



Where Community Connects

STOCKBRIDGE CITY COUNCIL

Mayor

Anthony Ford

Mayor Pro Tem John Blount

Councilwoman LaKeisha Gantt

Councilman Elton Alexander

Councilwoman Neat Robinson

Councilman Alphonso Thomas

CITY MANAGER

Randy Knighton

CITY CLERK

Vanessa Holiday

DEPUTY CLERK

Randi Rainey

CITY ATTORNEY

Michael Williams

**Council Meeting
Agenda
June 26, 2019 6:00 PM**



Stockbridge City Hall

4640 N. Henry Blvd.

Stockbridge, GA 30281

Website: www.cityofstockbridge.com

Phone: 770-389-7900

Fax: 770-389-7912



AGENDA COUNCIL MEETING CITY OF STOCKBRIDGE

WEDNESDAY, JUNE 26, 2019 6:00 PM

Mayor & City Council

Mayor Anthony S. Ford
Mayor Pro Tem John Blount
Councilwoman LaKeisha Gantt
Councilman Elton Alexander
Councilwoman Neat Robinson
Councilman Alphonso Thomas

Administration

Randy Knighton, City Manager
Camilla Moore, Asst. City Mngr.
Vanessa Holiday, City Clerk
Michael Williams, City Attorney
Randi Rainey, Deputy City Clerk

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF THE AGENDA

REVIEW OF THE MINUTES FOR THE FOLLOWING MEETINGS: 5/13/2019 & 5/28/2019

- 1 Draft Minutes of 5/13/2019
- 2 Draft Minutes of 5/28/2019

PUBLIC COMMENTS

Parking Issues in the Downtown Area

Presenter(s): Roger Custin/ Greg Horton- BarnBeautiful-Owners

Nature of Request: Address Parking Issues

Location: Burke Street/ M.L. King, Sr. Heritage Trail -Presented by: Roger Custin, Greg Horton

OLD BUSINESS

- 3 Pine View/ Pine Grove Subdivision
Presentation of Finding from Site Visit of June 11, 2019 - Presented by:
Camilla Moore

AGENDA REQUEST

- 4 **Appeal Hearing**
Applicant: Geraldine Biggs- Warriors Against the Devil Ministries
Nature of Request: Appeal the Denial of Business Permit
Location: 5365 North Henry Blvd.- Proposed Use: Church
Reason for Denial: Moratorium Restriction
- 5 **Appeal Hearing**
Applicant: Andrew James Dixon
Nature of Request: Appeal the Denial of Business Permit
Location: 31 Hwy 138 Suite 240- Proposed Use: Tattoo Studio
Reason for Denial: Moratorium Restriction

NEW BUSINESS

- 6 Council Consideration to approve S.P.L.O.S.T V List - Presented by: Randy Knighton
- 7 Council Consideration to approve a Resolution limiting the acceptance of sponsorship funds from vendors to City Events only - Presented by:
- 8 Council Consideration to approve the Amphitheater Pre-Qualification Bid - Presented by: Lindell Miller
- 9 Council Consideration to fill vacancies and appoint member(s) to the Youth Council Advisory Committee - Presented by: Ericka Harvey- Chairperson

DISCUSSION

- 10 Council Discussion Vicious Dog Ordinance - Presented by: Councilman Alexander
- 11 Council Discussion of the Sunday Brunch Bill - Presented by: Councilman Alexander

CITY MANAGER'S COMMENTS (Randy Knighton)

CITY CLERK'S COMMENTS (Vanessa Holiday)

COMMENTS FROM THE CITY COUNCIL

MAYOR'S COMMENTS (Mayor Anthony Ford)

ANNOUNCEMENTS OF UPCOMING MEETINGS & EVENTS

EXECUTIVE SESSION (Exemptions to the Georgia Open Meetings Acts)

ADJOURNMENT



Where Community Connects

SUMMARY MINUTES COUNCIL MEETING

MONDAY, MAY 13, 2019 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford
Councilman Elton Alexander
Mayor Pro Tem John Blount
Councilwoman LaKeisha Gantt
Councilwoman Neat Robinson
Councilman Alphonso Thomas

Administration

Randy Knighton, City Manager
Camilla Moore, Asst. City Manager
Vanessa Holiday, City Clerk
Randi Rainey, Deputy City Clerk
Michael Williams, City Attorney

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.

The meeting was called to order by Mayor Ford.

Invocation by Art Christian.

Pledge of Allegiance was recited in unison.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All members of the Council were present.

Mayor Pro Tem Blount motioned to amend the Agenda to change Item #6 to a Discussion Item; second by Councilwoman Robinson. The motion passed 5-0.

Mayor Pro Tem Blount motioned to Adopt the Minutes for the following meetings; second by Councilwoman Gantt. The motion passed 5-0.

1. 03/11/2019 2. 03/26/2019 SCM 3. 3/26/23019

CEREMONIAL REVIEW

Mayor Ford reviewed the following Ceremonial events that took place prior to the meeting: National Public Works Week Proclamation – presented to Decius Aaron, Public Works Director, Municipal Clerks Week Proclamation – presented

to Vanessa Holiday, City Clerk and Public Service Appreciation Week Proclamation – presented to James Touchton – Economic Development Director.

PUBLIC COMMENTS

All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting. You must sign your name, address, and phone number. You will be able to address the Mayor and Council for three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated while meetings are in session.

Ms. Cecilia Green spoke about the phrase “Unity in the Community” that had been recited at a previous Council Meeting; and spoke about her experience of plagiarism during a childhood event.

OLD BUSINESS

4. Council Consideration to approve the renewal of the City’s Liability Insurance policy.

Presented by Randy Knighton, City Manager

Mr. Knighton noted the City’s Liability Insurance premium decreased slightly between \$4,500- \$5,000 most notably from surplus and sought approval of the City’s Liability Insurance renewal.

Councilwoman Gantt motioned to approve the renewal of the City’s Traveler’s Liability Insurance policy as proposed by J. Smith Lanier; second by Mayor Pro tm Blount. The motion passed 5-0.

5. Council Consideration to approve the City-Wide Project Manager position. Funding Source: Various

Presented by Randy Knighton, City Manager

Mr. Knighton noted staff completed the RFP process to select the vendor for the overall city-wide projects overseeing certain infrastructure items the city has, further noting the evaluation committee selected 2 firms - Falcon Design and Keck & Wood Inc.; with the recommended choice being Keck & Wood, Inc.

Mayor Pro Tem Blount motioned to approve the City-Wide Project Manager position using Keck & Wood, Inc.; second by Councilwoman Gantt. The motion passed 5-0.

NEW BUSINESS

6. Council Consideration to approve the Jodeco Development Standards and Site Plan.

Presented by Camilla Moore, Community Development Director

Ms. Moore noted the Design Standards will be presented at the May 28, 2019 Work Session meeting following review by the Jodeco Project Developer, Jeff Grant and then review by Mayor & Council. No Action Taken.

7. Council Consideration to approve a Fire Hydrant Meter Policy and Application and Fee Schedule.

Presented by Decius Aaron, Public Works Director

Mr. Aaron noted staff would like to formalize a policy on how contractors secure and use fire hydrants.

Councilwoman Gantt motioned to approve a Fire Hydrant Meter Policy and Application and Fee Schedule; second by Councilwoman Robinson. The motion passed 5-0.

8. Council Consideration to approve Painting of the City's (4) Four Water Towers with new branding in the amount of \$76,400.00 paid in (3) three installments in the amount of \$25,467.00– Funding Source: General Fund.

Presented by Decius Aaron, Public Works Director

Mr. Aaron noted staff would like to move forward with branding the City's four Water towers with the new logo in the amount of \$76,400.00 paid in (3) three installments.

Mayor Pro Tem Blount motioned to approve the Painting of the City's (4) Four Water Towers with new branding in the amount of \$76,400.00 paid in (3) three installments in the amount of \$25,467.00; second by Councilman Alexander. The motion passed 5-0.

DISCUSSION

9. Council discussion of Parking Lot Expansion at Reeves Creek Trailhead (Flippen Rd.) Engineering Preliminary Estimate of Probable Cost for construction= \$24,780.00. Funding Source: SPLOST
Presented by Decius Aaron, Public Works Director
Mr. Aaron noted there were concerns with the lack of parking at the Reeves Creek Trail head and adding beautification projects to the area as well. Mr. Aaron stated the estimated probable cost for construction to add 25 parking spaces would start around \$24,780.00.

Councilman Alexander motioned to approve the estimated probable cost for construction to add overflow parking at \$24,780.00; second by Councilwoman Robinson. The motion passed 5-0.

COMMENTS FROM THE CITY MANAGER

Randy Knighton commended staff on their great work; reminded everyone that Food Truck Tuesday has kicked off; referenced those who are doing the work behind the scenes; looking forward to an exciting time for the City.

COMMENTS FROM THE CLERK'S OFFICE

No Comments

COMMENTS FROM THE CITY COUNCIL

Councilman Thomas thanked everyone who came out and participated in the Memorial Cemetery cleanup; thanked Ms. Jackson for her assistance; invited everyone to attend the 11th Annual Carrie Mae Hambrick Life & Legacy event on Saturday, May 18th at 1:00 p.m. at Trinity UMC followed by the Historical Marker Preservation at the Green Front Café at 2:30 p.m.; noted May is Historic Preservation Month and it is fitting to recognize the Green Front Café and Mrs. Hambrick who was a true servant who served others.

Mayor Pro Tem Blount stated these are exciting times here in the City of Stockbridge; noting the City has come through several battles and on the horizon is the Amphitheater, Cultural Arts Center, and Senior/Youth Center; reiterating Stockbridge is an exciting place to live, work and play and that he is glad to be a part of it; and thanked everyone for coming out.

Councilwoman Gantt wished everyone a Happy Belated Mother's Day, wished Mayor Pro Tem Blount a Happy Birthday; stated Stockbridge is truly where community connects; and noted her door is always open.

Councilman Alexander thanked everyone for tuning in and attending; asked the audience who came to hear about the Jodeco Project; stated our community deserves best in class, class A quality projects; thanked everyone for continuing to support the Jodeco Project; noted the City is moving in the right direction as we are looking to be a community sitting still and being left behind; referenced the concerns with the right-of-way grass cutting, and noted City is looking to remedy; noted the recent Keep Stockbridge Beautiful event where they cut grass, removed illegal signs for beautification.

Councilwoman Robinson noted citizens input is very important and asked that citizens participate at the meetings; noted she missed the City's "Why I Serve" videos and referenced her appointments on the GMA Committees where she represents Stockbridge along with 538 cities in Georgia; referenced the Teen Ambassadors Program and invited those with teens interested in learning about local government to sign up.

COMMENTS FROM THE MAYOR

Mayor Ford noted the upcoming Memorial Day weekend and asked everyone to enjoy the summer; sent congratulations to all of the elementary school, middle school, high school and college graduates and asked that everyone continue to strive and get more education; noted the City continues to do great things and asked that everyone keep the faith; God bless.

UPCOMING MEETINGS

Meeting will be held at City Hall unless otherwise noted. Meeting dates and times are subject to change. Please visit the city's website www.cityofstockbridge.com, Facebook page or contact City Hall offices at 770-389-7900 for updates and detailed information.

- Youth Council Advisory Committee, Wednesday, May 15, 2019 at 6:30 p.m./Levi Room
- Downtown Development Authority meeting, Monday, May 20, 2019 at 6:00 p.m./Levi Rm.
- Planning Commission meeting, Thursday, May 23, 2019 at 7:00 p.m./Council Chamber
- Work Session meeting, Tuesday, May 28, 2019 at 6:00 p.m. at City Hall in the Council Chamber.

UPCOMING EVENT(S) & ANNOUNCEMENTS

- Food Truck Tuesday kickoff, Tuesday, May 14, 2019 from 5:30 – 9:00 p.m. at Clark Park 111 Davis Rd. Stockbridge
- Welcoming Stockbridge RoundTable – Tuesday, May 14, 2019 at 6:30 p.m. in the Levi Meeting Room - spearheaded by Councilwoman Gantt
- Historic Preservation – Green Front Café Plaque Dedication – Saturday, May 18, 2019 at 2:30 p.m.
- Food Truck Tuesday kickoff, Tuesday, May 21, 2019 from 5:30 – 9:00 p.m. at Clark Park 111 Davis Rd. Stockbridge
- Quarterly Town Hall – Thursday, May 23, 2019 at 7:00 p.m. at J. W. Suites Event Center spearheaded by Councilman Alexander.
- Annual Memorial March – Monday, May 27, 2019 at 9:00 a.m. at the Merle Manders Conference Center 111 Davis Rd.– Registration is FREE and available online at www.cityofstockbridge.com under Events
- Monthly Bingo Bash Wednesday, May 29, 2019 from 10:00 a.m. – noon at the Ted Strickland Community Center – spearheaded by Mayor Pro Tem Blount

CITY OFFICES WILL BE CLOSED MONDAY, MAY 27, 2019 IN OBSERVANCE OF MEMORIAL DAY.

ONGOING INITIATIVES

- Meet & Greet the Mayor Mondays with Mayor Anthony S. Ford from 10:00 a.m. - noon **every fourth Monday** of the month (appointment required). Please contact LaQuinda Jackson @ 678-833-3348 for more information and scheduling. *Meeting date Tuesday, May 28th due to the Memorial Day holiday.
- Don't Trash Stockbridge No Litter Campaign – Ongoing – spearheaded by Councilman Thomas. Contact: LaQuinda Jackson @ 678-833-3348 for more information.

- Monthly Bingo Bash from 10:00 a.m. – noon at the Ted Strickland Community Center spearheaded by Mayor Pro Tem Blount. Visit the City's website or Facebook page for dates and information.
- Quarterly Town Hall – Ongoing – spearheaded by Councilman Alexander. Visit the City's website or Facebook page for dates and information.
- Keep Stockbridge Beautiful – Ongoing – spearheaded by Councilman Alexander. Contact LaQuinda Jackson @ 678-833-3348 for more information.
- Quarterly Clergy RoundTable – spearheaded by Councilwoman Robinson. Contact LaQuinda Jackson @ 678-833-3348 for more information.
- Quarterly Welcoming Stockbridge RoundTable every 2nd Tuesday of each month at 6:30 p.m. in the City Hall Levi Meeting Room – spearheaded by Councilwoman Gantt. Contact LaQuinda Jackson @ 678-833-3348 for more information.
- Quarterly Homeowners and Neighborhood Association RoundTable – spearheaded by Mayor Pro Tem Blount. Contact LaQuinda Jackson @ 678-833-3348 for more information.

Mayor Pro Tem Blount motioned to adjourn the meeting; second by Councilman Thomas. The motion passed 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



Where Community Connects

SUMMARY MINUTES WORK SESSION MEETING

TUESDAY, MAY 28, 2019 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford
Councilman Elton Alexander
Mayor Pro Tem John Blount
Councilwoman LaKeisha Gantt
Councilwoman Neat Robinson
Councilman Alphonso Thomas

Administration

Randy Knighton, City Manager
Camilla Moore, Asst. City Manager
Vanessa Holiday, City Clerk
Randi Rainey, Deputy City Clerk
Michael Williams, City Attorney

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.

The meeting was called to order by Mayor Ford.

Invocation by Darius Pattillo.

Pledge of Allegiance was recited in unison.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All members were present.

Mayor Pro Tem Blount motioned to adopt the Agenda to remove Item #4 to be presented on 6/10/2019; second by Councilman Thomas. The motion passed 5-0.

Review of the Minutes for the following meetings: No Action taken.

1. 04/08/2019
2. 04/30/2019

PUBLIC COMMENTS

All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting. You must sign your name, address, and phone number. You will be able to address the Mayor and Council for three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated while meetings are in session.

Mr. Darron Garring of 106 Willow Trace Stockbridge spoke on short-term rentals and Air BNB's in the Windsong subdivision, and the nuisance, noise, trash, and public indecency that has come with the parties that are taking place in these homes. Mr. Garring requested an Ordinance that would prohibit short-term rentals and prevent the deterioration of the community.

PRESENTATION

3. Presentation by Henry County District Attorney's Office
District Attorney Darius Pattillo gave an overview of what the District Attorney's Office does. Mr. Pattillo noted the DA's Office prosecutes all felony crimes who has more than a year sentence and over \$1,000 fine in the County. Mr. Pattillo stated the mission of the District Attorney's Office is to aggressively prosecute violent offenders and try to redeem those who are redeemable, and lastly, doing what it takes to prevent crime. Mr. Pattillo also mentioned the DA's Office has created a few different programs such as Crimes against children, Pre-Trail Diversion and programs to help the youth to stay out of gangs. No Action taken.

OLD BUSINESS

4. Council Consideration to approve the Jodeco Development Standards and Site Plan.
Presented by Camilla Moore, Community Development Director
Item Removed from the Agenda – To be presented on 6/10/2019
5. Youth Council Update
Presented by Ericka Harvey, Committee Chair
Ms. Harvey gave an update of the Youth Council Advisory Committee and referenced the suggestions to restructure the Youth Council program. Ms. Harvey also referenced vacancies on the committee that needed to be filled and asked if the Council Liaison position was going to be replaced, and further noted her desire to have the Staff Liaison remain in place.

Councilwoman Gantt motioned to amend the Youth Council Ordinance to revise criteria to allow for Henry County residents to be members of the Advisory Board; second by Mayor Pro Tem Blount. The motion passed 5-0.

NEW BUSINESS

6. Council Consideration to fill vacancies and appoint Youth Council Advisory Committee members.
Presented by Erica Harvey, Committee Chair
Ms. Harvey noted applications had been submitted.

Mayor Pro Tem Blount expressed his concern of Council Members

involvement as opposed to the Advisory Committee making the decisions and advising the Youth Council and motioned to remove Council Member from being a voting member on the Youth Council Advisory Committee. The motion failed for lack of a second; the motion was withdrawn.

Councilman Thomas recommended tabling the item and look at proposals for the program in a comprehensive manor.

The consensus of the Council was to extend the timeframe for submitting applications.

7. Council Consideration to approve 2019 – 2020 Health Benefits Renewal Package for the City.

Presented by Randy Knighton, City Manager, Renee Wheeler, Human Resources Manager Mr. Hayes of MSI Benefits

Mr. Knighton introduced Mr. Hayes who was presenting on behalf of MSI Benefits. Mr. Hayes proceeded with the presentation and noted during the time period of March 2018-February 2019, Cigna paid out \$1.161 million in claims, with a loss ratio of 129%. Mr. Hayes also noted the recommendation to lower cost is by looking at bundling the health benefits package, and to raise the deductible from \$2,500 to \$5,000, with also raising the max out of pocket from \$5,000 to \$7,900 and would put the renewal increase around 29%. Mr. Hayes recommended moving the renewal date from July 1st to January 1st to reflect with the fiscal years date; renewing in six months to re-evaluate in the 4th quarter, with a secondary enrollment for January 1st., and to pay the same percentage with a different cost to each tier with family coverage.

Mayor Pro Tem Blount inquired about the different tiers dealing with prescriptions. Mr. Hayes noted tier 1 is for basic generic drugs, tier 2 is for non-preferred generic drugs, tier 3 is grade A with some name brand drugs and tier 4 are expensive drugs for those dealing with significant illnesses.

Councilwoman Robinson motioned to approve 6-month renewal w/Cigna effective 07/01/2019 through 12/31/2019; second by Councilman Alexander. The motion passed 5-0.

8. Council Consideration to fill vacancy and appoint Interim of the Stockbridge Municipal Court Solicitor.

Presented by Michael Williams, City Attorney

Attorney Williams noted the current Court Solicitor is taking a permanent role with the County and recommended Julie Kert who

would come in on interim basis. Attorney Williams also noted Ms. Kert has experience working in a Solicitors' Office for the City of Fayetteville and has a successful criminal law practice. Attorney Williams recommends having an interim Solicitor for the next seven months and appointing a permanent Solicitor position in January; noting the position serves at the Council's discretion and can be replaced at any time.

Mayor Pro Tem Blount motioned to appoint Julie Kert as Interim Municipal Court Solicitor; second by Councilwoman Gantt. The motion passed 5-0.

DISCUSSION

9. Council discussion Healthy Food Overlay/Ordinance

Presented by Councilman Alexander

Councilman Alexander expressed his desire to protect the city from the proliferation of *Dollar Stores* and would like to look at creating an ordinance that would require distance between these types of stores and address the unhealthy packaged and processed foods sold in being sold.

Community Development Director Camilla Moore suggested the City look zoning conditions that would perturb them from coming. Ms. Moore suggested adding to the current Moratorium specific square footage to stop the stores from coming into the City. Attorney Williams noted the stores are referred to as *Small Box Discount Stores* with less than 12,000 sq. Ft. with average \$10 prices on products sold.

Councilman Alexander motioned to approve a Moratorium on Small Box Discount Stores less than 12,000 sq. feet and marketing items on average of less than \$10; second by Councilwoman Robinson. The motion failed 2-3-1 (Blount, Thomas, Ford opposed), Councilwoman Gantt (abstained from the vote) with Mayor Ford casting the tiebreak vote.

COMMENTS FROM THE CITY MANAGER

Mr. Knighton thanked everyone for participating in the City's Annual Memorial March event and honoring those who made the ultimate sacrifice; thanked the Public Works team for their work with the County on State Route Hwy. 138, and beautification efforts on the gateway entrances to the City; noted he met with members of Council and rode the City and spoke about shared roadways; thanked staff for their hard work and efforts.

COMMENTS FROM THE CLERK'S OFFICE

Mrs. Holiday offered condolences to Mayor Ford for the loss of his father; also

congratulated the 2019 graduates.

COMMENTS FROM THE CITY COUNCIL

Councilman Thomas commended the Main Street Program on the unveiling of the Historic Green Front Café marker and thanked all who attended along with those who attended the Annual Carrie Mae Hambrick celebration; thanked Mr. Knighton and Mayor Ford for their assistance with the Memorial March and honoring the men and women of the Armed Services, noted this was his 10th year participating in this annual event and thanked all who were involved in making it happen.

Mayor Pro Tem Blount thanked everyone for participating in the Memorial March noting it was well attended; offered his condolences to Mayor Ford for the loss of his father; invited everyone out to the Bingo Bash on Wednesday; thanked staff for their hard work and efforts; noted his growth and knowledge over the last few years; thanked his colleagues that even when they may disagree, his mindset is always for the betterment of the City of Stockbridge.

Councilwoman Gantt thanked everyone for coming out and tuning in; noted that at the next Food Truck Tuesday on June 11th, the City will team up with Fresh Produce who will have a Pop Up with organic fresh produce with at the event offering produce between \$6 and \$40 based on income and noted you can sign up ahead of time on the City's website and thanked Diane Miller for bringing the item forward; thanked everyone for their continued prayers; thanked staff for their efforts and stated that while sometimes their comments may be harsh, their ideas are always to do what is in the best interest of the City.

Councilman Alexander thanked everyone for coming out and tuning in; noted tonight's vote was not about the legislation, but it was about personalities, noting the proposed ordinance was a good idea that would benefit the community; asked for a timetable to bring an ordinance forward to limit businesses as there is public support for these moratoriums that prevent the deterioration of the community; noted the Council can hear appeals of those who fall in the moratoriums; asked colleagues to do what is in the best interest of the citizens.

Councilwoman Robinson offered her condolences to Mayor Ford for the loss of his father and to the Lemon family for the loss Bobby Lemon, former Henry County Chief Deputy and asked to keep both families in prayer; referenced the upkeep of the monuments that are being placed in the City (Green Front Café and Floyd Chapel Baptist Church); noted the Teen Ambassadors will be introduced at the June 10th Council meeting and sponsors who contributed to last year's National League of Cities trip would also be recognized; thanked staff for their efforts and noted last week was Public Works recognition week; asked that staff and the legal team get together prior to the meeting to discuss Agenda items and stand strong on their recommendations.

COMMENTS FROM THE MAYOR

Mayor Ford thanked everyone who sent cards, flowers, condolences and all of the kind words on the passing of his father, who lived to be age 95, was a WWI and Korean War Veteran, and he only hopes to live a long and fruitful life as his father did; noted there are great things upcoming in the City in 2020 and the officials and staff are all doing things for the betterment of the City to make Stockbridge a model City.

UPCOMING MEETINGS

Meeting will be held at City Hall unless otherwise noted. Meeting dates and times are subject to change. Please visit the city's website www.cityofstockbridge.com, Facebook page or contact City Hall offices at 770-389-7900 for updates and detailed information.

- City Council meeting, Monday, June 10, 2019 at 6:00 p.m. – Council Chamber
- Stockbridge Youth Council meeting, Wednesday, June 12, 2019 at 5:30 p.m./Levi Room
- Youth Council Advisory Committee, Wednesday, June 19, 2019 at 6:30 p.m./Levi Room
- Downtown Development Authority meeting, Monday, June 17, 2019 at 6:00 p.m./Levi Rm.
- Planning Commission meeting, Thursday, June 27, 2019 at 7:00 p.m./Council Chamber
- Work Session meeting, **Wednesday**, June 26, 2019 at 6:00 p.m. at City Hall in the Council Chamber.

UPCOMING EVENT(S) & ANNOUNCEMENTS

- Food Truck Tuesday, June 4, 2019 from 5:30 – 9:00 p.m. at Clark Park 111 Davis Rd. Stockbridge
- Main Street Movie, Saturday, June 8, 2019 at 8:00 p.m. City Hall Lawn; bring your chairs and blankets
- Food Truck Tuesday, Tuesday, June 11, 2019 from 5:30 – 9:00 p.m. at Clark Park 111 Davis Rd. Stockbridge
- Welcoming Stockbridge RoundTable – Tuesday, June 11, 2019 at 6:30 p.m. in the Levi Meeting Room - spearheaded by Councilwoman Gantt
- Economic Summit, Thursday, June 13, 2019 from 5:00 p.m. – 7:00 p.m. at the Merle Manders Conference Center – spearheaded by Mayor Anthony S. Ford
- Don't Trash Stockbridge No Litter Campaign, Saturday, June 15, 2019 Location: spearheaded by Councilman Thomas. Contact: LaQuinda Jackson @ 678-833-3348 for more information.
- FREE Sounds of Summer Concert, Saturday, June 15, 2019 at 8:00 a.m. on the City Hall Lawn; bring your chairs and blankets

- Food Truck Tuesday, Tuesday, June 18, 2019 from 5:30 – 9:00 p.m. at Clark Park 111 Davis Rd. Stockbridge
- Food Truck Tuesday, Tuesday, June 25, 2019 from 5:30 – 9:00 p.m. at Clark Park 111 Davis Rd. Stockbridge
- Monthly Bingo Bash Wednesday, June 26, 2019 from 10:00 a.m. – noon at the Ted Strickland Community Center – spearheaded by Mayor Pro Tem Blount

ONGOING INITIATIVES

- Meet & Greet the Mayor Mondays with Mayor Anthony S. Ford from 10:00 a.m. - noon **every fourth Monday** of the month (appointment required). Please contact LaQuinda Jackson @ 678-833-3348 for more information and scheduling.
- Don't Trash Stockbridge No Litter Campaign – Ongoing – spearheaded by Councilman Thomas. Contact: LaQuinda Jackson @ 678-833-3348 for more information.
- Monthly Bingo Bash from 10:00 a.m. – noon at the Ted Strickland Community Center spearheaded by Mayor Pro Tem Blount. Visit the City's website or Facebook page for dates and information.
- Quarterly Town Hall – Ongoing – spearheaded by Councilman Alexander. Visit the City's website or Facebook page for dates and information.
- Keep Stockbridge Beautiful – Ongoing – spearheaded by Councilman Alexander. Contact LaQuinda Jackson @ 678-833-3348 for more information.
- Quarterly Clergy RoundTable – spearheaded by Councilwoman Robinson. Contact LaQuinda Jackson @ 678-833-3348 for more information.
- Quarterly Welcoming Stockbridge RoundTable every 2nd Tuesday of each month at 6:30 p.m. in the City Hall Levi Meeting Room – spearheaded by Councilwoman Gantt. Contact LaQuinda Jackson @ 678-833-3348 for more information.
- Quarterly Homeowners and Neighborhood Association RoundTable – spearheaded by Mayor Pro Tem Blount. Contact LaQuinda Jackson @ 678-833-3348 for more information.

Councilwoman Robinson motioned to adjourn the meeting; second by Councilman Alexander. The motion passed 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



Where Community Connects

AGENDA REQUEST

To be heard by the Stockbridge Mayor and City Council

AGENDA DATE: June 26, 2019 6:00 p.m. **REQUEST:** ADDRESS PARKING ISSUES

APPEALANT NAME: Roger Custin & Greg Horton - Owners

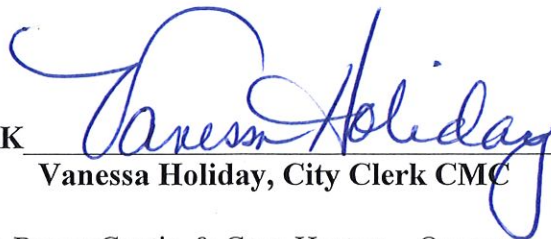
ADDRESS: 100 M. K. King Sr. Heritage Trail, Stockbridge, GA 30281

CONTACT INFORMATION: Email: rogercustin@bellsouth.net

NATURE OF REQUEST: ADDRESS PARKING ISSUES IN THE DOWNTOWN AREA

LOCATION: M. L. King, Sr. Heritage Trail and Burke Street

CITY CLERK


Vanessa Holiday, City Clerk CMC

DATE: June 17, 2019

Notifications: Roger Custin & Greg Horton – Owners
Michael Williams, City Attorney
Randy Knighton, City Manager
Camilla Moore Community Development Director

PineView/PineGrove Subdivision Update to Mayor & Council from Site Visit of June 11th

Presented by Camilla Moore, Community
Development Director



Where Community Connects

AGENDA REQUEST

To be heard by the Stockbridge Mayor and City Council

AGENDA DATE: June 26, 2019 6:00 p.m.

REQUEST: APPEAL HEARING

APPEALANT NAME: Geraldine Biggs – Warriors Against the Devil Ministries

ADDRESS:

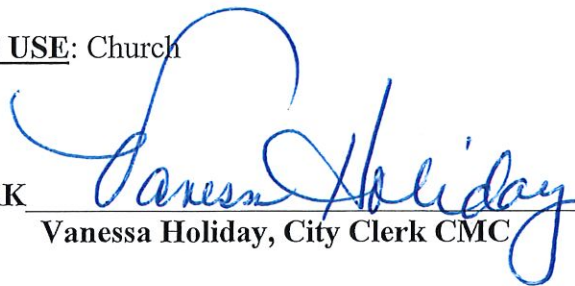
CONTACT INFORMATION: Email: geraldinebiggs@hotmail.com

NATURE OF REQUEST: DENIAL OF BUSINESS PERMIT

LOCATION: 5365 N. Henry Blvd. Suite 121/123 Stockbridge, GA 30281

PROPOSED USE: Church

CITY CLERK



Vanessa Holiday, City Clerk CMC

DATE: June 18, 2019

Notifications: Geraldine Biggs – Applicant
Michael Williams, City Attorney
Randy Knighton, City Manager
Camilla Moore Community Development Director
Uneeda Smith-Sellers, Business Services Supervisor



Where Community Connects

AGENDA REQUEST

To be heard by the Stockbridge Mayor and City Council

AGENDA DATE: June 26, 2019 6:00 p.m.

REQUEST: APPEAL HEARING

APPEALANT NAME: Andrew Dixon

ADDRESS:

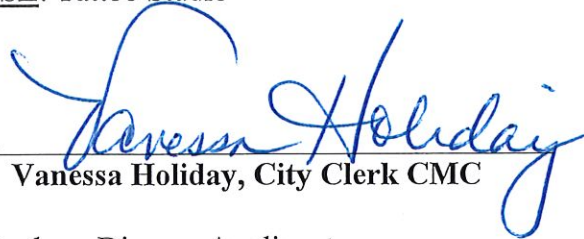
CONTACT INFORMATION: Email: ajdixon10@gmail.com

NATURE OF REQUEST: DENIAL OF BUSINESS PERMIT

LOCATION: 31 Hwy. 138 Suite 240 Stockbridge, GA 30281

PROPOSED USE: Tattoo Studio

CITY CLERK



Vanessa Holiday, City Clerk CMC

DATE: June 18, 2019

Notifications: Andrew Dixon – Applicant

Michael Williams, City Attorney

Randy Knighton, City Manager

Camilla Moore Community Development Director

Uneeda Smith-Sellers, Business Services Supervisor

Council Consideration to approve S.P.L.O.S.T. V List

Presented by Randy Knighton – City Manager

RESOLUTION NO. _____

**A RESOLUTION TO ADOPT A POLICY WITH RESPECT TO THE
SOLICITATION OF SPONSORSHIPS, DONATIONS, GIFTS OR FUNDS
FOR CERTAIN CITY FUNCTIONS OR EVENTS**

WHEREAS, the City of Stockbridge (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City Council desires to establish a policy with respect to the solicitation of sponsorships, donations, gifts or funds for certain City functions or events;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval. The policy attached hereto as Exhibit A is hereby approved.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor or Mayor Pro Tem is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

SO REOLVED this 26th day of June, 2019.

ANTHONY S. FORD, Mayor

ATTEST:

APPROVED AS TO FORM:

(SEAL)
VANESSA HOLIDAY, City Clerk

MICHAEL WILLIAMS, City Attorney

EXHIBIT A

SOLICITATION POLICY

1. Except as specifically authorized by this policy or a resolution of the City Council, no employee, agent, volunteer nor any member of the City Council shall solicit any sponsorships, donations, gifts or funds from any person or entity to support any city event or function, including initiatives of City Council members.
2. Employees of the City are authorized to solicit sponsorships, donations, gifts or funds from any person or entity to support BridgeFest, Food Truck Tuesday, the City's Christmas Festival, the Memorial Day March, the Main Street Movie, the annual 911 Commemoration, the Breast Cancer Luncheon, the Breast Cancer Walk, the Veterans Day Parade and Sounds of Summer.
3. With respect to any initiative of a City Council member, members of the Council are authorized to solicit sponsorships, donations, gifts or funds from any person or entity so long as such person or entity (or any of their affiliates or subsidiaries) is not a current or pending vendor (having submitted a bid to the City to provide any goods or services) of the City and so long as such person or entity (or any of their affiliates or subsidiaries) does not have any other contractual relationship with the City. In the event any person or entity (or any of their affiliates or subsidiaries) that is a current vendor, pending vendor or who has a contractual relationship with the City does provide a sponsorship, donation, gift or funds to the City in support of an initiative of a City Council member, such item shall be returned.

Council Consideration to approve the Amphitheater Pre-Qualification Bid.

Presented by Lindell Miller —
Purchasing Supervisor



City of Stockbridge
4640 North Henry Blvd.
Stockbridge, GA 30281



APPLICATION FOR YOUTH ADVISORY BOARD

Citizens provide a great insight and knowledge to City government. The Stockbridge Youth Advisory Board is an avenue to strengthen relationships between the youth and their community by creating programs and encouraging opportunities for youth to give back to the community.

REQUIREMENTS FOR PARTICIPATION:

- Must be a resident of City Limits of Stockbridge.
- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: Jodie Alexander

Occupation: _____

Home Address: 121 Brookfield Drive

City: Stockbridge

Zip: 30281

Home Phone: _____

Home E-Mail: _____

Work Phone: _____

Work E-Mail: _____

Cell Phone: _____

Preferred E-Mail: ☒ Home ☐ Work

YOUTH ADVISORY BOARD APPLICATION

Page 2 of 2

a.) Why are you interested in participating?

To help the youth get involved in positive activities in the community.

b.) What pertinent skills/experiences and contributions can you bring to this program?

I was involved in youth city council activities and events in NJ. I developed a program for teens as well and held meetings.

eSigned via DocuSign
Jodie Alexander
Key: 1aa7b946a1d4ed183155d910e12c900

Jodie Alexander

06/19/2019

Signature

Printed Name

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov



City of Stockbridge
4640 North Henry Blvd.
Stockbridge, GA 30281



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- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: Siedah Canty

Occupation: _____

Home Address: 109 Carrie Mae Lane City: Stockbridge Zip: 30281

Home Phone: 1 _____ Home E-Mail: [REDACTED]

Work Phone: 1 _____ Work E-Mail: _____

Cell Phone: [REDACTED] Preferred E-Mail: ☒ Home ☐ Work

YOUTH ADVISORY BOARD APPLICATION

Page 2 of 2

a.) Why are you interested in participating?

I am interested in participating because I feel that the youth of the community are being left out in many ways and need someone to assist them with being reintroduced to the community and someone to encourage them to be

b.) What pertinent skills/experiences and contributions can you bring to this program?

The skills and experiences that I feel that I will be able to contribute are those such as being a former youth of Stockbridge and having experienced what it was like to grow up here as well as now live as an adult. I feel that I have great communication skills which will allow me to speak as a mediator between the youth of Stockbridge and the adults.



Siedah Canty

06/19/2019

Signature

Printed Name

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov



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Stockbridge, GA 30281



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REQUIREMENTS FOR PARTICIPATION:

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- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: Kadeem Slocum

Occupation: Recent College Graduate

Home Address: 126 Brenleigh Park Drive

City: Stockbridge

Zip: 30281

Home Phone: _____

Home E-Mail: _____

Work Phone: _____

Work E-Mail: _____

Cell Phone: _____

Preferred E-Mail:



Home



Work

YOUTH ADVISORY BOARD APPLICATION

Page 2 of 2

a.) Why are you interested in participating?

I have a passion for making my community a better environment. I believe I have a great deal to offer for that cause.

b.) What pertinent skills/experiences and contributions can you bring to this program?

I have great people skills which have been on display through my jobs as a technical analyst at Clayton State University, a Cashier at Ingles Market and a Resident Assistant at Gordon State College. I have a Bachelors in history from Gordon State College and my desire to teach in the future was shown in my work as an after school teacher at McGarrah Elementary School.

eSigned via eSignatures.com

Kadeem Jamal Slocum

Key: 1a27b946a104ed153fa50f922c900

Kadeem Slocum

05/30/2019

Signature

Printed Name

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov



City of Stockbridge
4640 North Henry Blvd.
Stockbridge, GA 30281



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REQUIREMENTS FOR PARTICIPATION:

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- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: LaTarris Burney

Occupation: Parole Investigator

Home Address: 161 Edison Drive

City: Stockbridge

Zip: 30281

Home Phone: [REDACTED]

Home E-Mail: [REDACTED]

Work Phone: [REDACTED]

Work E-Mail: [REDACTED]

Cell Phone:

Preferred E-Mail: ☒ Home ☐ Work

YOUTH ADVISORY BOARD APPLICATION

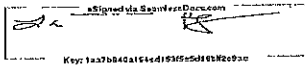
Page 2 of 2

a.) Why are you interested in participating?

To help inform the troubled youth on how the justice system works

b.) What pertinent skills/experiences and contributions can you bring to this program?

I have been employed by the Parole Board for almost 20 years and I run across a lot of youthful offenders that are completely unaware of how the justice system works and find themselves involved in situations that they are completely clueless about. I just want to shed some light on how on wrong decision can be a devastating one.



Signature

LaTarris Burney

Printed Name

05/24/2019

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov



City of Stockbridge
4640 North Henry Blvd.
Stockbridge, GA 30281



APPLICATION FOR YOUTH ADVISORY BOARD

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REQUIREMENTS FOR PARTICIPATION:

- Must be a resident of City Limits of Stockbridge.
- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: Rachelle Frank

Occupation: Parapro

Home Address: 248 Edison drive

City: Stockbridge

Zip: 30281

Home Phone: [REDACTED]

Home E-Mail: [REDACTED]

Work Phone: [REDACTED]

Work E-Mail: _____

Cell Phone: [REDACTED]

Preferred E-Mail:



Home

☐ Work

YOUTH ADVISORY BOARD APPLICATION

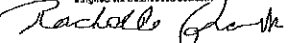
Page 2 of 2

a.) Why are you interested in participating?

I am a Mother of three, I've lived in Stockbridge since 2004. I enjoy working with kids and young adults especially for our community.

b.) What pertinent skills/experiences and contributions can you bring to this program?

I am currently employed at Stockbridge Methodist Preschool as a Parapro. I interact with many people that live in our community and know what they are looking for as parents and students for the past 13 years.


eSigned via eSign.com
Key: 1a27b940a194ed153f5e5d39a0f2c9a0

Signature

Rachelle Frank

Printed Name

06/02/2019

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov



City of Stockbridge
4640 North Henry Blvd.
Stockbridge, GA 30281



APPLICATION FOR YOUTH ADVISORY BOARD

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REQUIREMENTS FOR PARTICIPATION:

- Must be a resident of City Limits of Stockbridge.
- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: Lynn Bolander

Occupation: Actively Retired

Home Address: 145 Wexford Ct.

City: Stockbridge

Zip: 30281

Home Phone: _____

Home E-Mail: _____

Work Phone: _____

Work E-Mail: _____

Cell Phone: _____

Preferred E-Mail:

☒ Home

☐ Work

YOUTH ADVISORY BOARD APPLICATION

Page 2 of 2

a.) Why are you interested in participating?

Middle and High school is a difficult time for kids. I am interested in helping them make good decisions by having good choices open to them.

b.) What pertinent skills/experiences and contributions can you bring to this program?

I am a retired social studies teacher and taught children this age. They need activities that interest them as well as leaders who will help them make good choices. I taught at an alternative school in Arizona and my students were in rehab, detained or expelled from a regular school. I motivated them to work on assignments and pass the class. Sometimes, that involved lots of phone calls and face time, but they got interested in learning.


eSigned via SeamlessDocs.com
Key: 1a07b946a19ed1531a5d956f12c9e

Lynn Bolander

05/30/2019

Signature

Printed Name

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov



City of Stockbridge
4640 North Henry Blvd.
Stockbridge, GA 30281



APPLICATION FOR YOUTH ADVISORY BOARD

Citizens provide a great insight and knowledge to City government. The Stockbridge Youth Advisory Board is an avenue to strengthen relationships between the youth and their community by creating programs and encouraging opportunities for youth to give back to the community.

REQUIREMENTS FOR PARTICIPATION:

- Must be a resident of City Limits of Stockbridge.
- Must be at least 18 years of age
- Must pass a background check

APPLICANT INFORMATION

Applicant Name: Gabriel Armstead

Occupation: _____

Home Address: 574 Goldfinch Way

City: Stockbridge

Zip: 30281

Home Phone: _____

Home E-Mail: [REDACTED]

Work Phone: _____

Work E-Mail: _____

Cell Phone: [REDACTED]

Preferred E-Mail: ☒ Home ☐ Work

YOUTH ADVISORY BOARD APPLICATION

Page 2 of 2

a.) Why are you interested in participating?

I would like to be apart of the charge being created for the youth of Stockbridge. Teaching them leadership skills and creating goals while implementing new ideas.

b.) What pertinent skills/experiences and contributions can you bring to this program?

Leadership skills, youth development , personal growth, community service ideas and projects

eSigned via SecureSignDoc.com
Gabriel J. Armstead
Key: 1a7b9462d54ed16312e5d4167f2c8a

Signature

Gabriel Armstead

Printed Name

05/21/2019

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: vholiday@cityofstockbridge-ga.gov

11.12.010 - Codification of Henry County Animal Control Ordinance.

The Animal Control Ordinance of Henry County, Georgia, adopted by the Henry County Board of Commissioners on July 16, as Ordinance No. 12-12, and codified by Henry County in Chapter 3-4 of the Code of Henry County is incorporated by this reference and adopted by the City and made the animal control ordinance of the City of Stockbridge, Georgia.

(Ord. No. 09-207, 3-9-2009; Ord. No. 12-283, § 1, 8-13-2012)

Subchapter 1 - Animals⁽¹⁾

Footnotes:

--- (1) ---

Editor's note— Ord. No. 12-12, adopted July 16, 2012, amended subchapter 1 in its entirety to read as herein set out. Former subchapter 1 pertained to the same subject matter and derived from Ord. No. 09-01, adopted Feb. 2, 2009.

Cross reference— Authority of county to regulate animals, § 1-1-1.

ARTICLE I. - IN GENERAL

Sec. 3-4-1. - Purpose; short title.

In order to protect the health and safety of persons and animals in Henry County, to improve and make more safe motor vehicle and pedestrian traffic, to control the incidence and spread of rabies, to prohibit abandonment and other forms of cruelty to animals, to promote the general welfare of the citizens of this county by providing specific regulations concerning the care and treatment of animals and providing for violations of those regulations, and to invest the authority to enforce those regulations, the Board of Commissioners of Henry County, Georgia, hereby adopts this subchapter, to be known and cited as the "animal control ordinance."

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-2. - Definitions.

For the purpose of this subchapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Abandoned animal means any animal which shall have been placed upon public property or within a public building unattended and unsupervised or upon or within the private property of another without the express permission of the owner, custodian or tenant of the private property and is unattended or without care. An animal shall also be considered as abandoned, for the purposes of this subchapter, which has been upon or within the property of the owner or custodian of this animal for a period of time in excess of thirty-six (36) hours unattended and without adequate food, water and shelter.

Adequate food means sufficient quantity of non-contaminated and nutritionally healthy sustenance that is appropriate to the species, breed, size, age and health of the animal, or at the direction of a licensed veterinarian, which is sufficient to prevent starvation, malnutrition, or risk to the animal's health. Garbage, spoiled, rancid, or contaminated food is not adequate food.

Adequate shelter means protective cover appropriate for the species and providing adequate space to maintain the animal in good health, which also prevents pain, suffering or a significant risk to the animal's health. Adequate shelter shall consist of a completely enclosed structure with four (4) sides with a door opening, a constructed floor, and a roof. It should also be clean, dry and compatible with current weather conditions, in addition to age, size, species and condition of the animal. The structure should be of sufficient size to allow the animal to stand, turn around, lie down and go in and out of the structure comfortably. Adequate shelter must be compatible with the number of animals on the property.

(a) Adequate shelter includes, but is not limited to, the following:

1. Sufficient coverage and insulation to protect an animal from extreme hot and cold temperatures;
2. Sufficient protection from the elements to keep the animal dry;

3. Sufficient shade and ventilation to prevent an animal from overheating and/or dehydrating; and
 4. Adequate bedding or resting area suitable for the breed, species, age, size, and medical condition of the animal.
- (b) Materials not suitable for shelters include, but are not limited to:
1. Inadequately insulated containers;
 2. Plastic kennels or airline type animal shipping crates;
 3. Metal or plastic drums;
 4. Abandoned or parked vehicles;
 5. Uncovered porches or decks;
 6. Lean-tos;
 7. Any other structure that fails to provide sufficient protection from the elements.

Adequate space means a sufficient safe space for adequate exercise suitable to the age, size, species and breed of animal.

Adequate veterinary care means medical care of an animal from or under the direction of a veterinarian and necessary to maintain the health of an animal based on the age, species, breed, etc., of the animal, or to prevent an animal from suffering from:

- (a) Ongoing infections;
- (b) Infestation of parasites;
- (c) Disease; or
- (d) Any other medical condition/injury where withholding or neglecting to provide such care would:
 1. Endanger the health or welfare of the animal; or
 2. Promote the spread of communicable diseases.

Adequate water means clear, clean, drinkable water in adequate supply. Examples of inadequate water include, but are not limited to: snow, ice, rainwater and rancid/contaminated water.

Animal control officer means any person designated by the board of commissioners by and through the director of the Animal Care and Control Department of Henry County, Georgia, to enforce the provisions of this subchapter.

Animal shelter means the facilities operated by Henry County for confining animals impounded or surrendered under the provisions of this subchapter.

Animal under restraint means:

- (a) Any animal secured by a leash or lead with a collar, or enclosed by way of a fence or other enclosure;
- (b) Any animal under the immediate supervision and immediate proximity of a responsible and competent person at least sixteen (16) years of age, obedient to the person's commands, and located within the boundaries of property owned, leased or occupied by the owner (as defined herein); or
- (c) A dog in the act of being trained or used for hunting in conformance with the game laws of the State of Georgia. This definition shall not apply to cats.

Animals shall be defined as follows:

- (a) *Domestic animals.* Animals that are accustomed to live in or about the habitation of humans, that are not found naturally in the wild state, including, but not limited to, cats, cattle, dogs, fowl,

goats, horses, swine, and various genetically established strains of laboratory/pet animals such as mice, rats, hamsters, gerbils, guinea pigs and rabbits.

- (b) *Feral animals*. Domestic animals which have reverted back to a wild state and do not exhibit traits consistent with their intended use.
- (c) *Native wildlife animals*. A nondomesticated animal which is normally found in the natural state within the confines of Georgia.
- (d) *Nonnative or exotic wildlife animals*. A nondomesticated animal which is not normally found in the natural state within the confines of Georgia.
- (e) *Domestic/wild animals*. An established strain of wild animal which is generally used in the fur or pet industry including, but not limited to, ranch mink, ferrets and brown and white skunks.

Authority means an animal control board or local board of health, as determined by the governing authority of a local government.

Board means the animal control board.

Certificate means a certificate or document issued at the time of vaccination for rabies of a dog or cat and bearing thereon the signature of the vaccinator, the vaccination tag number, the name, color, breed and sex of the dog or cat, the name and address of the owner, and the date of the vaccination.

Classified dog means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this article.

County governing authority means the board of commissioners of Henry County, Georgia.

Cruelty to animals means;

- (a) The neglect, an act, or an omission, which causes unjustifiable physical pain, suffering or death to any living animal, including without limitation, the injuring, beating, choking, shooting, stabbing, burning, overworking or otherwise physically harming any animal.
- (b) Animal hoarding.
- (c) Leaving an animal unattended in a parked vehicle without proper ventilation such that will prevent the animal from suffering physical distress from dangerous temperatures, lack of food or lack of water.

This definition does not include the killing of animals raised for the purpose of providing food nor does it apply to any person who hunts wild animals in compliance with the game and fish laws of the State.

Current vaccination tag means a metal tag issued by the Georgia Department of Human Resources, or other state agency, which bears a number showing that it is current for a one-year up to a three-year period for immunization of rabies.

Dangerous dog means any dog that:

- (1) Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;
- (2) Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph; or
- (3) While off the owner's property, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

Disturbing noises means the owning, possessing or harboring of any animal which frequently, or for continued duration, howls, barks, meows, squawks or makes other sounds which annoy or disturb an ordinary reasonable person of normal sensitivities across a residential or commercial boundary line or within a noise-sensitive area. For the purpose of this article, "barking dog" shall mean a dog that barks, bays, cries, howls or makes any other noise incessantly for a period of fifteen (15) minutes, or barks continuously for one-half (½) hour or more to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property; provided, however, that a dog shall not be deemed a "barking dog" if, at the time the dog is barking making any other noise, a person is trespassing or threatening to trespass upon property in or upon which the dog is situated.

Dog control officer means an individual selected by a local government pursuant to the provisions of O.C.G.A. § 4-8-22 to aid in the administration and enforcement of the provisions of this article.

Estrus means a regular period of female dogs and cats in which the animal seeks to mate or breed.

Fence means:

- (a) Structure of wire, wood, stone, or other materials which is of sufficient height and strength to act as a barrier against passage of the animal or animals it is intended to enclose.
- (b) Invisible containment systems in which a collar provides an electric shock which prevents an animal from leaving the property of its owner provided the animal is a dog which is neither classified as vicious or dangerous nor in estrus. If an invisible containment system is in use:
 - (1) A sign must be visibly posted on the property indicating that the system is in place.
 - (2) The system must effectively restrain the animal.

Dogs which are "vicious" or "dangerous" as herein defined shall be restrained in an enclosure which not only restrains the animal from leaving the owner's property, but also protects persons who may come onto the property from harm. Female dogs in estrus shall be restrained in such a way which can reasonably be expected not attract males of the same species.

Guard dog means any dog which has been trained to attack persons or other animals independently or upon oral command and any dog which, while not so trained, is reasonably expected to perform as a guardian of the property upon and/or within which it is located.

Hoarding means:

- (a) Collecting animals and failing to provide them with humane/adequate care;
- (b) Collecting dead animals that are not properly disposed of as required by this chapter; or
- (c) Collecting, housing, or harboring animals in filthy, unsanitary conditions that constitute a health hazard to the animals being kept, and/or to the animals or residents of adjacent property.

Humane manner means to provide care for an animal to include, but not necessarily limited to, adequate food, water, shelter, space and veterinary care or manner of restraint.

Inhumane manner means:

- (a) The failure to provide humane care;
- (b) Restraining an animal in such a way that it cannot access food and water or to move about freely in an area of reasonable size considering the size and nature of the animal;
- (c) An act or failure to act which causes death or unjustifiable pain or suffering to an animal.

Mail means to send by certified mail or statutory overnight delivery to the recipient's last known address.

Miniature goat means a goat which does not exceed forty (40) pounds.

Miniature pig means a pig which does not exceed one hundred (100) pounds.

Owner means any person or any legal entity, including, but not limited to, a corporation, partnership, firm, or trust owning, possessing, harboring, keeping, or having custody or control of a dog. In the case of a dog owned by a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor.

Person means an individual, firm, corporation, municipality, society or owner.

Proper enclosure means an enclosure for keeping a vicious dog or dangerous dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such pen or structure shall have secure sides and secure top, and, if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dog's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

Public nuisance means any animal which:

- (a) Is vicious;
- (b) Causes unsanitary conditions;
- (c) Attacks passersby or passing vehicles;
- (d) Is found repeatedly unrestrained;
- (e) Damages property of others;
- (f) Excessively produces disturbing noises;
- (g) Female dog or cat in estrus not confined in a manner which can reasonably be expected to keep away or not attract males of the same species; or
- (h) Is inimical to the public health, welfare or safety according to the rules and regulations promulgated by the Henry County Board of Health, which rules and regulations are incorporated herein and made a part hereof as if fully set out in this chapter.

Rescue group means any individual or entity that houses and cares for rescue animals until permanent homes can be located and that maintains all required federal, state and local licenses/registrations.

Records of an appropriate authority means records of any state, county, or municipal law enforcement agency; records of any county or municipal animal control agency; records of any county board of health; records of any federal, state, or local court; or records of a dog control officer as provided in this article and by the laws of the State of Georgia.

Serious injury means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.

Sterilized means the surgical alteration of an animal rendering that animal unable to produce offspring.

Unsanitary conditions means an animal living space, including shelter and exercise area, contaminated by health hazards, irritants, items or conditions that endanger or pose a risk to an animal's health, including, but not limited to:

- (a) Excessive animal waste;
- (b) Garbage, trash or an outflow of waste;
- (c) Standing water or mud;
- (d) Rancid/contaminated food or water;
- (e) Fumes, foul or noxious odors, contaminated air, hazardous chemicals or poisons;

- (f) Decaying materials;
- (g) Uncontrolled parasite or rodent infestation;
- (h) Areas that contain nails, screws, broken glass, broken boards, pits, poisons, sharp implements or other items that could cause injury, illness or death to an animal.

Vaccinate means the proper administration, by a licensed veterinarian, of a specified dose of anti-rabidic vaccine into a dog or cat, such vaccine having the U.S. government license number approval stamped on the label of the vaccine container and having been approved by the state department of human resources, or other state agency.

Veterinarian means any person who holds a license to practice the profession of veterinary medicine in the state.

Vicious dog means a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-3. - Adoption of article by municipalities within county boundaries.

In accordance with state law, Henry County may enter into agreements with the municipalities located within territorial limits of Henry County to provide animal control services with the corporate limits of such municipality. Pursuant to such agreement, any municipality in the county may adopt this article. Any municipality adopting this ordinance must authorize the enforcement of the municipal ordinance by the Henry County Animal Care and Control Department. Municipal ordinances must provide that the incorporated areas shall be subject to the fees charged by the Henry County Animal Care and Control Department and that all fees charged by the Henry County Animal Care and Control Department shall be retained by the county to defray the cost of operation of the animal care and control department.

(Ord. No. 12-12, § II, 7-16-12)

[Sec. 3-4-4.] - [Reserved.]

Sec. 3-4-5. - Animal care and control department.

This department shall be under the direction of the board of commissioners, by and through the director of the animal care and control department of the county. Its agents shall be charged with the responsibility of enforcing the animal control ordinance of the county and the operation of the county animal shelter.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-6. - Enforcement.

This subchapter may be enforced by any employee of the Henry County Animal Care and Control Department or any peace officer. Violators may be issued citations as provided by O.C.G.A. §§ 15-10-62 and 15-10-63.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-7. - Right of officer to defend himself in performance of duty; interference; right of entry.

- (a) In the performance of his duties pursuant to the provisions of this subchapter, any animal control officer or any law enforcement officer assisting in enforcing this subchapter may use such force as is necessary to defend themselves from attack by an animal. Provided, however, that all efforts shall be made to impound an animal without undue harm, injury or danger to the animal, the officer, or to other persons and property.
- (b) It shall be unlawful for any person to interfere with, hinder or molest an animal control officer or other authorized officer in the performance of their duty, or seek to release any animal in the custody of the animal care and control department.
- (c) Any animal control officer is hereby authorized to enter upon any property for the purpose of investigating alleged violations of this chapter, or to seize and impound any animal found to be in violation of this subchapter. The animal care and control department may use any appropriate means necessary to remove an animal in distress locked in a closed vehicle and the operator of the said vehicle shall be charged with cruelty to animals.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-8. - Dead animals.

- (a) It shall be the duty of Henry County Animal Care and Control and the county department of transportation to remove and dispose of the carcasses of all dead animals found within the rights-of-way of all county roads maintained either totally or in part from county funds.
- (b) Carcasses on private property must be disposed of by the animal or property owner or possessor in accordance with state laws and regulations. It shall be unlawful for any person to dispose of a dead animal, its parts, or blood on the land of another without the permission of the owner of the land. It shall be unlawful for any person to dispose of a dead animal in a well or open pit of any kind, on private or public land. All dead livestock, including horses, cattle and any other large animal must be disposed of by the animal owner or property owner/possessor in accordance with state and local regulations.

(Ord. No. 12-12, § II, 7-16-12)

State Law reference— Dead Animals Disposal Act, O.C.G.A. § 4-5-1 et seq.

Sec. 3-4-9. - Unlawful acts.

Any unlawful act or practice prohibited herein, including, but not limited to:

- (1) Abandonment of any animal;
- (2) Failure to keep an animal under restraint;
- (3) Failure to provide a collar and display on said collar of the animal a current vaccination tag;
- (4) Failure to provide care for an animal in a humane manner;
- (5) Allowing any animal to become a public nuisance;
- (6) Failure to have any animal vaccinated against rabies;
- (7) Treating any animal in an inhumane manner;
- (8) Keeping a vicious animal, except as authorized by this ordinance; or
- (9) Cruelty to animals.
- (10) Failure to sterilize animals adopted from the Henry County Animal Care and Control shelter as required.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-10. - Penalties for violations.

Any person violating any provision of this subchapter may be punished by a fine not to exceed one thousand dollars (\$1,000.00) and/or imprisonment in the county jail for a term not to exceed sixty (60) days.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-11. - Miniature pigs and miniature goats.

- (a) Only one (1) miniature pig or two (2) miniature goats may be located on any premises and/or property less than three (3) acres in size.
- (b) Animals may be kept outdoors only if;
 - (1) Property on which the animal(s) are kept is one (1) acre or larger and
 - (2) Animal(s) are contained in a fenced enclosure of wire, wood, stone, or other materials which is of sufficient height and strength sufficient for purposes of restraint and protection. Invisible fencing is not suitable for fencing for miniature pigs or miniature goats.
- (c) The miniature pig's tusks, if any, must be removed or trimmed so as not to endanger any person or animal.
- (d) Miniature pigs must have tested negative for *swine brucellosis* and *pseudorabies*.
- (e) Male miniature pigs and miniature goats must be neutered.
- (f) Penalties. Any person violating any provision of this section may be punished by a fine not to exceed one thousand dollars (\$1,000.00) and/or imprisonment in the county jail for a term not to exceed sixty (60) days.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-12. - Leaving animal confined or unattended in parked car.

- (a) It shall be unlawful to leave an animal unattended in a parked vehicle without proper ventilation such that will prevent the animal from suffering physical distress from dangerous temperatures, lack of food or lack of water. Employees of Henry County Animal Care and Control or any law enforcement officer shall take such action as is necessary including entry of the vehicle by any reasonable means to remove an animal from such jeopardy and may impound said animal and secure medical treatment for said animal as needed at the owner's or custodian's expense.
- (b) Henry County Animal Control officers or any law enforcement officer may take possession of any deceased animal found in any parked vehicle for purposes of determining the cause of death of the animal in question.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-13. - Native and nonnative wild animals.

All complaints and matters concerning native and nonnative wild animals and complaints involving protected species and/or hunting, shall be forwarded to the Georgia Department of Natural Resources, Game and Fish Division or the U.S. Department of Agriculture, Law Enforcement Division for proper

disposition, i.e., compliance, apprehension, control and/or enforcement as may be necessary as provided by state and federal rules and regulations.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-14. - Prohibited animals.

It shall be unlawful to purchase, sell, own, possess, harbor or breed skunks, foxes, prairie dogs, raccoons, coyotes, wolves, hybrid wolves, any hybrid animal that is part wild animal, exotic cats or any other native or nonnative wild animal unless licensed by the respective federal or state department of agriculture to possess such animal.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-15. - Backyard chickens.

- (a) Backyard chickens shall mean a female pullet or hen of the *Gallus gallus domesticus* ; which are or may be raised for the purpose of providing food or companionship as a pet. Roosters are strictly prohibited.
- (b) Only four (4) backyard chickens may be located on any premises and/or property less than three (3) acres in size.
- (c) Backyard chickens may be kept outdoors only if;
 - (1) Property on which the animal(s) are kept is one-half ($\frac{1}{2}$) an acre or larger; and
 - (2) The property shall be maintained in a fashion that eliminates odors, pollution or other negative effects resulting from the backyard chickens; and
 - (3) The backyard chickens shall not cause a nuisance; and
 - (4) Animal(s) must be contained within a fenced enclosure of wire, wood, stone, or other materials which is of sufficient height and strength sufficient for purposes of restraint and protection. Invisible fencing is not suitable for fencing for backyard chickens. In addition to the fence, all backyard chickens must be housed in a coop that is enclosed on all sides including the top, located only in the rear yard of the lot.
- (d) The keeping and raising of backyard chickens shall be subject to all regulations of the Henry County Health Department.
- (e) Penalties. Any person violating any provision of this section may be punished by a fine not to exceed one thousand dollars (\$1,000.00) and/or imprisonment in the county jail for a term not to exceed sixty (60) days.

(Ord. No. 13-09, 7-16-13)

Secs. 3-4-16—3-4-20. - Reserved.

ARTICLE II. - RABIES CONTROL^[2]

Footnotes:

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State Law reference— Rabies vaccination, Official Code of Georgia Annotated, § 31-19-1.

Sec. 3-4-21. - When collar and tag required on a dog or cat.

It shall be the duty of each dog or cat owner, possessor or custodian thereof, to provide a collar for their dog or cat to which a current rabies vaccination tag shall be attached. The collar, together with the tag, shall be worn by the dog or cat at all times, except as provided herein. Failure to comply with this section shall be unlawful and shall be punished as hereinafter provided.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-22. - Vaccination and licensing of dogs and cats required.

- (a) The owner or possessor of each dog or cat over three (3) months of age kept, maintained or harbored within the municipalities or the unincorporated areas of Henry County shall apply for and obtain a rabies tag for such dog or cat which shall be affixed to a collar worn by such dog or cat at all times. This provision does not apply to show dogs or cats wherein the wearing of a collar may cause damage to the coat of the animal. Owners of show dogs or cats should have in their possession the rabies tag where it may be produced on demand of animal control personnel.
- (b) Any licensed veterinarian shall be authorized to vaccinate dogs or cats against rabies; provided, that at the time of such vaccination he furnish a vaccination tag issued by the Georgia Department of Human Resources, bearing an official serial number to the owner.
- (c) It shall be unlawful for any person to attach a vaccination tag or license tag to the collar of any animal for which it was not issued.
- (d) A license fee shall be charged for the certificate of registration as required by Chapter 8 of Title 4 of the Official Code of Georgia Annotated for a dangerous dog or a vicious dog.
- (e) A license fee shall be charged for a certificate of registration as required by Chapter 8 of Title 4 of the official Code of Georgia Annotated for a dangerous dog.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-23. - Rabies cases to be reported.

It shall be the duty of any person knowing of a rabid animal or of an animal showing rabid symptoms, to immediately report such animal to the animal control shelter and give as much pertinent information as possible.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-24. - Quarantine.

- (a) Where rabies has been found to exist in any animal, or where its existence is suspected, the animal control director or his/her designee may designate an area within which quarantine of all such animals shall be maintained and all such animals shall thereupon be immediately confined to the premises designated by the animal control director or his/her designee in a manner approved by state and county health officials, whether or not such animal has been vaccinated against rabies.
- (b) No animal shall be removed from or brought into a quarantined area or premises without prior approval of the animal control director or his/her designee.

- (c) Quarantine ordered by the animal control director or his/her designee shall be maintained for such period as the animal control director or his/her designee deems necessary to protect the public health.
- (d) Quarantined areas or premises and areas where rabid animals or animals suspected of rabies remain at large, shall be posted by the animal control director or his/her designee with signs which read as follows:

"Rabies Suspected"

or

"Rabies—Keep Away From Animals"

Such signs shall be conspicuously displayed in a place designated by the animal control director or his/her designee and shall not be defaced or removed except by the animal control director or his/her designee. Signs furnished and approved by the animal control director shall be used.

- (e) The owner or custodian of each animal subject to a quarantine invoked by the animal control director or his/her designee under terms of this regulation shall be notified of the quarantine, the particular animals subject thereto, and shall be given such other information as the animal control director or his/her designee deems necessary.
- (f) The heads of all animals suspected of having had rabies at time of death shall be submitted to the animal control director or his/her designee for examination by the department of human resources laboratory. When necessary, the animal control director or his/her designee can sacrifice an animal for the purpose of submitting brain tissue for rabies analysis.

(Ord. No. 12-12, § II, 7-16-12)

Secs. 3-4-25—3-4-30. - Reserved.

ARTICLE III. - IMPOUNDMENT

Sec. 3-4-31. - Impounding authority.

Henry County Animal Control officers are hereby authorized to impound any vicious dog or guard dog not confined, chained or muzzled as herein provided; any female dog while in estrus not confined within an enclosure which can reasonably be expected to keep away or not attract male dogs; any animal not wearing the rabies inoculation tag required by the statutes of the State of Georgia; any abandoned animal; any prohibited animal and any animal unrestrained in Henry County. The animal shall be confined in the animal shelter or handled as otherwise provided herein.

Any person who takes into custody an animal running at large in violation of this subchapter shall deliver such animal to the animal shelter without fee or charge. However, a person may house the animal for five (5) business days while attempting to locate and/or contact the owner. Once in the custody of the animal shelter, the shelter shall hold and dispose of such animal in the same manner as though such animal had been running at large and impounded by officers of Henry County Animal Care and Control.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-32. - Notice to owners of impounded animals.

Upon impounding any dog or other animal, the board of commissioners, by and through the director of the animal care and control department of Henry County, Georgia, or its authorized representative, shall cause to be made a prompt and reasonable effort to locate the animal's owner, possessor or custodian. Upon location thereof, notification of impounding shall be sent to this owner, possessor or custodian.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-33. - Fees and fines.

The fees with respect to all services and licensing performed in connection with enforcement of this chapter shall be set by the board of commissioners from time to time. A copy of such fee schedule shall be posted at the Henry County Animal Shelter and may be changed at any time and from time to time as determined by the board of commissioners.

- (a) The fees established and collected under this chapter and pursuant to the State Dangerous Dog Control Law are not penalties but are imposed for the sole purpose of defraying expenses borne by the county for animal control and welfare under this chapter and are subject to change at any time.
- (b) The personnel of the animal care and control department shall not return to the owner any animal impounded until the owner of said animal has paid fees and charges assessed, and until the owner has prepaid for a rabies tag or tags as required by Georgia law and by county health department rules.
- (c) For all other animals impounded other than dogs or cats, the owner or custodian shall be charged the base fees, plus actual expenses and an additional ten (10) percent of both the base fee and actual expense.

(Ord. No. 12-12, § II, 7-16-12)

Secs. 3-4-34—3-4-40. - Reserved.

ARTICLE IV. - DISPOSITION

Sec. 3-4-41. - Generally.

- (a) Other than those animals impounded for quarantine or animal cruelty, animals shall be kept at the animal shelter for a period of not less than four (4) calendar days, excluding Sunday and county holidays, unless reclaimed by the owner within such period. After such time, the animals shall be deemed permanently relinquished to Henry County Animal Care and Control and may be immediately adopted, destroyed or otherwise disposed of as though it had been impounded.
- (b) Wildlife and wild animals as defined by this chapter which have been captured by or come to be in the custody of Henry County Animal Care and Control shall not be deemed impounded and need not be retained for any minimum length of time. Wildlife and wild animals received by Henry County Animal Care and Control will be disposed of in accordance with federal and state guidelines.
- (c) Any animal which is voluntarily surrendered to Henry County Animal Care and Control shall be deemed permanently relinquished to Henry County Animal Care and Control and may be immediately adopted, destroyed or otherwise disposed of as though it had been impounded.
- (d) Any impounded animal not claimed within four (4) calendar days (excluding Sunday and county holidays) of impound shall be considered relinquished to Henry County Animal Care and Control, in which event all rights of ownership shall vest in Henry County Animal Care and Control and the owner shall have no further claim to such animal.
- (e) Henry County Animal Care and Control shall have the exclusive right to dispose of all animals that have been deemed relinquished to Henry County Animal Care and Control in any manner deemed appropriate and in the best interest of the animal and in accordance with this chapter.
- (f) Animals shall not be provided to any public or private institution, animal dealer or other individual who may use or supply the animal for research purposes.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-42. - Reclamation.

The owner of any impounded animal may regain possession of the animal upon payment of all applicable fees and compliance with the terms of this chapter. Such redemption shall not affect any criminal liability of the owner, which may exist with respect to any violation of this chapter and shall not preclude proceedings against the owner for the purpose of pursuing sanctions under this chapter. The following exceptions apply:

- (a) Any animal impounded as a result of cruelty, abuse, neglect, or any other reason defined by this chapter as inhumane treatment may be retained by Henry County Animal Care and Control until such time as the case is disposed of in a court competent to hear such matters.
- (b) Prohibited animals impounded by or come to be in the possession of Henry County Animal Care and Control cannot be reclaimed unless the owner can show proof of proper and current licensure allowing them to have possession of such animal.
- (c) Any animal adopted from the Henry County Animal Shelter that was not sterilized per the adoption agreement may immediately be reclaimed by Henry County Animal Care and Control and the owner may not be permitted to reclaim said animal.
- (d) Any dog deemed dangerous or vicious cannot be reclaimed until such time as the requirements for possessing a dangerous or vicious dog have been satisfied. If such requirements are not met within twenty (20) days of impoundment, the dog shall be deemed permanently relinquished to Henry County Animal Care and Control and will be immediately destroyed.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-43. - Adoption.

- (a) Henry County Animal Care and Control may offer for adoption or rescue any animal deemed relinquished to Henry County Animal Care and Control. All persons adopting animals shall be over eighteen (18) years of age and shall provide adequate and humane care as required. Any person adopting an animal shall not use the animal for breeding, fighting or profit and shall not engage in any research involving the use of the animal or supply the animal to any individual or institution which may use the animal in research.
- (b) Any person adopting an animal from Henry County Animal Care and Control shall pay an adoption fee in an amount stated in the Henry County Animal Care and Control schedule of fees. This fee includes all or part of the costs of a rabies inoculation.
- (c) Any person adopting an intact animal shall cause to have the animal sterilized within a period specified as follows:
 - (1) Within thirty (30) days from the date of adoption for animals over the age of six (6) months or;
 - (2) Within the first six (6) months of age for sexually immature animals.
- (d) Any adopted animal not sterilized within the time specified may be reclaimed by Henry County Animal Care and Control. If an animal is not sterilized after the time specified on the adoption agreement, the owner may receive a citation for violating this article.
- (e) The animal control director or his/her designee shall have the right to refuse adoption to any person or entity who, for any reason, in the discretion of the animal control director or his/her designee, may be deemed unsuitable as an adopter.
- (f) No person residing in the same household, nor any corporation, institute or other entity, may adopt more than three (3) animals within any 12-month period; however, nothing shall prohibit Henry County Animal Care and Control discretion to donate more than three (3) animals in a 12-month

period, if the donation is in the best interest or welfare of the animal or it is in the best interest of public safety.

- (g) Owners may not adopt their impounded animal(s) from the Henry County Animal Care and Control Department to circumvent the paying of reclamation fees.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-44. - Rescue.

Any legally adoptable, unclaimed animal may be donated to animal rescue groups.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-45. - Humane disposition.

If any animal seized or impounded by the Henry County Animal Care and Control Department evidences advanced symptoms of contagious, infectious or fatal diseases, is seriously ill or severely injured, the animal care and control department shall seek the services of a licensed veterinarian who will determine whether to treat the animal or humanely euthanize the animal; or in the absence of an available veterinarian, the animal control officer may concur with a superior on duty. This action may be taken to control the spread of disease or to eliminate any further pain and suffering of an animal. Every attempt will be made to stabilize an owned animal to afford the owner the opportunity to reclaim the animal.

(Ord. No. 12-12, § II, 7-16-12)

Secs. 3-4-46—3-4-50. - Reserved.

ARTICLE V. - VICIOUS DOGS AND DANGEROUS DOGS

Sec. 3-4-51. - Exceptions to definitions.

- (a) The terms "dangerous dog" and "vicious dog" as defined in this subchapter, shall not include the following:
 - (1) A dog that is in the act of use by a law enforcement or military officer to carry out the law enforcement or military officer's official duties.
 - (2) A dog that inflicts an injury upon a person who, at the time, was committing a willful trespass or other tort, or was tormenting, abusing, or assaulting the dog or had in the past been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime, under Chapter 5 of Title 16 of the Official Code of Georgia Annotated.
- (b) No person shall be liable for killing or otherwise performing a cruel action on any dog when such person is;
 - (1) Defending his or her person or property, or the person or property of another from injury or damage being caused by a dog; or
 - (2) Defending against injury or damage to any livestock, poultry or pet animal.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-52. - Animal control board.

- (a) The county governing authority may act as the animal control board for Henry County, Georgia and if so, shall conduct the hearings provided for in this article. The county governing authority may create or establish an animal control board. The purpose of the board shall be to conduct the hearings provided for in this article.
- (b) If created or established the board shall consist of five (5) members. All members shall be appointed by the county governing authority. The initial terms of members shall be as follows: One (1) member to serve for one (1) year; two (2) members to serve for two (2) years; and two (2) members to service [serve] for three (3) years. Thereafter, all members appointed to the board by the county governing authority shall be appointed for terms of three (3) years and until their successors are appointed.
- (c) No member of the board shall participate in a hearing on any matter in which such member previously participated in the classification of the dog at issue. In the event of a vacancy during the term of any member by reason of death, resignation, or otherwise, the appointment of a successor by the county governing authority shall be for the remainder of the unexpired term of such member.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-53. - Dog control officer.

The county governing authority shall appoint a dog control officer who shall serve at the pleasure of the governing authority. The dog control officer's compensation shall be established from time to time by the governing authority.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-54. - Procedures for classifying vicious dogs and dangerous dogs; notice; hearing.

- (a) Upon receiving a report of a dog believed to be subject to classification as a dangerous dog or vicious dog within a dog control officer's jurisdiction, the dog control officer shall make such investigations as necessary to determine whether such dog is subject to classification as a dangerous dog or vicious dog.
- (b) If the dog control officer believes that a dog subject to classification as a dangerous dog or vicious dog poses a threat to public safety, the dog may be immediately impounded and the dog owner shall be responsible for all costs resulting from such impoundment.
- (c) When a dog control officer determines that a dog is subject to classification as a dangerous dog or vicious dog, the dog control officer shall mail a dated notice to the dog's owner within seventy-two (72) hours. Such notice shall include a summary of the dog control officer's determination and shall state that the owner has a right to request a hearing from the authority on the dog control officer's determination within fifteen (15) days after the date shown on the notice. The notice shall also provide a form for requesting the hearing and shall state that if a hearing is not requested within the allotted time, the dog control officer's determination shall become effective for all purposes under this article.
- (d) When a hearing is requested by a dog owner in accordance with subsection (b) of this section, such hearing shall be scheduled within thirty (30) days after the request is received; provided, however, that such hearing may be continued by the authority for good cause shown. At least ten (10) days prior to the hearing, the authority conducting the hearing shall mail to the dog owner written notice of the date, time, and place of the hearing. At the hearing, the dog owner shall be given the opportunity to testify and present evidence and the authority conducting the hearing shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the dog control officer's determination.
- (e) Within ten (10) days after the hearing, the authority which conducted the hearing shall mail written notice to the dog owner of its determination on the matter. If such determination is that the dog is a

dangerous dog or a vicious dog, the notice of classification shall specify the date upon which that determination shall be effective. If the determination is that the dog is to be euthanized pursuant to O.C.G.A. § 4-8-26, the notice shall specify the date by which the euthanasia shall occur.

- (f) Judicial review of the authority's final decision may be had in accordance with O.C.G.A. 131, § 50-13-19.
- (g) The judge in any superior court of competent jurisdiction within this state may order the euthanasia of a dog if the court finds, after notice and opportunity for a hearing as provided by this article, that the dog has seriously injured a human or presents a danger to humans not suitable for control under this article and:
 - (1) The owner or custodian of the dog has been convicted of a violation of any state criminal law and the crime was related to such dog; or
 - (2) Any local government authority has filed with the court a civil action requesting euthanasia of the dog.
- (h) A dog that is found, after notice and opportunity for a hearing as provided by this article, to have caused a serious injury to a human on more than one (1) occasion shall be euthanized; provided, however, that no injury occurring before July 1, 2012, shall count for purposes of this subsection.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-55. - Requirements for possessing a vicious or dangerous dog.

- (a) It shall be unlawful for an owner to have or possess within this state a classified dog without a certificate of registration issued in accordance with the provisions of this Code. Certificates of registration shall be nontransferable and shall only be issued to a person eighteen (18) years of age or older. No more than one (1) certificate of registration shall be issued per domicile.
- (b) Unless otherwise specified by this Code section, a certificate of registration for a classified dog shall be issued only if the dog control officer determines that the following requirements have been met:
 - (1) The owner has an enclosure designed to securely confine the classified dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the classified dog from leaving such property; and
 - (2) Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;
 - (3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the classified dog;
- (c) Except as provided in subsections (d), (e) and (f) of this Code section, a certificate of registration for a vicious dog shall be issued only if the dog control officer determines that the additional requirements have been met:
 - (1) The owner maintains and can provide proof of general or specific liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00) issued by an insurer authorized to transact business in this state insuring the owner of the vicious dog against liability for any bodily injury or property damage caused by the dog.
- (d) No certificate of registration shall be issued to any person who has been convicted of two (2) or more violations of this article.
- (e) No person shall be the owner of more than one (1) vicious dog.
- (f) No certificate of registration for a vicious dog shall be issued to any person who has been convicted of:
 - (1) A serious violent felony as defined in O.C.G.A. § 17-10-6.1;

- (2) The felony of dogfighting as provided for in O.C.G.A. § 16-12-37 or the felony of aggravated cruelty to animals as provided for in O.C.G.A. § 16-12-4; or
- (3) A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in O.C.G.A. §§ 16-13-31 and 16-13-31.1 from the time of conviction until two (2) years after completion of his or her sentence, nor to any person residing with such person.
- (g) Certificates of registration shall be renewed on an annual basis. The owner of a classified dog shall pay an annual registration fee at the time the certificate of registration is issued. The annual registration fee shall be in the amount of one hundred dollars (\$100.00). Certificates of registration shall be renewed in the month of the initial registration. At the time of renewal of a certificate of registration for a classified dog, a dog control officer shall verify that the owner is continuing to comply with provisions of this article. Failure to renew a certificate of registration within ten (10) days of the renewal date or initial classification date shall constitute a violation of this article.
- (h) The owner of a classified dog shall notify the dog control officer within twenty-four (24) hours if the dog is on the loose or has attacked a human and shall notify the dog control officer within twenty-four (24) hours if the dog has died or has been euthanized.
- (i) A vicious dog shall not be transferred, sold, or donated to any other person unless it is relinquished for euthanasia to a governmental facility or veterinarian.
- (j) The owner of a classified dog who moves from one (1) jurisdiction to another within the State of Georgia shall register the classified dog in the new jurisdiction within ten (10) days of becoming a resident and notify the dog control officer of the jurisdiction from which he or she moved. The owner of a similarly classified dog who moves into this state shall register the dog as required within thirty (30) days of becoming a resident.
- (k) Any dog classified prior to July 1, 2012, as a potentially dangerous dog shall on and after that date be classified as a dangerous dog under this article.
- (l) Any dog classified prior to July 1, 2012, as a dangerous dog in this state shall on and after that date be classified as a vicious dog under this article.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-56. - Restrictions on permitting vicious or dangerous dogs outside of a proper enclosure.

- (a) It shall be unlawful for an owner of a classified dog to permit the dog to be outside a proper enclosure unless:
 - (1) The dog is muzzled. The muzzle shall be made in a manner that will prevent the dog from biting any person but not cause injury to the dog nor interfere with its vision or respiration.
 - (2) The dog is restrained by a leash not to exceed six (6) feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary.
 - (3) The dog is contained in a closed and locked cage or crate.
 - (4) Unattended with minors.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-57. - Confiscation of dogs; grounds; disposition.

- (a) A classified dog shall be immediately confiscated by the dog control officer or by a law enforcement officer or any other person authorized by the dog control officer if:
 - (1) The dog is not validly registered as required by this article;

- (2) The dog is not maintained in a proper enclosure as defined in the article; or
- (3) The dog is outside a proper enclosure in violation of this article.
- (b) In addition, a vicious dog shall be confiscated in the same manner as a dangerous dog if the owner of the dog does not secure the liability insurance required by this article.
- (c) Any dog that has been confiscated under the provision of this section shall be returned to its owner upon the owner's compliance with the provisions of this article as determined by the dog control officer and upon the payment of reasonable confiscation and housing costs. All fines and all charges for services performed by a law enforcement or dog control officer shall be paid prior to owner's recovery of the dog. In the event the owner has not complied with the provisions of this section within twenty (20) days of the date the dog is confiscated, the dog shall be destroyed in an expeditious and humane manner and the owner shall be required to pay the costs of housing and euthanasia.
- (d) Criminal prosecution shall not be stayed due to owner recovery or euthanasia of the dog.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-58. - Violations; penalties.

- (a) The owner of a classified dog who violates the applicable provisions of this article or whose classified dog is subject to confiscation under subsection of this article shall be guilty of a misdemeanor of high and aggravated nature.
- (b) An owner with a previous conviction for a violation of this article whose classified dog causes serious injury to a human being under circumstances constituting another violation of this article shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one (1) nor more than ten (10) years, a fine of not less than five thousand dollars (\$5,000.00) nor more than ten thousand dollars (\$10,000.00), or both. In addition, the classified dog shall be euthanized at the cost of the owner.
- (c) Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.
- (d) A refusal to surrender a dog subject to confiscation shall be a violation of this article.

(Ord. No. 12-12, § II, 7-16-12)

Sec. 3-4-59. - General provisions.

- (a) If any provision of this article, or the application of this article to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application of such other provisions, of this article which can be given effect without the invalid provision or application. To this end, the provisions of this article are hereby declared to be severable.
- (b) All laws and ordinances, or parts thereof, which conflict with the provisions of this article are repealed.
- (c) Be it further ordained, that the chairman of the board of commissioners be authorized to sign this article on behalf of the board of commissioners of Henry County, Georgia.

(Ord. No. 12-12, § II, 7-16-12)

Secs. 3-4-60—3-4-98. - Reserved.

Council Discussion of the Sunday Brunch Bill Presented by Councilman Alexander