



Mayor Sarah B. Hayes



Elected Officials

Mitchell Boston
Patrick Underwood
Bridgette Kelly
Luciria L. Lovette
Robert (Bob) Dodd

City Administration

Nicolas Maxwell, Fire Chief
Christopher Reed, Police Chief
Dave Martin, Public Works Adm.
Patrick Golphin, Water Supervisor
Luke R. Moses, City Attorney

Mayor and Council Meeting Amended Agenda
December 10, 2024 @ 6:00 PM

- I. Call to Order Mayor Sarah B. Hayes
II. Roll Call City Clerk
III. Invocation Pastor Richard D. Hayes
IV. Pledge of Allegiance New Day Community Church-Walthourville, GA
V. Approval of Agenda Councilmembers
VI. Approval of Minutes Councilmembers

- November 12, 2024 Regular Meeting
November 12, 2024 Executive Session Minutes
November 18, 2024 Special Called Meeting
December 5, 2024 Special Called Meeting

- VII. Presentation(s) Atlantic Waste Mr. Sam Sullivan

- VIII. Agenda Items: 1. LCPC Ms. Mardee A. Sanchez
New Dimensions Christian Fellowship-New Church on Davis Street (Information Only).

- 2. LCPC Ms. Mardee A. Sanchez
Mr. Gerardo Aguilera Quadplexes-Request for a waiver from the requirements to install curb and gutter on Arnall Drive.

- 3. LCPC Mr. Todd Kennedy
Business License Request for Ms. Bianca Williams for a Cottage Food Business.

- 4. LCPC Mr. Todd Kennedy
Unified Development Ordinance (UDO) Amendment. (Public Hearing Ad).

- 5. City of Walthourville Chief Nicolas Maxwell
Fire Code Ordinance and Fees.

6. City of Walthourville
2025 Millage Public Hearing Dates.

Mayor and Council

7. City of Walthourville
FY 2025 Budget.

Mayor and Council

8. City of Walthourville
Tree Lighting.

Mayor and Council

9. City of Walthourville
City of Allenhurst IGA.

Mayor Sarah B. Hayes & Attorney Luke R. Moses

10. City of Walthourville
Public Utilities Ordinance.

Mayor Sarah B. Hayes & Attorney Luke R. Moses

IX. Department Reports

City of Walthourville

Mr. Patrick Golphin

Water Department

Chief Nicolas Maxwell

Fire Department

Chief Christopher Reed

Police Department

X. Citizens Comments

Walthourville Citizens

XI. Council Comments

Elected Officials

- **Councilman Mitchell Boston**
- **Councilman Patrick Underwood**
- **Councilwoman Bridgette Kelly**
- **Mayor Pro Tem Luciria L. Lovette**
- **Councilman Robert Dodd**

XII. Mayor Comments

Mayor Sarah B. Hayes

XIII. Executive Session

Mayor, Council & City Attorney

XIV. Adjournment

Councilmembers

**If an Executive Session is needed, it will be called for (1) Litigation, (2) Personnel or (3) Real Estate.
All Meeting are held at the Walthourville Police Department and are open to the Public.**



**The City of Walthourville will be closed December 24th and December 25th in observance of Christmas.
The City will resume normal operations on December 26, 2024.**

Amended on 12-09-2024 @ 12:32 PM.

He stated they also work with Mt. Zion's Security Team. Chief Reed presented Pastor and Deacon Conyers with a gift basket. Pastor Conyers stated she was glad that Mt. Zion could offer their edifice for this much needed training. Pastor and Deacon Conyers took photos with Chief Reed and the Elected Officials.

VIII. Agenda Items:

1. LCPC

Mr. Todd Kennedy

Business License Request

Presented a Business License Request for Henry Lane to operate a consulting business. The applicant is Mr. Patrick Anderson. Mr. Lane stated there would be no customers coming to the home. A room in the home will be used for the business. Mayor Hayes asked would there be any supplies on the property? The applicant stated no, and he added there would be no vehicles except his personal vehicle. Mayor Pro Tem Lovette, asked if there would be any signage? Mr. Lane stated no. The motion to approve the business license was made by Councilwoman Kelly and the second was added by Mayor Pro Lovette.

Vote: 5-0: Motion Carried Unanimously.

2. City of Walthourville

Mayor Sarah B. Hayes

Tax Resolution for Millage Collection.

Attorney Moses stated he spoke with State Representative Al Williams about the city's decision to move forward with property tax collection for 2024 to be collected in 2025. He stated he was advised by the legislature at the Capitol and that State legislation was not needed to collect property taxes, it only required local legislation which is acquired through the city's charter. Attorney Moses stated he further validated through Ruse Patel, GMA Legal Counsel who stated a city's charter takes precedence. The City of Walthourville's Charter stated that it is permissible for the Mayor and Council to enact a millage; therefore, a Tax Resolution was not needed.

Councilman Dodd stated he doesn't agree with a millage. He stated he doesn't believe the city should have a millage for 2024. He doesn't think it's right or fair to impose this fee on the citizens with such short notice. Councilman Boston inquired, "if we were implementing in 2024 when would the taxes be due? Mayor Hayes stated they would be due in March; however, the Council could vote for an extension. Councilman Boston asked would citizens have to pay 2025 taxes in March or April of 2026. He was told, March of 2026.

Mayor Hayes reminded the Council that the millage for 2024 to be collected in 2025 had been factored into the 2025 budget to balance it. She asked how we will get through 2025 without a millage. Councilman Dodd asked, what are the repercussions if a citizen doesn't pay? What is in place if these fees aren't collected? He stated he feels this isn't fair and it wasn't thought through?

Councilman Boston stated with the collection of the millage this would qualify the city to be in a position to qualify for a Tax Anticipation Note (TAN). Mayor Hayes informed the council to be mindful that whatever is borrowed must be repaid by December 31st of the calendar year in which it was borrowed. Mayor Pro Tem Lovette stated she was not included on the initial millage discussions, and she does not believe the city should impose a millage for 2024. Councilwoman Kelly added that she does not agree with the 2024 collection in 2025.

Councilman Dodd made the motion to disregard the 2024 millage and resume Budget Meetings to balance the 2025 budget. The second was added by Councilwoman Kelly.

Vote: 5-0: Motion Carried Unanimously.

The Council set the dates and time for the additional budget meetings with the motion being made by Councilman Dodd and the second being added by Councilwoman Kelly which will be:

November 14, 2024 @ 6:00 PM

November 18, 2024 @ 6:00 PM

December 2, 2024 @ 6:00 PM

The Council tasked the City Clerk to notify the city's CPA, CKH Consulting, and to advertise the meetings.

Vote: 5-0: Motion Carried Unanimously.

3. City of Walthourville
Public Utilities Ordinance.

Mayor Sarah B. Hayes

Attorney Moses stated the purpose of this ordinance is to impose and collect a fine (\$1000) from any company that comes into the city to business without notifying the city. Some of these companies will venture into citizens' yards and will damage the citizens private property as well as cause some damage to the city's water lines. Mayor Pro Tem Lovette stated, "she thought companies had to call before you dig." Attorney Moses stated call before you dig, pertains to the city's water lines and the water department must call 811 before they dig to obtain authorization because cable lines and cellular lines are underneath the ground, now. Mayor Hayes stated more and more companies are hiring subcontractors to perform the work. Attorney Moses referenced pages 8 & 9 of the ordinance, and the Mayor and Council requested specific areas be designated. The Mayor and Council tabled this ordinance until the December 10, 2024, meeting. The motion to table and take no action was made by Councilman Dodd and the second was added by Mayor Pro Tem Lovette.

Vote: 5-0: Motion Carried Unanimously.

4. City of Walthourville
Fire Code Resolution.

Chief Nicolas Maxwell

Stated the information that is presented was taken from the State Fire Codes. The purpose of these codes are to ensure the city's buildings and businesses are in compliance. Chief Maxwell stated that there are some businesses in the city that were approved, prior to his tenure with the city, that need to be in compliance. He also referenced the fines that should accompany each violation. The Mayor and Council stated they did not have sufficient time to make a decision, and they voted to table the Fire Codes until the December 10, 2024 meeting. The motion was made by Councilman Dodd and the second was added by Mayor Pro Tem Lovette.

Vote:5-0: Motion Carried Unanimously.

5. City of Walthourville
2025 Mayor and Council Meeting Dates.

Ms. Shana T. Moss

Mayor Hayes presented the 2025 Mayor and Council Meeting Dates. Councilwoman Kelly stated she would like for the dates for the FY 2026 Budget to be established and the second was added by Mayor Pro Tem Lovette with the following FY 2026 Budget Workshop Dates:

- August 5, 2025 for Budget Workshop # 1
- August 19, 2025 for Budget Workshop # 2
- September 2, 2025 for Budget Workshop # 3

All meetings will be held at the Walthourville Police Department from 6:00 PM-8:00 PM.

Vote: 5-0: Motion Carried Unanimously.

6. City of Walthourville

Mayor Sarah B. Hayes

Sanitation Privatization Contract.

Stated she has been in contact with the Mayor of Allenhurst and they want their own contract with Atlantic Waste. She referenced Page 2, paragraph 3 and paragraph 4 of the last sentence. Basically, anywhere that Allenhurst appears in the contract it should be removed. The discussion ensued about Allenhurst customers, and the Mayor and Council was informed that some customer get water from the city and others get water from Hinesville. The City of Walthourville collects their trash. The council voted to allow Allenhurst to seek billing alternatives since they will have their own contract from Atlantic Waste. The motion to approve the contract with the above modifications and the City of Walthourville ceasing from billing was made by Councilman Boston and the second was added by Councilman Dodd.

Vote: 5-0: Motion Carried Unanimously.

7. City of Walthourville

Mayor Sarah B. Hayes.

Mayor Hayes stated she has been researching a Grant Writer for the city. She is seeking a Grant Writer that will not cost the city an upfront fee, but their fee will be contingent upon them obtaining a grant and their fee will come from the approved grant. The motion to approve to seek a Grant Writer was made by Mayor Pro Tem Lovette and the second was added by Councilwoman Kelly.

Vote: 5-0: Motion Carried Unanimously.

IX. Department Reports

City of Walthourville

Mr. Patrick Golphin

Water Department

Stated he had no report.

Chief Nicolas Maxwell

Fire Department

Reported the department responded to 42 calls since the October 22, 2024 Meeting. 32 of these calls were medical. The department participated with Trunk-A-Treat that was held on October 29, 2024. On Halloween the department also took the fire trucks and went into the neighborhoods passing out candy.

Chief Christopher Reed

Police Department

Reported the department responded to 292 calls this year. Since the October 22, 2024 meeting they have written 32 reports. He stated Trunk-a-Treat was a great success.

X. Citizens Comments

Walthourville Citizens

1. Ms. Gwendolyn Dykes stated she wanted to express her concern over the traffic concern at the intersection of Arnall and Talmadge. She stated the traffic is heavy as well as on Arnall and Tibet. She asked the Mayor and Council for a 4-Way Stop.

2. Mr. Jeff (Julie) Dawson stated he had major issue with the Police Department. He stated he has had several cases of theft/shoplifting and the Walthourville Police Department have not been helpful in obtaining warrants for the individuals to be arrested. He referenced a case of theft on October 10th, he has cameras in his store and the individual was identified. Mr. Dawson stated he gave the information to the Department, and they failed to execute. He stated he has a store in Statesboro, Georgia and that department is proactive in arresting and issuing warrants. Mr. Dawson wants to know why the department will not do their jobs. Mayor Hayes asked Chief Reed to elaborate and he stated he cannot speak on pending litigation. Mayor Hayes stated to Mr. Dawson

that she would arrange a meeting with him, Chief Reed and herself. She added that she would be in touch with him about the meeting.

XI. Council Comments

Elected Officials

Councilman Boston had no comment.

Councilman Underwood had no comment

Councilwoman Kelly had no comment

Mayor Pro Tem Lovette stated she had a question about the Park Revenue. She was given a Financial Report on Johnnie Frasier Park. The Park is in arrears due to the overhead associated with the park such as the security system, portable potty's, park housekeeping and the employee cost of opening and closing the park.

Councilman Dodd had no report.

XII. Mayor Comments

Mayor Sarah B. Hayes

Reminded everyone about the Recycle Event on November 16, 2024 that will be held in conjunction with Keep Liberty Beautiful (KLB). The Shred truck will be located in Midway at the Midway Complex. KLB will be hosting a tire amnesty day, the city will collect tires and will take them to Midway. She is also talking with Code Enforcement about citations from illegal dumping of tires within the city.

XIII. Executive Session: At 7:48 PM a motion to enter Executive Session for Personnel was made by Councilwoman Kelly and the second was added by the Mayor Pro Tem.

XIV. Adjournment: At 8:27 PM a motion to adjourn was made by Mayor Pro Tem Lovette and the second was added by Councilman Boston. Vote: 5-0: Motion Carried.

City of Walthourville
Mayor and Council Special Called Meeting Minutes
November 18, 2024 @ 5:30 PM
Walthourville Police Department

I. Call to Order: The meeting was called to order at 5:30 PM by Mayor Sarah B. Hayes for City Finances.

II. Roll Call: The roll has taken with the following members present:

Mayor Sarah B. Hayes
Councilman Mitchell Boston
Councilman Robert Dodd

Mayor Pro Tem Luciria L. Lovette
Councilman Patrick Underwood

The attendance of the council constituted a quorum.

Member Absent: Councilwoman Bridgette Kelly

III. City Finances

Mayor and Council

Mayor Hayes stated she had checked with Ameris Bank for the balance of the city's Certificate of Deposit. The CD's balance is \$ 57,139.27 and she would like the council's approval to cash in the CD and place the funds into the General Fund for bills. She is proposing to pay \$25,000 to Liberty County Solid Waste on the city's Landfill bill. She is asking that the remaining \$32,139.27 be sent to GMA for the city's insurance.

Mayor Pro Tem Lovette stated she didn't know the city still had so many outstanding bills. She is opposed to cashing in the CD because the city will not have any savings left.

Councilman Boston stated he is in agreement with getting the bills paid and cashing in the CD. However, he is still concerned about the landfill bill that will generally be around \$91,000 by the end of November.

Councilman Underwood expressed that the bills need to be paid. Also, he would like to see the bills, but he supports cashing in the CD to defray the expenses.

Councilman Dodd stated he is support of using the remaining funds of the CD for the General Fund's Bills of the Landfill and GMA.

The motion to cash in the CD and to have the funds transferred to the General Fund was made by Councilman Dodd and the second was added by Councilman Boston. Vote: 3-1: Motion Carried. Members voting favorably: Councilmen Boston, Underwood and Dodd. Member Opposed: Mayor Pro Tem Lovette.

IV. Adjournment: At 6:01 PM a motion to adjourn was made by Mayor Pro Tem Lovette and the second was added by Councilman Dodd. Vote: 4-0: Motion Carried Unanimously.

City of Walthourville
Mayor and Council Special Called Meeting Minutes
December 5, 2024 @ 5:30 PM
Walthourville Police Department

I. Call to Order: The meeting was called to order at 5:30 PM by Mayor Sarah B. Hayes for the purpose of setting the Advertisement Timeline and Public Hearing Dates for the city's 2025 Millage that is to be collected in 2026.

II. Roll Call: The roll was taken by the City Clerk with the following members present:

Mayor Sarah B. Hayes	Councilman Mitchell Boston
Councilman Patrick Underwood	Councilwoman Bridgette Kelly
Councilman Robert Dodd	

The attendance of the council constituted a quorum.

Member Absent with an excused absence due to illness was Mayor Pro Tem Lovette.

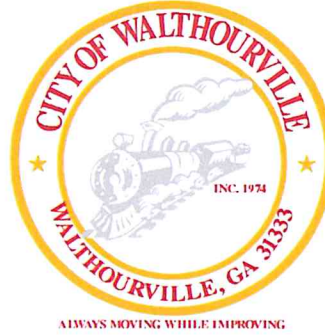
III. Millage Advertisement and Public Hearing Dates Mayor and Councilmembers
The City of Walthourville for the first time since it was chartered as a City will begin collecting Property Taxes in 2026. Georgia Law requires that a city hold 3 Public Hearings for the public to discuss this taxation. The Mayor and Council chose the following dates and times:

Public Hearing # 1	January 2, 2025 @ 12 Noon-1:00 PM at the Fire Department
Public Hearing # 2	January 2, 2025 @ 6:00 PM-7:00 PM at the Fire Department
Public Hearing # 3	January 14, 2025 @ 5:00 PM-5:45 PM at the Fire Department

These dates and times will be advertised in the Coastal Courier and on the city's website and Facebook page.

The Motion to approve the dates and to advertise was made by Councilwoman Kelly and the second was added by Councilman Underwood. Vote: 4-0: Motion Carried Unanimously.

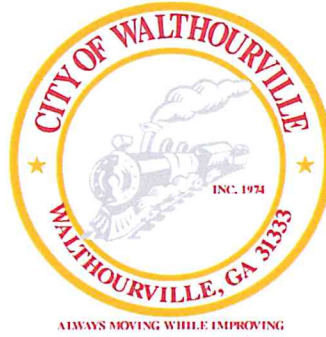
IV. Adjournment: At 5:44 PM the motion to adjourn was made by Councilman Boston and the second was added by Councilwoman Kelly. Vote: 4-0: Motion Carried Unanimously.



PRESENTATION



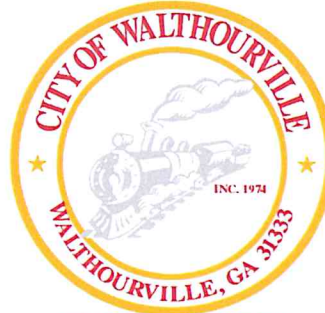
Mr. Sam Sullivan



AGENDA 1

LCPC

Ms. Mardee A. Sanchez

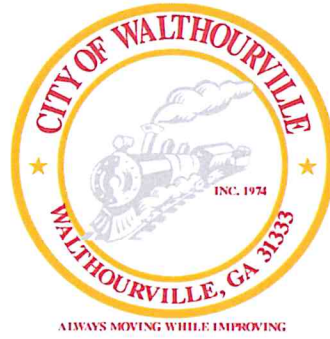


ALWAYS MOVING WHILE IMPROVING

AGENDA 2

LCPC

Ms. Mardee A. Sanchez



AGENDA 3

LCPC

Mr. Todd Kennedy

Liberty Consolidated Planning Commission – Report

Governing Authority: The City of Walthourville



Mayor & Council Date: December 10, 2024

Type of Permit: Business License – Cottage Food Business

Owner of Business: Bianca Williams

Business Managed By: Bianca Williams

Property Zoned: AR-1 (Agricultural Residential)

Comments: This proposed business is a cottage food business located at 93 Phenela Lane. The Parcel Number is 051C056.

LCPC Zoning Recommendation: **APPROVAL**

* Contingent upon the requirements from the GA Department of Agriculture and the Liberty County Health Department

LCPC Staff: 
Todd Kennedy

11/21/25
Date



City of Walthourville Business License Division
Application for corporation or Limited Liability Company LLC
Occupation Tax Certificate

*The application must be filled out completely to obtain a City of Walthourville Occupation Tax Certificate. Payment must be filed with the application to obtain a City of Walthourville Occupation tax Certificate. This application will not be processed if it is not accompanied by the appropriate tax fee. **You will not be billed.** Please print with ink or type. In order for the appropriate tax or fee to be determined the application accompanied by all appropriate documents must be submitted in person.

Pursuant to The Georgia Immigration Reform Act that was passed by the State Legislature and signed by the Governor all persons applying for renewing a City of Walthourville Tax Certificate must provide a secure and verifiable document as required by O.C.G.A 50-36-1(e) (1) and sign and notarize the affidavit required by O.C.G.A 50-36-1 (e) (2) and the affidavit required by O.C.G.A 36-60-6 (d).

This Business is: New Application
 Ownership Change / Date ownership changed & Certificate # _____
 I am filling a name/or address change for Certificate# _____

Name business as Sweet Street
Business Phone#(912) 334-9891
Name of Corporation/LLC* The Sweet Street Experience LLC
Business Address 93 Phenela Ln Unit B
Mailing Address 93 Phenela Ln Unit B
Home Address 93 Phenela Ln Unit B City Walthourville State GA Zip 31301
Email Address Sweet912street@yahoo.com

Full Detailed Description of Business

Number of employees (including ownership) in City of Walthourville 1
E-verify# (Required if 11 or more employees) 1
State Sales Tax ID# 33-1998093 Federal ID # 33-1998093
Owner Name Bianca Lorraine Williams SS# _____ DOB 09/22/1991

DOES THIS BUSINESS REQUIRE A STATE LICENSE? (YES) _____ (NO)
(Please attach a copy of your state license or certification)

*** All electrical, mechanical, plumbing, well drilling contractors, salon, mobile home dealers, mobile home installers, and any other contractor that is required to have a State of Georgia License will be required to attach a copy of the license to this application before insurance.
***All commercially used building may be subject to an inspection for fire and safety code compliance prior to any certificate of occupancy or business license being issued.

FOR OFFICE USE ONLY

ZONING DEPT APPROVED DISAPPROVED BY _____ DATE _____
FIRE DEPT APPROVED DISAPPROVED BY _____ DATE _____
CITY COUNCIL APPROVED DISAPPROVED BY _____ DATE _____
BUSINESS LICENSE DEPT DATE RECEIVED _____
BUSINESS LICENSE ISSUANCE DATE _____

Mailing Address: P.O Box K, Walthourville, GA 31333
Office Location: 222 Busbee Road, Walthourville, GA 31333

Phone: (912) 368-7501
Web site address: www.cityofwalthourville.com



City of Walthourville Business License Division

APPLICATION FOR CHANGE IN LICENSE

FOR THE YEAR _____ DATE _____ ACCOUNT NUMBER _____

\$25.00 CHARGE FOR RELOCATION

\$25.00 CHARGE FOR NAME CHANGE OF BUSINESS

INDICATE THE CHANGE YOU ARE APPLYING FOR:

- NAME
- ADDRESS
- NAME AND ADDRESS

CURRENT INFORMATION OF BUSINESS:

Current business name _____

Address: _____

Owner: _____

Manager: _____

Nature of business: _____

Phone number: _____

COMPLETE ONLY THE SPACE THAT WOULD APPLY TO YOUR CHANGE:

New name of business: _____

New address of business: _____

New manager: _____

New phone number: _____

The undersigned affirms that the above statements are true and correct to the best of his/her knowledge and belief.

This _____ day of _____, _____
AUTHORIZED SIGNATURE OF APPLICANT

PERSONNALLY before the undersigned appeared

_____ who on Oath has sworn that the above information given therein is true and correct.

Sworn and subscribed before me this _____ day of _____, _____

STATE OF _____ COUNTY OF _____ CITY OF _____

NOTARY PUBLIC

Mailing Address: P.O Box K, Walthourville, GA 31333
Office Location: 222 Busbee Road, Walthourville, GA 31333

Phone: (912) 368-7501
Web site address: www.cityofwalthourville.com

City of Walthourville Business License Division



Are you, the applicant, the corporation, LLC or any shareholder currently delinquent in payment of any taxes or fees to any state or local government? No If yes, please indicate the type of tax or fee, and the amount due with the reason the tax is delinquent.

BW If this property is zoned residential, no clients, employees, sales, deliveries, storage of inventory, or equipment (initials) are allowed on the premises. Only one commercial vehicle not to exceed 12,500 lbs Gross weight used as transportation by the occupant may be parked at the residence.

BW I swear or affirm that I have obtained or will obtain within thirty days of the date of this application a City of (initials) Walthourville Certificate of Occupancy as required by the city ordinances.

BW I will comply with the Zoning Restrictions stated above. (initials)

I Bianca L. Williams, affirm that the facts stated by me are true, I understand any misrepresentation or fraudulent statement is grounds for automatic dismissal of this application and/revocation of the license. I understand that all signs displayed on my premise must be permitted by the City of Walthourville, I further understand that my business must operate in compliance with all applicable state, federal and local laws, ordinances and regulations, and that the granting of this occupation tax certificate or payment of this occupation tax does not waive the right of any federal, state or local entity to regulate and enforce laws, ordinances and regulations. I understand that all decisions of the Business License Division may be appealed to the City of Walthourville.

This 20 day of November, 2024.

Legibly print name Bianca L. Williams

Signature of applicant *Bianca L. Williams*

This application must be approved by the Liberty County Planning Commission

Tax Map & Parcel# _____

Zoning Classification _____

Approved by: _____

Date Approved: _____

Date the request will be presented to Mayor and Council: _____

*****APPLICANT MUST COMPLETE THE AFFIDAVITS AND PROVIDE A SECURE AND VERIFIABLE DOCUMENT*****

Mailing Address: P.O Box K, Walthourville, GA 31333

Phone: (912) 368-7501

Office Location: 222 Busbee Road, Walthourville, GA 31333

Web site address: www.cityofwalthourville.com

CITY OF WALTHOURVILLE BUSINESS LICENSE DIVISION – LAWFUL PRESENCE AFFIDAVIT
O.C.G. A. § 50-36-1(e)(2) AFFIDAVIT

By executing this affidavit under oath, as an applicant for a loan, grant, tax credit and/or other public benefit, as referenced in O.C.G.A. § 50-36-1, administered by the Georgia Department of Community Affairs, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) I am a United States Citizen.
- 2) I am a legal permanent resident of the United States.
- 3) I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G. A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

_____.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed this the 20 day of November, 20 24 in Walthourville (city), GA (state).



*Signature of Applicant

Bianca L. Williams

Printed Name of Applicant

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 20 _____

NOTARY PUBLIC

My Commission Expires:

**This Affidavit must be signed by the same person who executes the Application Certification Form Letter*

Mailing Address: P.O Box K, Walthourville, GA 31333
Office Location: 222 Busbee Road, Walthourville, GA 31333

Phone: (912) 368-7501
Web site address: www.cityofwalthourville.com

CITY OF WALTHOURVILLE BUSINESS LICENSE DIVISION – PRIVATE EMPLOYER AFFIDAVIT

By executing this affidavit under oath, the undersigned private employer verifies one of the following with respect to its application for a business license, occupational tax certificate, or other document required to operate a business as referenced in O.C.G.A. § 36-60-6(d):

Section 1. Please check only one:

(A) _____ On January 1st of the below-signed year, the individual, firm, or corporation employed more than ten (10) employees¹.

*** If you select Section 1(A), please fill out Section 2 and then execute below.

(B) On January 1st of the below-signed year, the individual, firm, or corporation employed ten (10) or fewer employees.

*** If you select Section 1(B), please skip Section 2 and execute below.

Section 2.

The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as follows:

Name of Private Employer

Federal Work Authorization User Identification Number

_____ Date of
Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on _____, 20
20 24 in Walthourville (city), GA (state). November



Signature of Authorized Officer or Agent

Bianca L. Williams CEO
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 20 _____.

NOTARY PUBLIC

My Commission Expires: _____

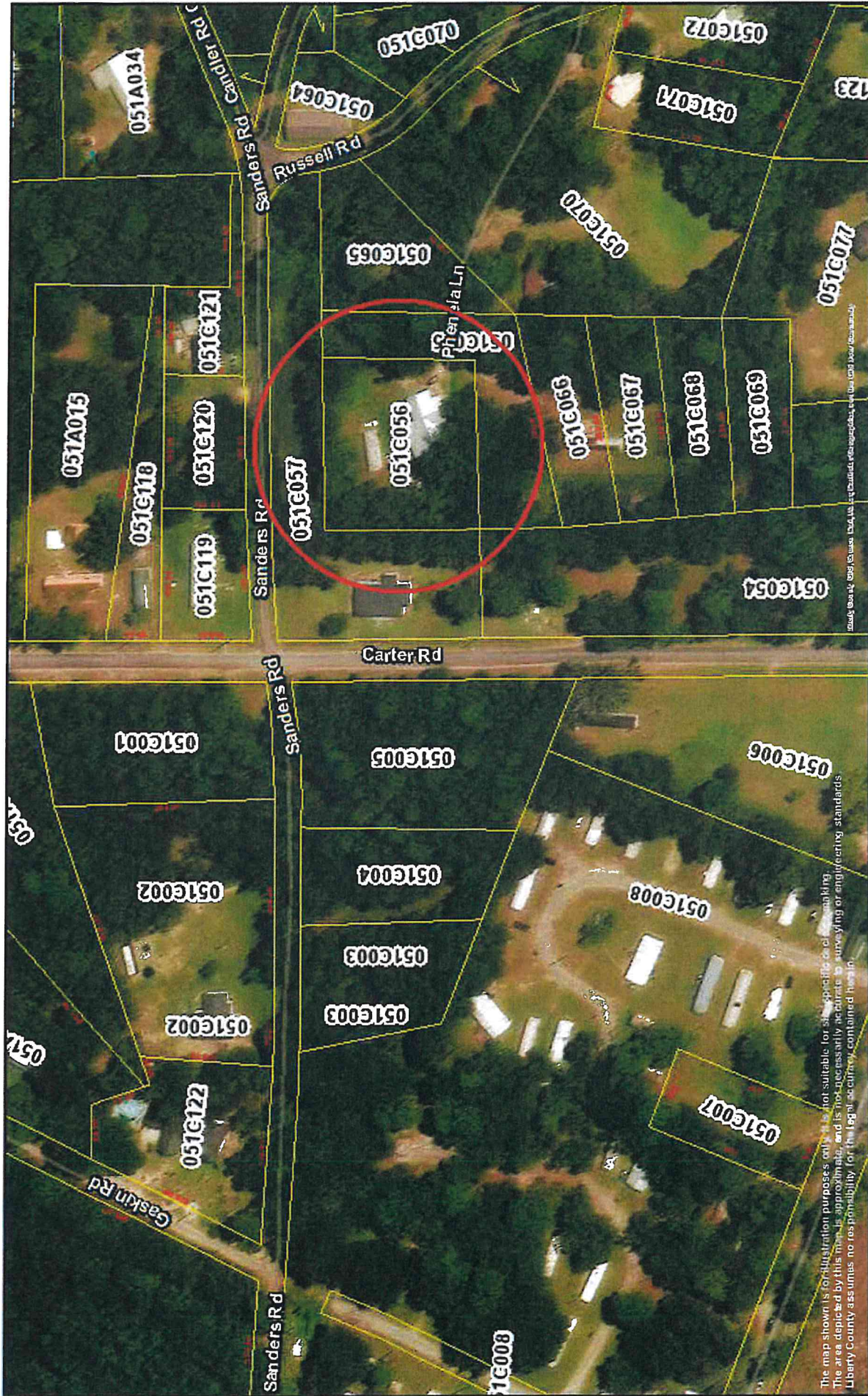
¹ To determine the number of employees for purposes of this affidavit, a business must count its total number of employees company-wide, regardless of the city, state, or country in which they are based, working at least 35 hours a week.

Mailing Address: P.O Box K, Walthourville, GA 31333

Phone: (912) 368-7501

Office Location: 222 Busbee Road, Walthourville, GA 31333

Web site address: www.cityofwalthourville.com



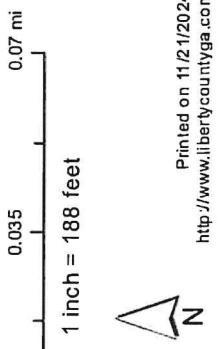
The map shown is for illustration purposes only and is not suitable for site-specific design or planning. The area depicted by this map is approximate, and is not necessarily accurate to surveying or engineering standards. Liberty County assumes no responsibility for the legal accuracy contained herein.

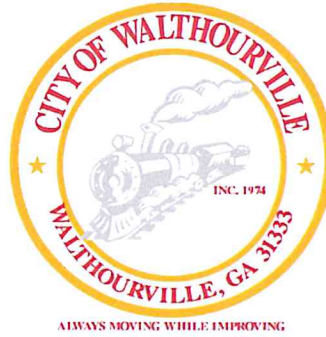
Liberty County PRISYM 2.0

- Areas**
- Carto Line
 - Override 1
 - Roads
 - Parcels
- Land Hook**



Liberty County
Assessors' Office
100 Main Street, Suite 1550
Hinesville, Georgia 31313
Phone: (912) 876-3568





AGENDA 4

LCPC

Mr. Todd Kennedy

Public Hearing – UDO Amendment

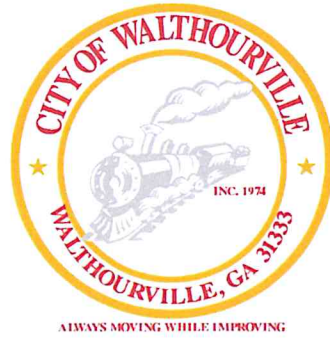
The Liberty Consolidated Planning Commission (LCPC) will conduct a public hearing on Tuesday, November 19th at 4:30PM to receive comments on a proposed amendment to the Liberty County Unified Development Ordinance (UDO). The UDO contains the zoning and subdivision regulations for unincorporated Liberty County and the municipalities of Allenhurst, Flemington, Gum Branch, Hinesville, Midway, Riceboro and Walthourville. The proposed UDO amendment includes a revision to Table 203.1 in Article 203 to allow for the placement of double wide manufactured homes in the R-8 zone within Allenhurst and Walthourville.

The public hearing will be in the Board of Commissioners Boardroom on the second floor of the Liberty County Courthouse Annex. For more information about the proposed UDO amendment, please contact Jeff Ricketson at 912-408-2030 or jricketson@thelcpc.org, or visit www.thelcpc.org.

Public Hearings to be Held by the Allenhurst and Walthourville:

Monday, December 2, 2024, 6:30 p.m. – The Town of Allenhurst Mayor and Council will meet at Allenhurst Town Hall, 4063 West Oglethorpe Highway, Allenhurst.

Tuesday, December 10, 2024, 6:00 p.m. – The City of Walthourville Mayor and Council will meet at Walthourville Police Department, 192 B Talmadge Road, Walthourville.



AGENDA 5

City of Walthourville

Chief Nicolas Maxwell

Sec. 8-2. Fire prevention code—Adopted. (Amended)

The city hereby adopts, for the purposes of fire prevention and the enforcement of minimum fire prevention standards, the current state minimum fire prevention standards as promulgated pursuant to the rules and regulations of the safety fire commissioner of the state under authority contained in O.C.G.A. § 25-2-1 et seq., including all subsequent revisions thereof, a copy of which is on file in City Hall and the with the chief of the fire department. Such code is hereby adopted and incorporated as part of this chapter as fully as if set out at length in this section, and the provisions of such code shall be effective and controlling within the corporate limits of the city from and after the date of adoption and approval of this section. These standards shall henceforth be the code for fire prevention within the city jurisdiction, and the fire chief and the city's building official shall apply such code in performing the duties of their offices.

(Insert Resolution Number)

Sec. 8-3. Same—Penalty for violation.

Any person who shall violate any of the provisions of the fire prevention code adopted in section 8-2 or any person who shall aid, abet or assist any other person in violation of the code shall, upon conviction in the municipal court, be punished as provided in section 14-4 pursuant to provisions set forth in O.C.G.A. § 16-8-14(b)(1)

(Insert Resolution Number)

Sec. 8-4. Life safety code—Adopted.

The rules and regulations for safety to life from fire in buildings and structures as recommended by the National Fire Protection Association and as adopted and amended by the Georgia Safety Fire Commissioner are hereby adopted in their entirety as the Life Safety Code of the city. Copies of such code are on file in City Hall and with the chief of the fire department. Such code is hereby adopted and incorporated as part of this chapter as fully as if set out at length in this section, and the provisions of such code shall be effective and controlling within the corporate limits of the city from and after the date of adoption and approval of this section.

(Insert Resolution Number)

Sec. 8-5. Same—Penalty for violation.

Any person who shall violate any of the provisions of the life safety code adopted in section 8-4, or any person who shall aid, abet or assist any other person in violation of the code, shall, upon conviction in the municipal court, be punished as provided in section 14-4 pursuant to provisions set forth in O.C.G.A. § 16-8-14(b)(1)

(Insert Resolution Number)

Sec. 8-6. Inspections; abatement of fire hazards.

- (a) The fire chief or his sworn designee is hereby given the authority to inspect all construction or buildings within the city or upon property owned or controlled by the city, whether public, private or business, and shall enforce all laws of the state and the ordinances of the city relating to such construction or buildings for prevention, containment or investigation of fire and fire hazards, both as to the construction or buildings and

as to the contents or occupancy thereof. At no time shall a business license be approved or renewed without the performance of a life safety inspection at a minimum.

- (b) The fire chief or one of his sworn designees, upon the determination by him of the existence of any fire hazard violating the provisions of the city's fire protection code or life safety code in any construction or building, or within the construction or building, or on or within any premises within the city, immediately notify the owner or occupant thereof of the existence of the fire hazard, and that the owner shall abate or remove the fire hazard within 15 days from the date of written notice. Upon failure of the owner or occupant so to do, the fire chief or one of his delegated assistants may, with the approval of the Mayor or his/her designee, cause the issuance of a citation summoning the owner or occupant to appear in the municipal court to answer for having violated the city's fire prevention code or life safety code, for violation of which criminal penalties may be imposed pursuant to section 8-3 or section 8-5.

(Insert Resolution Number)

Sec. 8-7. Obstruction of fire chief in performance of duties.

- (a) No person shall in any way obstruct or prevent or attempt to obstruct or prevent the fire chief in the discharge of his duties by denying or attempting to deny him access to any premises owned or occupied by such person, or by failing or refusing to furnish correct information requested by the fire chief in the investigation into the cause, origin or circumstances of any fire.
- (b) No person shall in any way obstruct or prevent or attempt to obstruct or prevent the fire chief while inspecting any construction, building or premises to determine the existence of any possible fire hazard, nor shall any person deny access to the fire chief to any construction, building or premises for inspection thereof.

(Insert Resolution Number)

Sec. 8-9. Open Burning

- (a) **Enforcement.** The provisions of this article shall be enforced by the Fire Chief and the Chief of Police or such subordinate officers of the Fire Department and Police Department as are necessary to effectuate the requirements set forth herein.
- (b) **Penalties.** Any person who violates any provision of this article shall be subject to a fine as provided in section 14-4 (b)Action pursuant to subsection (a) of this section shall not be a bar to the enforcement of this article by injunction or other appropriate remedy, and the Chief of Police shall have the power to institute and maintain in the name of the City any and all such enforcement proceedings.(c)Nothing in this article shall be construed to abridge, limit or otherwise impair the right of any person to maintain any action or other appropriate proceeding for damages of other relief on account of injuries to persons or property.
- (c) **Burning permit.** No person shall burn or cause to be burned any trash, field, yard, paper, trees, leaves, lumber or vehicles without the permission of the Fire Chief. Burning shall be limited to piles no higher than four feet and no longer than eight feet. Tree limbs over four inches in diameter and over two feet in length and all tree stumps may not be burned. All contractors must possess a written burning permit from the Chief of the Fire Department before burning any type of material. No person shall kindle or maintain any bonfire or authorize any such fire to be kindled or maintained on any private or public land unless the location is no less than 75 feet from a structure with a size not to exceed five cubic feet of combustible materials and 150 feet from a structure with a size not to exceed eight cubic feet of combustible materials. Bonfires shall be limited to activities sponsored by civic, educational, religious, or other groups for purposes of celebration. Gasoline, diesel fuel, and kerosene may not be used to ignite the fires described in this section.

(Insert Resolution Number)

Sec. 8-10. Application for permits.

Application for burning permits shall be on forms provided by the Fire Chief and all permits will be granted in compliance with the current guidelines set forth by the Georgia Forestry Commission.

(Insert Resolution Number)

Sec. 8-9. Fees

- (a) **Prescribed Fees.** An inspection shall not be conducted until the fees as prescribed subsection (b) of this section have been paid.
- (b) **Schedule of Inspection Fees.** On all businesses requiring inspections, a fee as may be set by the Mayor and City Council and as may be amended from time to time and is on file in the office of the City Clerk, shall be paid prior to the time of inspection.

(Insert Resolution Number)

WALTHOURVILLE FIRE DEPARMTNET

Schedule of Fees

(insert adoption date)

INSPECTIONS (EXISTING BUSINESSES)

Initial annual inspection	NO CHARGE
First Follow-up inspection	\$50.00
Second follow-up inspection	\$100.00
Third follow-up inspection	\$150.00

INSPECTIONS (NEW CONSTRUCTION)

80%, Initial and first follow-up	\$100.00
All subsequent follow-up	\$150.00

PLANS REVIEW

Sprinkler System Plans Review	\$100.00 plus \$0.50 per head
Fire Alarm Plans Review	\$100.00 plus \$0.50 per device
Commercial Hood Plans Review	\$100.00
Underground Fire Line Plans Review	\$100.00

EXTRA INSPECTION FEE

When extra inspections are necessary to enforce fire or other applicable codes, due to any of the following reasons, a charge of \$75 for each reinspection required, as a result of the same violation:

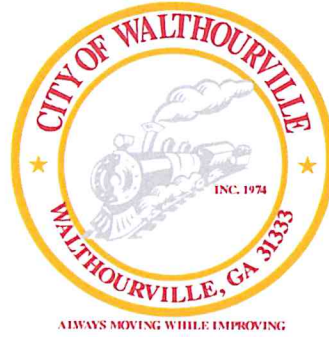
- Work not in compliance with code and/or approved drawings
- Work not ready for inspection upon arrival
- Wrong address
- No representative present at time of scheduled inspection

VIOLATION OF CO/INCIDENT CAUSED BY NEGLIGENCE

\$500.00 fine

PERMITS

Residential Burn Permit	No Charge
Bonfire Permit	No Charge
Contractor Burn Permit	\$250.00 per site
LP Gas/Compressed Gas	\$50.00



AGENDA 6

Mayor and Council

2025 Millage Public Hearing Dates



City of Walthourville 2025 Millage Rate Public Hearing Dates

The City of Walthourville will begin implementation of Property Taxes in 2025 with the collection of revenue in 2026. The Mayor and Council have proposed 12 mills. O.C.G.A. § 36-81-5 mandates that a municipality must advertise the millage increase and hold three Public Hearings.

Listed below are the dates and times for the Public Hearings.

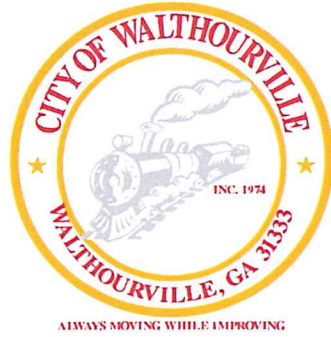
Public Hearing # 1 January 2, 2025 @ 12 Noon-1:00 PM

Public Hearing # 2 January 2, 2025 @ 6:00 PM-7:00 PM

Public Hearing # 3 January 14, 2025 @ 5:00 PM-5:45 PM

All hearings will be held at the Walthourville Fire Department located at 264 Busbee Road in Walthourville.





AGENDA 7

Mayor and Council

FY 2025 Budget

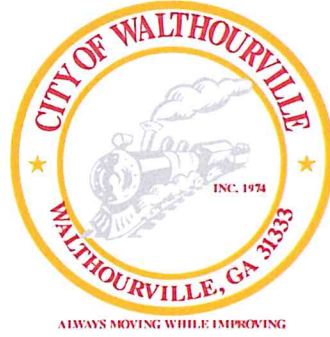


City of Walthourville FY 2025 Budget Hearing and Adoption

The Mayor and Council of the City of Walthourville will conduct its FY 2025 Budget Public Hearing on Thursday December 19, 2024, from 6:00 PM-7:00 PM at the Walthourville Police Department located at 192 B. The purpose of this hearing is to present the proposed FY 2025 General and Water Funds operating budgets.

The FY 2025 Budget Adoption will transpire on Friday December 27, 2024, at 12:00 PM at the Walthourville Police Department.

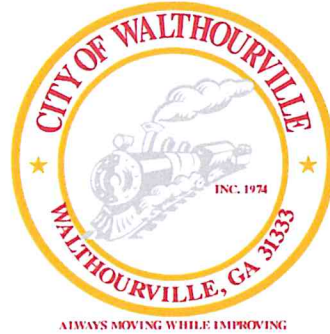
A copy of the proposed budgets will be available at City Hall in the outdoor bulletin board and on the city's website.



AGENDA 8

Mayor and Council

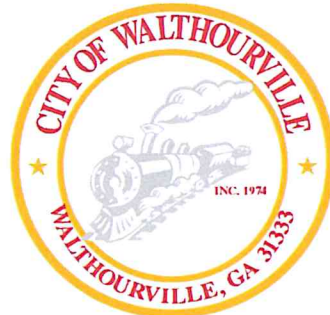
Tree Lighting



AGENDA 9

Mayor Sarah B. Hayes &
Attorney Luke R. Moses

City of Allenhurst, GA IGA



ALWAYS MOVING WHILE IMPROVING

AGENDA 10

Mayor Sarah B. Hayes &
Attorney Luke R. Moses

Public Utilities Ordinance

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE USE OF PUBLIC AND PRIVATE UTILITIES WITHIN THE RIGHTS-OF-WAY

THE MAYOR AND CITY COUNCIL FOR THE CITY OF WALTHOURVILLE, GEORGIA ORDAINS:

Section 1. Purpose, Definitions, Authority and Scope.

(a) **Purpose.** This ordinance prescribes the minimum requirements for the accommodation of public and private Utilities within the City’s Rights-of-Way.

(b) **Definitions.** The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

1. **“Broadband Services”** means a wired or wireless terrestrial service that consists of the capability to transmit at a rate of not less than 25 megabits per second in the downstream direction and at least 3 megabits per second in the upstream direction to end users and in combination with such service provides:
 - (i) Access to the internet; or
 - (ii) Computer processing, information storage, or protocol conversion.
2. **“City”** means the City of Walthourville, Georgia.
3. **“City Clerk”** means the City Clerk of the City of Walthourville, Georgia, or his or her designee, which may include the Public Works Superintendent.
4. **“Codified Ordinances”** means all applicable ordinances of the City of Walthourville, Georgia or Liberty County, Georgia.
5. **“Construct”** means but shall not be limited to, dig, bore, tunnel, trench, excavate, obstruct, install or remove signs, or Facilities, other than landscaping or ornamental plantings, in, on, above, within, over, below, under, or through any part of the Rights of Way. Construct shall also include the act of opening and/or cutting into the surface of any paved or improved surface that is any part of the Right of Way.
6. **“Construction”** means but shall not be limited to, the act or process of digging, boring, tunneling, trenching, excavating, obstructing, installing or removing signs or Facilities, other than landscaping or ornamental plantings, in, on, above, within, over, below, under, or through any part of the Rights of Way. Construction shall also include the act of opening, boring and/or cutting into the surface of any part of the Right of Way.

7. **“Emergency”** means a condition that poses a clear and immediate danger to life, health, or safety of a person, or of significant damage or loss of real or personal property.

8. **“Facility”** or **“Facilities”** means any tangible thing, including but not limited to pipes, mains, conduits, cables, wires, poles, towers, traffic and other signals, and other equipment, appurtenances, appliances and future technology of any Utility in, on, along, over, or under any part of the Rights of Way within the City.

9. **“Facilities Representative(s)”** means the specifically identified agent(s)/employee(s) of a Utility who are authorized to direct field activities of that Utility and serve as official notice agent(s) for Facilities related information. Utility shall be required to make sure at least one (1) of its Facilities Representatives is available at all times to receive notice of, and immediately direct response to, Facilities’ related Emergencies or situations.

10. **“FCC”** means the Federal Communications Commission or any successor thereto.

11. **“Permit”** means an authorization which grants permission to conduct specific regulated activities on, in, over, under or within any Right-of-Way, and which may be subject to conditions specified in a written agreement with the City or in a related provision of this Ordinance.

12. **“Right(s) of Way”** means the surface and space in, on, above, within, over, below, under or through any real property in which the City has an interest in law or equity, whether held in fee, or other estate or interest, or as a trustee for the public, including, but not limited to any public street, boulevard, road, highway, freeway, lane, alley, court, sidewalk, parkway, or any other place, area, or real property owned by or under the legal or equitable control of the City, now or hereafter, that consistent with the purposes for which it was dedicated, may be used for the purposes of constructing, operating, repairing or replacing Facilities. The term “rights-of-way” shall not include buildings, parks, bridges, rivers, tunnels, viaducts, conduits or other public property or easements that have not been dedicated to compatible uses, except to the extent the use or occupation of such property is specifically granted in a permit or by law. The term “rights-of-way” shall not include private easements or public property, except to the extent the use or occupation of public property is specifically granted in a written approval of registration.

13. **“Service(s)”** means the offering of any service by a Utility for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, or alternatively, the provision of any service by a Utility between two or more points for a proprietary purpose to a class of users other than the general public.

14. **“Service Agreement”** means a valid license agreement, service agreement, franchise agreement, or operating agreement issued by the City or state pursuant to law and accepted by a Utility or entered into by and between the City and a Utility, which allows such Utility to operate or provide Service within the geographic limits of the City.

15. **“Street or Streets”** means the surface of, as well as the spaces above and below, any and all the streets, alleys, avenues, roads, bridges, tunnels and public places of the City within the geographic limits of the City, as the same now exist or may be hereafter extended or altered, and any location thereon, thereover or thereunder, and any portion thereof.

16. **“Utility or Utilities”** means all privately, publicly, or cooperatively owned systems for producing, transmitting, or distributing communication, data, information, telecommunication, cable television, video services, power, electricity, light, heat, gas, oil, crude products, water/sewer, steam, fire and police signals, traffic control devices, and street lighting systems, and housing or conduit for any of the foregoing, which directly or indirectly serve the public or any part thereof. The term “Utility” may also be used to refer to the owner, operator, Utility, service, contractor or subcontractor, or any agent thereof, of any above-described Utility or Utility Facility.

(c) **Authority.** Pursuant to GA Code §32-4-92(a)(10) the City may grant permits and establish reasonable regulations for the installation, Construction, maintenance, renewal, removal, and relocation of pipes, mains, conduits, cables, wires, poles, towers, traffic and other signals, and other equipment, facilities, or appliances of any Utility in, on, along, over, or under any part of its municipal street system and of a county road system lying within its municipal limits. Further, 47 U.S.C. § 253(c) provides that the City has authority to manage its public Rights of Way.

(d) **Scope.** The provisions of this ordinance shall apply to all Utilities and Facilities occupying the Rights of Way as provided herein.

Section 2. Construction Permits Required.

(a) **Permit Required.** It shall be unlawful for any Utility to excavate or to Construct, install, maintain, renew, remove or relocate Facilities in, on, along, over or under the public roads of the City without a Utility Permit in accordance with the terms of this Ordinance.

(b) **Permit Procedure.** Utility Permits shall be obtained from the City Clerk or such other person as the Mayor may designate. The written application shall include the following:

1. The name and address of the Utility;
2. The nature, extent, and location of any work proposed to be done, along with satisfactory plans as attachments showing in detail the location of the

proposed Facility or operations as described in the Permit application. The plans shall show the size or capacity of Facilities to be installed; their relationship to Street features such as Right-of-Way lines, pavement edge, structures, etc., horizontal and vertical clearance to critical elements of the roadway and any other information necessary to evaluate the impact on the Street and its operation;

3. The name and address of the person or firm who is to do such work;
4. The name, street address, email address if applicable and telephone and facsimile numbers of one (1) or more Facilities Representative(s).
5. The projected dates for the work to be started and finished;
6. An indemnity bond or other acceptable security in an amount to be set by the City to pay any damages to any part of the City road system or other City property or to any City employee or member of the public caused by activity or work of the Utility performed under authority of the Permit issued;
7. A copy, if requested, of the registrant's certificate of authority (or other acceptable evidence of authority to operate) from the Georgia Public Service Commission and/or the FCC and any other similar approvals, Permits, or agreements; and
8. A copy, if requested, of the Service Agreement, if applicable or other legal instrument that authorizes the Utility to use or occupy the Right of Way for the purpose described in the application.

(c) Permit Fees. Fees shall be determined by the City, subject to the approval by resolution of the Mayor and City Council. A fee schedule is available in Exhibit A, attached hereto.

(d) Issuance of Permit. If the City Clerk determines the applicant has satisfied the following requirements, the City Clerk may issue a Permit:

1. Whether issuing of the approval will be consistent with this Ordinance; and
2. Whether applicant has submitted a complete application and has secured all certificates and other authorizations required by law, if applicable, in order to Construct Facilities in the manner proposed by the applicant; and
3. The impact on safety, visual quality of the streets, traffic flow, and other users of the Right of Way and the difficulty and length of time of the project, Construction or maintenance.

(e) Emergency Situations.

1. Each Utility shall, as soon as reasonably practicable, notify the City of any event regarding its Facilities which it considers to be an Emergency. The Utility may proceed to take whatever actions are necessary in order to respond to the Emergency. A Utility who engages in an Emergency excavation shall take all reasonable precautions to avoid or minimize damage to any existing facilities.

2. In the event that the City becomes aware of an Emergency regarding Utility Facilities, the City may attempt to contact the affected Utility or Facilities Representative. The City may take whatever action it deems necessary in order to respond to the Emergency, including cut or move any of the wires, cables, amplifiers, appliances, or other parts of the Facilities. The City shall not incur any liability to the Utility, for such Emergency actions, and the cost of such shall be paid by each Utility affected by the Emergency.

(f) Effective Period of Permit.

1. Each Permit shall have a set commencement and expiration date based on information provided in the applicant's Permit application.

2. The Permit shall remain in place until construction is completed or until its expiration date unless the Utility is in default. The City Clerk may give written notice of default to a Utility if it is determined that a Utility has:

- (i) Violated any provision or requirement of the issuance or acceptance of a Permit application or any law of the City, state, or federal government;
- (ii) Attempted to evade any provision or requirement of this Ordinance;
- (iii) Practiced any fraud or deceit upon the City; or
- (iv) Made a material misrepresentation or omission of fact in its Permit application.

(g) Cancellation for Cause. If a Utility fails to cure a default within twenty (20) working days after such notice is provided to the Utility by the City, then such default shall be a material breach and City may exercise any remedies or rights it has at law or in equity to terminate the Permit. If the City Clerk decides there is cause or reason to terminate, the following procedure shall be followed:

1. City shall serve a Utility with a written notice of the reason or cause for proposed termination and shall allow a Utility a minimum of fifteen (15) calendar days to cure its breach.

2. If the Utility fails to cure within fifteen (15) calendar days, the City may declare the Permit terminated.

(h) Expiration of Permit. If work has not commenced within six (6) months of the date of issuance, the Permit will automatically expire.

Section 3. Required Minimum Standards.

(a) Utility Accommodation Policy and Standards Manual. The Georgia Department of Transportation (“GDOT”) 2016 Utility Accommodation Policy and Standards Manual, including all references contained therein to codes, rules, regulations, schedules, forms and appendix items, promulgated by GDOT, as may be amended from time to time is hereby adopted by reference and incorporated in this Ordinance as if fully set forth herein, subject to the amendments and modification contained in this Ordinance. A copy of the manual shall be maintained at the offices of the City Clerk or his or her designee and open for public inspection. Any conflicts between the provisions of this Ordinance and the manual shall be resolved in favor of the manual. References to state personnel, agencies, and fees shall be interpreted, where required, as meaning the City of Walthourville municipal equivalents.

(b) Protection of Traffic and Roadway. Unless specifically in the Permit, no Utility may occupy the Rights of Way unless sufficient space is available so that the free flow and safety of traffic and other capacity considerations are not unduly impaired and the installation does not prevent the City from reasonably maintaining the Streets, structures, traffic control devices and other appurtenant facilities, and further provided that maintenance and operations of the Facilities do not jeopardize the traffic, Street structure, other users of the Right of Way or the Right of Way itself.

(c) Grading. If the grades or lines of any Street within the Right of Way are changed at any time by the City during the term of the Permit and this change involves an area in which the Utility’s Facilities are located, then the Utility shall, at its own cost and expense and upon the request of the City upon reasonable notice, protect or promptly alter or relocate the Facilities, or any part thereof, so as to conform with such new grades or lines. In the event the Utility refuses or neglects to so protect, alter, or relocate all or part of the Facilities, the City shall have the right to break through, remove, alter, or relocate all or any part of the Facilities without any liability to the Utility and the Utility shall pay to the City the costs incurred in connection with such breaking through, removal, alteration, or relocation.

(d) Installation of Poles and Other Wireholding Structures and Relocation. Unless otherwise provided in a valid Service Agreement, no placement of any pole or wireholding structure of the Utility is to be considered a vested interest in the Right of Way, and such poles or structures are to be removed, relocated underground, or modified by the Utility at its own expense whenever the City determines that the public convenience would be enhanced thereby. The Facilities shall be so located and installed as to cause minimum interference with the rights and convenience of property owners.

(e) Notice of Intent to Excavate or Demolish. No Utility shall commence, perform, or engage in blasting or in excavating with mechanized excavating Facilities unless and until the Utility planning the blasting or excavating has given forty-eight (48) hours’

notice by submitting a locate request to the One Call Center, beginning the next working day after such notice is provided, excluding hours during days other than working days.

Section 4. Restoration of Property.

(a) Each Utility shall be responsible for the cost of repairing any Facilities in the Rights of Way and adjoining property or other Facilities which it or its Facilities damage.

(b) A Utility shall be liable, at its own cost and expense, to replace, restore or repair, any Street, Facilities or property or structure thereon, thereunder, thereover or adjacent thereto that may become disturbed or damaged as a result of the construction or installation, operation, upgrade, repair or removal of Facilities to a condition as good as or better than its condition before the work performed by the Utility that caused such disturbance or damage. If the Utility does not commence such replacement or repair after twenty (20) working days following written notice from the City, the City or the owner of the affected structure or property may make such replacement or repair and the Utility shall pay the reasonable and actual cost of the same.

Section 5. Inspection.

(a) The Utility shall make the construction site available to the City Clerk and to all others as authorized by law for inspection at all reasonable times during the execution and upon completion of the construction.

(b) At any time, including the time of inspection, the City Clerk may order the immediate cessation of any work which poses a serious threat to the health, safety, or welfare of the public, violates any law, or which violates the terms and conditions of the Permit and/or this Ordinance or issue an order to correct work which does not conform to the Permit and/or applicable standards, conditions or codes.

(c) When the construction under any Permit is completed, the Utility shall notify the City Clerk.

Section 6. Other Approvals, Permits and Agreements.

(a) **Additional Permits Required.** The Utility shall obtain all Construction, building or other Permits or approvals as according to City ordinance, state or federal law. In addition, a Permittee shall comply with applicable laws, shall complete work in a way as to not cause any unnecessary or unauthorized obstructions of sidewalks, Streets, waterways or railways, and is responsible for all work done in the Rights of Way regardless of who performs the work. No Rights of Way obstruction or excavation may be performed when seasonally prohibited or when conditions are unreasonable for such work, except in the case of an Emergency as outlined in Section 2 (e).

Section 7. Penalties.

(a) Every Utility convicted of a violation of any provision of this Ordinance shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) per violation. Each

act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or Permits. This shall include the right to stop work which is in violation of this Ordinance, or other applicable provisions of the City's Code and state law.

(b) A Utility obtaining the Rights of Way without permission or a Permit is considered criminal trespassing. This covers not only buildings but also land, vehicles, and watercraft. Generally, unauthorized entry is considered criminal trespass, which is charged as a misdemeanor, punishable in accordance with applicable law.

Section 8. Aesthetic Standards.

(a) The City finds it is in the best interest of the City and its residents and businesses to establish aesthetic requirements and other specifications and reasonable conditions regarding placement of facilities in the Rights of Way. These requirements, specifications and conditions are adopted in order to protect the public health, safety and welfare of the residents and businesses of the City and to reasonably manage and protect the Rights of Way and its uses in the City.

(b) The objective of this section is to ensure use of the Rights of Way: (i) is consistent with the design, appearance and other features of nearby land uses; (ii) protects the integrity of historic, cultural and scenic resources; and (iii) does not harm residents' quality of life.

(c) This section applies to all requests to locate Facilities in the Rights of Way and ongoing use of the Rights of Way for such Facilities.

(d) Placement or modification of Facilities in the Right of Way shall comply with this section at the time the Permit for installation or modification is approved and as amended from time to time. Permittees are required to comply with City Code and applicable law and regulations.

(e) Facilities Standards.

1. Facilities must be compatible in size, mass, and color to similar Facilities in the same zoning area, with a goal of minimizing the physical and visual impact on the area.

2. Facilities in the residential/historical/architecturally significant areas¹ shall be visually and architecturally integrated with the residential/ historical/

¹ If this requirement is only to apply to specific areas within the City, then enter the appropriate zoning or other designations.

architecturally significant areas² and shall not interfere with prominent vistas or significant public view corridors.

3. Facilities must be located in alignment with existing trees and/or facilities.
4. Facilities must maintain the integrity and character of the neighborhoods and corridors in which the facilities are located.

Undergrounding. Facilities shall be installed underground in the City so long as placement underground will not materially impact the provision of service. Any individual requesting to locate Facilities above ground in the City has the burden to demonstrate by clear and convincing evidence that undergrounding will effectively prohibit the provision of the service in question.

(f) Camouflaging. Facilities must be designed using camouflaging techniques that make them as unobtrusive as possible if:

1. It is not possible or desirable to match the design and color of Facilities with the similar facilities in the same zoning area, as required under Section 8 (a) 1; or
2. Existing facilities in the area are out of character with a streetscape plan or other aesthetic plan that has been adopted by the City.

(g) Concealment. Facilities shall incorporate specific concealment elements to minimize visual impacts.

(h) Installation and Modification Standards. Installation of new Facilities in, on, along, over, or under the Rights of Way or modification of existing facilities in, on, along, over, or under the Rights of Way shall:

1. Minimize risks to public safety;
2. Ensure that placement of facilities on existing structures is within the tolerance of those structures;
3. Ensure that installations and modifications are subject to periodic review to minimize the intrusion on the Right of Way;
4. Ensure that the City bears no risk or liability as a result of the installations or modifications; and
5. Ensure that use of the Rights of Way does not inconvenience the public, interfere with the primary uses of the Rights of Way, or hinder the ability of the City or other government entities to improve, modify, relocate, abandon, or vacate the Right of Way or any portion thereof, or to cause the improvement,

² If this requirement is only to apply to specific areas within the City, then enter the appropriate zoning or other designations.

modification, relocation, vacation, or abandonment of Facilities in the Right of Way.

(i) **Plans for Use.** No Facilities shall be placed in, on, along, over, or under the public Rights of Way unless: (i) there are immediate plans to use the proposed Facility; or (ii) there is a contract with another party that has immediate plans to use the proposed Facility.

(j) **Contact Information.** Every Facility placed in the Rights of Way shall at all times display signage that accurately identifies the Facility owner and provides the Facility owner's unique site number, and also provides a local or toll-free telephone number to contact the Facility owner's operations center.

Section 9. Fiber Installations Fee and Broadband Service Compensation.

(a) **Permits for fiber installations.** In accordance with GA Code § 46-5-1(19)(b) there will be a one hundred dollars (\$100) Permit fee for any new Permit issued for fiber installations.

(b) **Compensation for Broadband Services.** Any telephone companies that provide Broadband Services to any location within the geographic limits of the City, payment at the rate of five cents (5¢) per linear foot annually shall be considered due compensation, and for telephone companies that do not provide any Broadband Services to any location within the geographic limits of the City, payment at the rate of nineteen cents (19¢) per linear foot annually shall be considered the payment of due compensation.

Section 10. Other Provisions.

(a) **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

(b) **Reservation of Regulatory and Police Powers.** The City by issuing a Permit under this Ordinance, does not surrender or to any extent lose, waive, impair, or lessen the lawful powers and rights, which it has now or may be hereafter vested in the City under the Constitution and Laws of the United States, State of Georgia and the City Charter, and under the provisions of the any Codified Ordinances to regulate the use of the Rights of Way. The Utility by applying for and being issued a written Permit, is deemed to acknowledge that all lawful powers and rights, regulatory power, or police power, or otherwise as are or the same may be from time to time vested in or reserved to the City, shall be in full force and effect and subject to the exercise thereof by the City at any time. A Utility is deemed to acknowledge that its interests are subject to the regulatory and police powers of the City to adopt and enforce general ordinances necessary to the safety and welfare of the public and is deemed to agree to comply with all applicable general laws enacted by the City pursuant to such powers. All Utilities

shall comply with City zoning and other land use requirements pertaining to the placement and specifications of Facilities.

(c) **Compliance.** No person shall be relieved of its obligation to comply with any of the provisions of this Ordinance by reason of any failure of City to enforce compliance.

(d) **Appeal of Administrative Decisions.** All appeals provided for by this Ordinance and any notification to the City required by this Ordinance shall be in writing and sent via certified mail to the City Clerk as specified in this Ordinance.

(e) **Ordinance Headings.** Ordinance headings are for convenience only and shall not be used to interpret any portion of this Ordinance

(f) **Repealer.** Except as provided otherwise herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

(g) **Effective Date.** This ordinance shall become effective immediately upon its adoption by the Mayor and City Council.

The foregoing Ordinance No. _____ was offered by Councilmember _____, who moved its approval. The motion was seconded by Councilmember _____, and being put to a vote, the result was as follows:

	AYE	NAY
Sarah B. Hayes, Mayor	_____	_____
Luciria Luckey-Lovette	_____	_____
Robert Dodd	_____	_____
Patrick Underwood	_____	_____
Bridgette Kelly	_____	_____
Mitchell Boston	_____	_____

THIS ORDINANCE adopted this _____ day of _____ 2024. CITY OF WALTHOURVILLE, GEORGIA

SARAH B. HAYES, MAYOR

ATTEST:

SHANA T. MOSS, CITY CLERK

APPROVED AS TO FORM:

LUKE R. MOSES, CITY ATTORNEY

EXHIBIT A
RIGHT-OF-WAY AND EXCAVATION PERMIT FEES

Description	Fee
Administration and plan review fee	\$50.00 (commercial) \$25.00 (residential)
Traffic control plan review and inspection fee	\$50.00 (all permits)
Longitudinal and transverse excavation for major projects (paved areas)	\$3.00 per L.F. (minimum fee \$100.00) \$3.00 per L.F. is high in addition to a franchise fee of \$15,840.000 per mile
Longitudinal and transverse excavation for major projects (unpaved areas)	\$0.75 (0.10) per L.F. (minimum fee \$25.00)
Longitudinal and transverse excavation for point repairs, service lines, storm drains, manholes, etc. (paved areas)	15.00 per S.Y.
Excavation for utility construction, point repairs. street cuts (paved areas)	6.00 per S.Y.
Boring and jacking operations, tunneling, retrofitting of existing utility lines, pipe lining, etc.	\$0.40/\$3.10 per L.F. (minimum fee \$50.00 per block)
Irrigation systems (paved areas)	\$0.40 per L.F. (minimum fee \$25.00)
Utility poles (new or replacement) including guy and anchor as approved by the City on a case by case basis	\$100.00 for new \$25.00 for replacement
Communication towers (new installation) as defined by telecommunications ordinance or small cell ordinance	Fees as defined by each ordinance or permit fee ordinance
Terminal boxes, junction boxes. equipment cabinets, splice boxes, regulator stations, meters and valves in paved areas	\$5.00 each
Vaults (or any cabinet/box bigger than 2' x 3')	\$50.00