized garbage collection company a garbage service deposit fee in a reasonable amount for the purposes of garbage pickup. The authorized garbage collection company shall provide to the city, as part of the information to be provided to customers, the amount of the garbage service deposit fee. The deposit shall be subject to being assessed and used to pay delinquent charges if the occupant fails to pay the monthly sanitary and health charge.~~

~~(Ord. of 9-9-2014, § 24)~~

**Sec. 18-243. Penalties.**

Any person, entity, firm or corporation who fails to pay the monthly sanitary and health charge may forfeit their deposit, for any service, as required by this chapter, or have a termination of the services that they receive, or both. Any person, entity, firm or corporation who shall do anything prohibited by this chapter as the same exists, or as it may hereafter be amended, or who shall fail to do anything required by this chapter as the same exists, or as it may hereafter be amended, except as for the failure to pay the required charges, shall be subject to the maximum penalties allowed by the city Charter, and as assessed in the discretion of the judge of the municipal court of the city.

(Ord. of 9-9-2014, § 25)

**SECTION 2.**

**SEVERABILITY.**

If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Blue Ridge to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

**SECTION 3.**

**REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT.**

All parts of prior ordinances, in conflict with the terms of this ordinance are hereby repealed to the extent of the conflict; but it is hereby provided, that any ordinance, or any provision of any ordinance, or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof, and shall be legally construed to be in favor of upholding this ordinance on behalf of the City of Blue Ridge, Georgia.

**SECTION 4.**

**EFFECTIVE DATE.**

The effective date of this ordinance shall be upon its passage by the City Council.

**SO ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

MAYOR AND CITY COUNCIL OF BLUE RIDGE

\_\_\_\_\_  
Mayor, City of Blue Ridge

\_\_\_\_\_  
Clerk, City of Blue Ridge

## City Council Meeting Agenda Submittal

**MEETING DATE: 8/16/2022**

**AGENDA NO: 5c**

### **AGENDA ITEM:**

AN ORDINANCE TO AMEND CHAPTER 140 ("ZONING"), ARTICLE XVI ("SIGNS AND OUTDOOR ADVERTISING") OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA TO PROVIDE FOR A NEW SECTION 140-474 ("MURALS"), TO ALLOW FOR AND REGULATE MURALS WITHIN THE CITY, AND FOR OTHER PURPOSES.

### **BACKGROUND:**

This Ordinance creates a new section under the City's sign code to address Murals in the Central Business District. Currently the Code does not have guidelines to regulate Murals. The proposed Ordinance was developed in conjunction with the Downtown Development Agency, and they adopted a motion at their last meeting to recommend it to the City Council. The following are the main points of the Ordinance:

- All Murals require the approval of the City Council following the review and recommendation by the Downtown Development Authority.
- Standards are established for the review process.
- The number of applications is limited each year.
- Outlines the type of Murals that will be permitted.
- Establishes maintenance standards for Murals.

### **RECOMMENDATION:**

It is recommended that the City Council adopt the attached Ordinance.

### **ATTACHMENT (S):**

Ordinance No: BR2022-30

**APPROVED:**



**Mayor**

  
\_\_\_\_\_  
**City Administrator**

FIRST READING \_\_\_\_\_

SECOND READING \_\_\_\_\_

PASSED \_\_\_\_\_

**AN ORDINANCE NO. BR2022-30**

**AN ORDINANCE TO AMEND CHAPTER 140 (“ZONING”), ARTICLE XVI (“SIGNS AND OUTDOOR ADVERTISING”) OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA TO PROVIDE FOR A NEW SECTION 140-474 (“MURALS”), TO ALLOW FOR AND REGULATE MURALS WITHIN THE CITY, AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 140 (“Zoning”), Article XVI (“Signs and Outdoor Advertising”) of the Code of the City of Blue Ridge, Georgia (“Code”) provides generally for the regulation of signs and outdoor advertising within the City; and

**WHEREAS**, Chapter 140 (“Zoning”), Article XVI (“Signs and Outdoor Advertising”) of the Code currently makes no provision for murals within the City; and

**WHEREAS**, there is a desire to allow for and review murals as cultural installations intended to enhance the aesthetic character of the City's public spaces and advance the understanding of public art; and

**WHEREAS**, the Mayor and City Council have determined that in order to balance the installation of murals and protect the health, safety, security, peace, and general welfare of the citizens of the City, regulations should be placed on the installation of murals; and

**WHEREAS**, City staff has worked with the City’s Downtown Development Authority to propose certain regulations regarding murals in the City; and

**WHEREAS**, the Mayor and City Council find it in the public interest to provide for such regulations regarding murals in the City.

**NOW, THEREFORE, BE IT ORDAINED, AND IT IS HEREBY ORDAINED** by the authority of the City Charter and general law, that Chapter 140 (“Zoning”), Article XVI (“Signs and Outdoor Advertising”) of the Code of the City of Blue Ridge, Georgia, is hereby amended to add a new Section 140-474 (“Murals”) as follows:

SECTION 1.

AMENDMENT TO CHAPTER 140 ("ZONING"),  
ARTICLE XVI ("SIGNS AND OUTDOOR  
ADVERTISING")

Chapter 140

ZONING

...

ARTICLE XVI. SIGNS AND OUTDOOR ADVERTISING

...

**Sec. 140-474. Murals.**

(a) *Mural defined.* The term "mural" means an artistic rendering of an image located on an exterior wall of a building located in the Central Business District. It can be an image or word(s) painted on the side of a building, in replacement of, or an embellishment of, the typical monochlor painting of a building side. The mural may or may not include the name of the business operating in the building where the mural is placed. A stylized rendering of the business name without any additional visual imagery shall not be construed to be a mural but rather will be regulated as a wall sign as set forth in this article. A standalone billboard shall not constitute a mural.

(b) *Purpose.* The following type of murals shall be permitted within the Central Business District: (1) historic murals and (2) original art murals. All other similar forms of outdoor visual art that do not meet the definitions of these forms of murals shall be regulated as wall signs as set forth in this article.

(1) *Historic murals.* Historic murals are original works of visual art or signs produced by hand that were tiled, painted directly on or affixed directly to a wall or building prior to the date of adoption of this ordinance. Murals that recreate a historic image bearing a relationship to a historic City of Blue Ridge theme established after the date of adoption of this ordinance constitute historic murals. Original historic murals and recreations of historic images are permitted.

(2) *Original art murals.* Original art murals are original works of visual art produced by hand that are tiled, painted directly on, or affixed directly to a wall or building. Original art murals are permitted and shall be content neutral (non-political, non-religious, and non-offensive). Original art murals may be mechanically produced or computer-generated prints or images, but shall not include the use of digitally printed vinyl.

a. Original art murals shall comply with the following standards:

1. Original art murals shall not contain a commercial message.

2. The mural shall remain in place, without alteration, a minimum of five (5) years. The applicant shall attest to this standard in the permit application.
  3. No part of any mural shall extend beyond the building wall or freestanding wall on which it is tiled, painted, or affixed.
  4. No part of the mural shall extend more than six (6) inches from the plane of the wall upon which it is tiled, painted, or affixed.
  5. An appropriate graffiti resistant sealer or topcoat shall be applied to the finished mural.
- b. The following forms of original art murals are prohibited:
1. Any mural that contains an element that moves, rotates, or otherwise creates a changing image or message.
  2. Any mural that uses flashing or scrolling lights, an internal light source, or other light feature.
  3. Any mural containing electrical or mechanical components.
  4. Any mural that is applied to a surface as a vinyl or other non-permanent material.

(c) *Mural permitting process.* All murals require approval by the City Council following review and recommendation by the City of Blue Ridge Downtown Development Authority. The decision of the City Council shall be final. The action to approve a mural shall be by resolution of the City Council, following submission of an application to the City of Blue Ridge Planning and Zoning Department, which will be forwarded to the Downtown Development Authority for review.

- (1) The following application process must be followed for consideration by the City Council and Downtown Development Authority:
  - a. The mural application process will be a bi-annual application window, open in January and again in July, limited to one approval of a mural and a maximum of five applications per bi-annual session.
  - b. Applications shall be made on the form provided by the City with an application fee of \$50.00.
  - c. The business owner or their designee must complete the application and location agreement.

- d. The application must include signatures by the building owner and the artist painting the mural, attesting that what is to be painted is accurately depicted on the application.
  - e. A full color rendering/picture of the mural must be included in the application.
  - f. The subject matter must be content neutral (non-political, non-religious, and non-offensive).
  - g. Once an application is approved and a permit issued, work must begin within six months or an otherwise approved timetable.
  - h. Work must be completed within 90 days.
- (2) The standards to be utilized by the Downtown Development Authority to recommend a mural shall include the following:
- a. The size, scale, and relationship of the mural to the historic context in the case of historic murals. Original art murals may or may not bear any relationship to the City of Blue Ridge.
  - b. Repainting of historic advertising shall be guided by exacting documentation concerning the mural and input from the Historical Committee.
  - c. A permanent plan for maintenance and exact repainting according to the plan of the original artist shall be submitted with the application. The exact matching of color and application technique shall be specified in the plan.
  - d. Any mural proposed must be on a wall surface that will not mar a key historic feature and will be compatible with the streetscape. The image of any faded advertising murals shall be stabilized using appropriate preservation techniques and shall remain otherwise unchanged in its original setting.
  - e. The standards of this section applicable to each mural type shall be considered by the Downtown Development Authority and City Council.

(d) *Maintenance.* The property owner, in addition to the business owner and/or artist, must sign the application form affirming their promise to maintain the mural in good condition for five years or, in the case a mural is not maintained, have it repainted a typical monochrome color within 90 days' notice from the City.



(e) *Removal of Murals/Failure to comply.* The failure of an applicant to comply with this ordinance will result in the applicant being required to remove the mural and restore the façade upon which the mural was placed to its prior condition or compatible appearance. Failure to obtain approval from the City to install a mural will result in a stop work order and a citation being issued.

**Sec. 140-4745 – 140-499. Reserved**

**SECTION 2. SEVERABILITY.**

If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Blue Ridge to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

**SECTION 3. REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT.**

All parts of prior ordinances, in conflict with the terms of this ordinance are hereby repealed to the extent of the conflict; but it is hereby provided, that any ordinance, or any provision of any ordinance, or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof, and shall be legally construed to be in favor of upholding this ordinance on behalf of the City of Blue Ridge, Georgia.

**SECTION 4. EFFECTIVE DATE.**

The effective date of this ordinance shall be upon its passage by the City Council.

**SO ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

MAYOR AND CITY COUNCIL OF BLUE RIDGE

\_\_\_\_\_  
Mayor, City of Blue Ridge

\_\_\_\_\_  
Clerk, City of Blue Ridge

## **City Council Meeting Agenda Submittal**

**MEETING DATE: 8/16/2022**

**AGENDA NO: 6a**

### **AGENDA ITEM:**

A ZONING ORDINANCE/ACTION AMENDING THE ZONING MAP OF THE CITY OF BLUE RIDGE, GEORGIA, BY REZONING ONE PARCEL OF LAND WITHIN THE CITY OF BLUE RIDGE, BEING A PORTION OF TAX PARCEL BR01 02801 OWNED BY KAREN A. STEPHENS AND BEING APPROXIMATELY 0.18 ACRES, MORE OR LESS, AS MORE PARTICULARLY DESCRIBED IN THE METES AND BOUNDS DESCRIPTION TO BE PROVIDED BY THE APPLICANT AS A CONDITION OF THE REQUESTED REZONING ("PROPERTY"), AND REZONING THE PROPERTY FROM MEDIUM DENISTY RESIDENTIAL ("R-2") TO HIGH DENISTY RESIDENTIAL ("R-3"), WITH CONDITIONS; REPEALING CONFLICTING ZONING ORDINANCES APPLICABLE TO THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

### **BACKGROUND:**

This Ordinance sets in motion the update to the City's Zoning Map to reflect the rezoning of Karen A. Stephen's property of .18 acres from Medium Residential Density (R-2) to High-Density Residential (R-3). A tract of land located on Green Street.

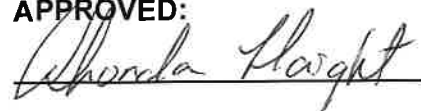
### **RECOMMENDATION:**

It is recommended that the City Council enact the attached Ordinance.

### **ATTACHMENT (S):**

Ordinance No. BR2022-28

**APPROVED:**



**Mayor**



**City Administrator**

FIRST READING July 19, 2022

SECOND READING August 16, 2022

PASSED \_\_\_\_\_

A ZONING ORDINANCE/ACTION NO. BR2022-28

A ZONING ORDINANCE/ACTION AMENDING THE ZONING MAP OF THE CITY OF BLUE RIDGE, GEORGIA, BY REZONING ONE PARCEL OF LAND WITHIN THE CITY OF BLUE RIDGE, BEING A PORTION OF TAX PARCEL BR01 02801 OWNED BY KAREN A. STEPHENS AND BEING APPROXIMATELY 0.18 ACRES, MORE OR LESS, AS MORE PARTICULARLY DESCRIBED IN THE METES AND BOUNDS DESCRIPTION TO BE PROVIDED BY THE APPLICANT AS A CONDITION OF THE REQUESTED REZONING (“PROPERTY”), AND REZONING THE PROPERTY FROM MEDIUM DENISTY RESIDENTIAL (“R-2”) TO HIGH DENISTY RESIDENTIAL (“R-3”), WITH CONDITIONS; REPEALING CONFLICTING ZONING ORDINANCES APPLICABLE TO THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**BE IT ORDAINED** by the City Council of Blue Ridge, Georgia as follows:

**SECTION 1**  
**ZONING**

That from and after the passage of this zoning ordinance applicable only to the Property described herein within the City of Blue Ridge, said Property shall be zoned and so designated on the zoning map of the City of Blue Ridge as R-3, HIGH DENISTY RESIDENTIAL, being a portion of Tax Parcel BR01 02801, comprising approximately 0.18 acres, and being that same property depicted in the metes and bounds description to be provided by the Applicant as a condition of this rezoning, with the following conditions:

Conditions:

1. Development of the Property shall conform to the survey submitted by the Applicant.
2. The R-3 zoning shall only apply to the 0.18 aces depicted on the survey, and development of the Property is limited to one single-family unit.
3. The Applicant will provide the City with a metes and bounds description of the 0.18

acres.

Legal Description:

To be provided by the Applicant.

**SECTION 2:**  
**REPEAL OF CONFLICTING ORDINANCES TO REMOVE CONFLICT**

Any ordinances applicable to the Property in conflict with the terms of this zoning ordinance are hereby repealed to the extent of the conflict, but it is hereby provided that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this zoning action on behalf of the City of Blue Ridge, Georgia.

**SECTION 3.**  
**SEVERABILITY**

If any paragraph, subparagraph, sentence, clause, phrase or any other portion of this Ordinance should be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular person, situation or set of circumstances is declared invalid or unconstitutional, such invalidity shall not be construed to affect the provisions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared to be the legislative intent of the City Council of the City of Blue Ridge, Georgia to provide for separate and divisible parts and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

**SECTION 4.**  
**AMENDMENT TO THE ZONING MAP**

This zoning action/ordinance is enacted as an amendment to the zoning map of the City

of Blue Ridge.

**SECTION 5.**  
**EFFECTIVE DATE**

The effective date of this Ordinance shall be immediately upon its passage by the City Council and execution by the Mayor or upon fifteen (15) days expiring.

**SO ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

MAYOR AND CITY COUNCIL OF BLUE RIDGE

\_\_\_\_\_  
Mayor, City of Blue Ridge

\_\_\_\_\_  
Clerk, City of Blue Ridge

## City Council Meeting Agenda Submittal

**MEETING DATE: 8/16/2022**

**AGENDA NO: 6b**

**AGENDA ITEM:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA APPROVING THE CERTIFICATE OF DISTRIBUTION FOR THE LOCAL OPTION SALES TAX BETWEEN FANNIN COUNTY, CITY OF MCCAYSVILLE AND THE CITY OF BLUE RIDGE; AUTHORIZING THE MAYOR ON THE CITY'S BEHALF TO EXECUTE THE ATTACHED CERTIFICATE OF DISTRIBUTION AND PROVIDING AN EFFECTIVE DATE.

**BACKGROUND:**

At this time, per state law, the Local Option Sales Tax (LOST) distribution formula was due to be renegotiated with the County. As previously discussed, the County, and the Cities of McCaysville and Blue Ridge met twice to negotiate the split.

The current split between the 3 governments, which was previously negotiated, is as follows:

County	75.75%
Blue Ridge	14%
McCaysville	10.25%

The parties agreed to maintain the current split, in light of the following:

- Additional funds that would be generated for all parties based on the new revenue projections.
- Services the County now performs for the City such as the park lease and building permits.
- Increase in SPLOST distribution to the Cities.

This would still generate about \$200,000 more next year, based on the County's estimate, over what is now budgeted, for a total of \$1,400,000 annually for the City of Blue Ridge.

**RECOMMENDATION:**

It is recommended that the City Council adopt the Resolution to approve the Certificate of Distribution and authorize the Mayor to execute the document.

**ATTACHMENT (S):**

**APPROVED:**



**Mayor**



**City Administrator**

**RESOLUTION NO. BR2022-29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA APPROVING THE CERTIFICATE OF DISTRIBUTION FOR THE LOCAL OPTION SALES TAX BETWEEN FANNIN COUNTY, CITY OF MCCAYSVILLE AND THE CITY OF BLUE RIDGE; AUTHORIZING THE MAYOR ON THE CITY'S BEHALF TO EXECUTE THE ATTACHED CERTIFICATE OF DISTRIBUTION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 1.12(b)(7) of the Charter of the City of Blue Ridge, Georgia (hereinafter, the "City") authorizes the City "[t]o enter into contracts and agreements with other governments and entities and with private persons, firms, and corporations;" and

**WHEREAS**, Section 3.22(12) of the Charter authorizes the Mayor to "[s]ign, as a matter of course, all written contracts, ordinances, and other instruments executed by the city . . .;" and

**WHEREAS**, the City Council finds it in the public interest and in the best interest of the City to authorize the Mayor on the City's behalf to execute and otherwise approve the attached Local Option Sales Tax Certificate of Distribution between Fannin County, City of McCaysville and the City of Blue Ridge.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Blue Ridge does hereby approve the Local Option Sales Tax Certificate of Distribution between Fannin County, City of McCaysville and the City of Blue Ridge and authorizes the Mayor to execute on the City's behalf. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by \_\_\_\_\_ who moved its adoption. The motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Councilmember Angie Arp	_____
Councilmember Jack Taylor	_____
Councilmember Christy Kay	_____
Councilmember Bill Bivins	_____
Councilmember William Whaley	_____

PASSED AND ADOPTED this \_\_\_ day of August, 2022.

\_\_\_\_\_  
RHONDA HAIGHT, MAYOR

ATTEST:

\_\_\_\_\_  
AMY MINTZ  
CITY CLERK





**CERTIFICATE OF DISTRIBUTION**

**TO: State Revenue Commissioner**

Pursuant to an Act of the Georgia General Assembly, effective January 1, 1980, relating to Local Sales & Use Taxes, the governing authorities for the qualifying municipalities and the county located within the special district coterminous with the boundaries of Fannin County hereby certify that the proceeds of the combination city/county local sales and use tax generated in such district shall be distributed by the State Revenue Commissioner as follows:

City of <u>Blue Ridge</u>	shall receive	<u>14.00</u>	%
City of <u>McCaysville</u>	shall receive	<u>10.25</u>	%
City of _____	shall receive	_____	%
City of _____	shall receive	_____	%
City of _____	shall receive	_____	%
City of _____	shall receive	_____	%
County of <u>Fannin</u>	shall receive	<u>75.75</u>	%

This certificate shall continue in effect until such time as a new certificate shall be executed as provided in said Act.

By executing this schedule, the county and cities, acting through their respective officers, represent that all municipalities lying wholly or partly in the tax jurisdiction have been given an opportunity to show that they are 'qualified municipalities,' as that term is used in the Act, and that all municipalities listed herein as recipients are 'qualified' and so may receive distribution from the proceeds of the tax.

Executed on behalf of the governing authorities of the qualifying municipalities representing not less than a majority of the aggregate population of all qualifying municipalities located within the special district and the governing authority of the county, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
MAYOR OF THE CITY OF Blue Ridge, Georgia

\_\_\_\_\_  
MAYOR OF THE CITY OF McCaysville, Georgia

\_\_\_\_\_  
MAYOR OF THE CITY OF \_\_\_\_\_

\_\_\_\_\_  
MAYOR OF THE CITY OF \_\_\_\_\_

\_\_\_\_\_  
MAYOR OF THE CITY OF \_\_\_\_\_

\_\_\_\_\_  
MAYOR OF THE CITY OF \_\_\_\_\_

\_\_\_\_\_  
CHAIRMAN BOARD OF COMMISSIONERS OF  
Fannin COUNTY

## City Council Meeting Agenda Submittal

**MEETING DATE:** 8/16/2022

**AGENDA NO:** 6c

**AGENDA ITEM:**

Motion to release and terminate the City's interest in an Easement dated November 18, 1986, which is recorded in the Office of the Clerk of the Superior Court of Fannin County, Georgia at Deed Book 605, Page 4273 and authorizing the Mayor to execute the Release of Easement.

**BACKGROUND:**

The University of North Georgia Real Estate Foundation reached out to the City regarding their proposed purchase of 1.7 acres in the River Ridge subdivision adjacent to the existing UNG campus for future expansion. The survey indicates that the City of Blue Ridge has a road easement on this property dating back to 1986. The subdivision was never built. Instead, it remained more commercial and became what is now known as KOA campground, UNG, etc.. The City does not have a need for the easement and the Foundation has requested that we release the easement.

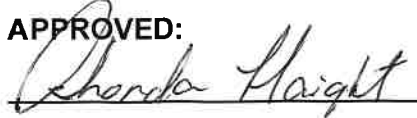
**RECOMMENDATION:**

It is recommended that the City Council approve the motion to release the easement and authorize the Mayor to execute the attached document.

**ATTACHMENT (S):**

Release of Easement

**APPROVED:**



**Mayor**



**City Administrator**

***Cross Reference***  
Deed Book 605, Page 4273  
Fannin County, Georgia Records

***After recording, return to:***  
***SMITH CONERLY LLP***  
***402 Newnan Street***  
***Carrollton, Georgia 30117***

#### RELEASE OF EASEMENT

This Release of Easement is made and entered into as of this \_\_\_ day of August, 2022, by the CITY OF BLUE RIDGE (GEORGIA) (“City”) in favor of RAYMOND THOMAS, TROY PHILLIPS and TROY PHILLIPS (collectively, “Grantee”).

#### RECITALS:

WHEREAS, Grantee previously conveyed to the City an easement for installation of water lines pursuant to that certain Easement, dated November 18, 1986, from Grantee to the City, which is recorded in the Office of the Clerk of the Superior Court of Fannin County, Georgia at Deed Book 605, Page 4273 (the “Easement”); and

WHEREAS, Grantee has requested and the City has agreed to terminate the Easement.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the payment of \$10.00 by Grantee to the City, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases and terminates, and does hereby quitclaim, release and convey to Grantee such interests in real property as may be necessary to effect the cancellation of the Easement as set forth herein. A counterpart of this Instrument shall be recorded in the Office of the Clerk of the Superior Court of the County of Fannin, State of Georgia.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed and delivered under its hand and seal, on the day and year first above written.

Signed, sealed and delivered  
in the presence of:

CITY OF BLUE RIDGE (GEORGIA)

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_

Title: \_\_\_\_\_



## City Council Meeting Agenda Submittal

**MEETING DATE:** 8/16/2022

**AGENDA NO:** 6d

**AGENDA ITEM:**

Motion to approve a non-budgeted expenditure of \$25,000 for Appalachian Fence LLC to install a new fence and gates around the Farmers Market.

**BACKGROUND:**


This expenditure will replace the chain link fence and gates with a more appealing 4 board wooden fence with 6x6 posts. The quote includes removing and disposing of the old chain link fence and posts. It will be funded from the Hotel /Motel Fund. This was discussed at a previous Workshop Meeting.

**RECOMMENDATION:**

It is recommended that the City Council adopt the Motion to approve.

**ATTACHMENT (S):** Quotes

**APPROVED:**



\_\_\_\_\_

**Mayor**



\_\_\_\_\_

**City Administrator**

## Eric Soroka

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**From:** Park Supervisor  
**Sent:** Tuesday, July 19, 2022 2:27 PM  
**To:** Eric Soroka  
**Subject:** Fw: Appalachian Fence LLC quote

Joseph Patterson  
Park Supervisor  
City of Blue Ridge  
480 West First Street  
Blue Ridge, GA 30513  
[www.cityofblueridgega.gov](http://www.cityofblueridgega.gov)  
706-632-2091

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----- Forwarded message -----  
**From:** Mark Rice <[fencingsince2015@gmail.com](mailto:fencingsince2015@gmail.com)>  
**Date:** Mon, Jun 13, 2022, 3:30 PM  
**Subject:** Appalachian Fence LLC quote  
**To:** <[muffler.doctor245@gmail.com](mailto:muffler.doctor245@gmail.com)>

Good morning,

Below is your quote for the farmers market in downtown blue ridge.

850 ft of 4 board with 6x6 post with cover board

Total amount for job is 25,000.00

**\*\*We have a few requirements for this job we would need to be paid within 7 days of completion of the job. Also we would require to pick up the check from City Hall. Please no mailing of check. We can start immediately once check has been received for materials\*\***

To get a spot on our schedule we would need half upfront for materials, we accept check and cash only. We can either meet you for the down payment if local , or it can be sent to our [P.O Box 1911 Blue Ridge,GA 30513](mailto:P.O.Box.1911@cityofblueridgega.gov) We are about 1-2 weeks out to start the job once the materials check is received. If you have any questions feel free to call us. Additionally our new office number is [706-900-1158](tel:706-900-1158), as it is the best way to contact us. If needed you can text at [706-455-1158](tel:706-455-1158), it might take a few days to reply via text.

Thanks for considering us for your fencing needs!

-Appalachian Fence LLC



## North Ga Lawn Care And Landscapes

P. O. Box 591  
Epworth Ga. 30541  
7068514397  
dq\_blake89@icloud.com

ESTIMATE  
INVOICE350

DATE  
Jul 5, 2022

DUE  
On Receipt

BALANCE DUE  
USD \$27,869.14

### BILL TO

#### Joe Patterson

Joe Patterson  
parksupervisor@cityofblueridgega.gov

DESCRIPTION	RATE	QTY	AMOUNT
<b>Chain Link Removal</b> Priced to disassemble and haul off. Subject to change due to cost of disposal at waste yard	\$3,000.00	1	\$3,000.00*
<b>Rail Fence (Four Rail)</b> Includes Gate Installation	\$29.00	800	\$23,200.00*
<b>Cattle Gates</b> 12 foot to ensure 24 foot clearance	\$259.99	6	\$1,559.94

\* Indicates non-taxable line item

<b>SUBTOTAL</b>	\$27,759.94
<b>TAX &amp; PROCESSING (7%)</b>	\$109.20
<b>TOTAL</b>	\$27,869.14

### Payment Info

PAYPAL  
dq\_blake89@icloud.com

BY CHECK  
North Ga Lawn Care and Landscapes

**BALANCE DUE** **USD \$27,869.14**



## City Council Meeting Agenda Submittal

**MEETING DATE:** 8/16/2022

**AGENDA NO:** 7a

**AGENDA ITEM:**

Motion to approve the Mayor's recommendation to appoint Steven Martin to the Fannin County Library Board.

**BACKGROUND:**

The City's representative on the Fannin County Library Board is vacate at this time. It is recommended that Steven Martin of 501 Ada Street be appointed to the Board. The following is Mr. Martin's background information.

Education: Graduated from Bowling Green State University in Ohio in 1972 with a Bachelor's Degree in Secondary Art Education along with a double major in Graphic Design.

Professional: Graphic design positions in Ohio, Michigan and Atlanta led to forming Young & Martin Design in Atlanta: 1980-2000. Moved to Blue Ridge in 2000 and led Blue Ridge Design Workshop: 2000-2016 with clients including the Fannin County Chamber of Commerce with Jan Hackett, Mercier Orchards with Joe Foster and Feed Fannin with Barbara Ferer. Retired in 2016. Now a full-time artist painting oil on canvas; exhibited a one-man show at the Blue Ridge Arts Center in 2019 under the direction of Nichole Potzauf. See some of his work at StevenMartinArt.com


Interests: He is a life-long lover of books, libraries and reading, and a regular patron of the Fannin County Public Library.

**RECOMMENDATION:**

It is recommended that the City Council adopt the Motion to approve.

**ATTACHMENT (S):**None

**APPROVED:**



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**Mayor**



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**City Administrator**