

The City of Snellville
2342 Oak Road
Snellville, Georgia 30078
(770) 985-3500 • FAX (770) 985-3525

AGENDA



WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, NOVEMBER 14, 2022

Publication Date: November 10, 2022

TIME: 6:30 p.m.

DATE: November 14, 2022

PLACE: City Hall Conference Room 145

I. CALL TO ORDER

**II. REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING
AGENDA ITEMS**

III. REVIEW CORRESPONDENCE

IV. CITY ATTORNEY'S REPORT

V. DISCUSSION ITEMS

- a) Update of Ongoing Projects [Bender]
- b) Discussion About Recycling Committee Recommendation [Bender]

VI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

VII. ADJOURNMENT



AGENDA

PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, NOVEMBER 14, 2022

Publication Date: November 10, 2022

TIME: 7:30 p.m.

DATE: November 14, 2022

PLACE: Council Chambers

- I. **CALL TO ORDER**
- II. **INVOCATION**
- III. **PLEDGE TO THE FLAG**
- IV. **CEREMONIAL MATTERS**
 - a) PRO 2022-16 – Small Business Saturday
 - b) PRO 2022-17 – American Legion 40th Anniversary
 - c) Presentation by Snellville Tourism and Trade Association
- V. **MINUTES**

Approve the Minutes of the October 24, 2022 Meetings and the November 1, 2022 Special Called Meeting
- VI. **INVITED GUESTS**

None
- VII. **COMMITTEE / DEPARTMENT REPORTS**
- VIII. **APPROVAL OF THE AGENDA**
- IX. **PUBLIC HEARING**
 - a) 1st Reading - RZ 22-08 – Consideration and Recommendation on application by Lazaro Mota (applicant) and Britt and Camp, LLC (property owner) requesting to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RS-5 (Singlefamily Residential) District for an 11-lot single-family (detached) residential subdivision on a 2.765± acre site having a gross density of 3.978 units per acre, located at 2706 Lenora Church Road, Snellville, Georgia (Tax Parcel 5028 001)

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL
MONDAY, NOVEMBER 14, 2022
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- b) 1st Reading - UDO 22-02 – Consideration and Recommendation on a text amendment to Section 207-6. (Signs) of Article 7 of Chapter 200 (Zoning and Land Use) of the Unified Development Ordinance for the City of Snellville, Georgia
- c) 1st Reading - MSP 22-01 – Consideration and Recommendation on a Master Signage Plan for The Grove at Towne Center, a master-planned mixed-use development on a 0.3± acre site near the intersections of Oak Road, Clower Street, Wisteria Drive, and North Road, Snellville, Georgia
- d) 1st Reading - SUP 22-05 – Consideration and Action on application by 2338 Scenic Highway, LLC (applicant and property owner) requesting a Special Use Permit for a Restaurant with Drive-Thru and variance to increase the 10 feet maximum front yard building setback to ±35 feet for a Dairy Queen Grill & Chill restaurant with drive-thru on a 1.71± acre parcel, zoned BG (General Business) District and located in the Towne Center Overlay District, 2340 Scenic Highway, Snellville, Georgia (Tax Parcel 5026 316)
- e) 1st Reading - RZ 22-09 SUP 22-06 – Consideration and Action on applications by Park Place Snellville, LLC (applicant and property owner) requesting to amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to HSB (Highway Service Business) District and request for a Special Use Permit for a 3-story, 100,149 sq. ft. Climate Controlled Self-Storage Facility on a 1.82± acre site located in the Park Place commercial retail development, 1915 Pharrs Road, Snellville, Georgia (Tax Parcel 5056 362)

X. CONSENT AGENDA (Please see *Note)

XI. OLD BUSINESS

XII. NEW BUSINESS

- a) Ratify the Election Results of the November 8, 2022 Referendum [Bender]
- b) Approval of Extension of the Probation Services Agreement with Southeast Corrections [Bender]
- c) Consideration and Action on Approval of the Updated Personnel Rules and Regulations [Bender]
- d) Consideration and Action on Award of Bid for The Grove Pavilion – ITB# 11022022 [Bender]
- e) Consideration and Action on Award of the Bid for the Annual Resurfacing & Paving for Fiscal Year 2022-2023 [Bender]
- f) 1st Reading ORD 2022-19 - An Ordinance to Amend the Code of the City of Snellville, Georgia, to Provide for Regulation of Street Racing and Reckless Driving Exhibitions [Bender]
- g) Mayor's Nomination and Council Confirmation of Norman A. Carter, Jr. to Board of Appeals Post 1 with a Term Expiration Date of June 30, 2024 [Bender]

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL
MONDAY, NOVEMBER 14, 2022
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- h) Approval of the 'Welcome to Snellville' Gateway Sign @ Scenic Pointe, 1498 Scenic Highway, Snellville Per Condition #6 of Ordinance No. 2021-22 Approved 11-8-2021 by the Mayor and Council [Bender]

XIII. COUNCIL REPORTS

XIV. MAYOR'S REPORT

XV. PUBLIC COMMENTS

- Section 2-53

Each member of the public who wishes to address the Mayor and City Council in public session must submit their name, address and the topic (be as specific as possible) of their comments to the City Clerk prior to making such comments. Individuals will be allotted five minutes to make their comments and such comments must be limited to the chosen topic. Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with our adopted rules of decorum.

- Decorum

You must conduct yourself in a professional and respectful manner. All remarks should be directed to the Chairman and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate.

XVI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

XVII. ADJOURNMENT

***Note: Items on the Consent Agenda may be read by title only. Upon the request of any Council Member, any item may be removed from the Consent Agenda and placed on the Regular Agenda prior to the adoption of the Regular Agenda. The Consent Agenda, or the remainder thereof omitting the challenged items, shall be adopted by unanimous consent.**

CITY OF SNELLVILLE
MEETINGS AND LOCAL EVENTS
NOVEMBER 14, 2022

November 14

Council Meeting

Monday, November 14, 2022

6:00 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

November 15

Planning Commission Specially Called Meeting

Tuesday, November 15, 2022

7:15 pm Work Session – Council Chambers, City Hall

7:30 pm Meeting - Council Chambers, City Hall

November 16

DDA Meeting

Wednesday, November 16, 2022

4:00 pm – City Hall Room 259, Second Floor

November 17

DAS & URA Joint Meeting

Thursday, November 17, 2022

4:00 pm – City Hall Room 259, Second Floor

Broadcast of 11/14/22 Council Meeting

Sunday, November 20, 2022

Watch the broadcast of the 11/14/2022 Council Meeting on Comcast Channel 25 at 6:30 pm

November 22

Planning Commission Meeting - Canceled

Tuesday, November 22, 2022

7:15 pm Work Session – Council Chambers, City Hall

7:30 pm Meeting - Council Chambers, City Hall

November 24-25

Thanksgiving Holidays – City Offices Closed

Thursday, November 24, 2022 & Friday, November 25, 2022

8:00 am to 5:00 pm - City Offices will be closed in observance of the Thanksgiving Holidays. City offices will reopen for regular business on Monday, November 28, 2022 ***Emergency Services will operate normally***

November 26

Tree Lighting and Lighted Christmas Parade

Saturday, November 26, 2022

5:00 pm Christmas Tree Lighting – Towne Green

5:30 pm Lighted Christmas Parade

November 28

Council Meeting

Monday, November 28, 2022

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall



CITY OF SNELLVILLE

Proclamation

PRO 2022-16 SMALL BUSINESS SATURDAY

Whereas, the government of the City of Snellville celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62% of net new jobs created since 1995, and small businesses employ 46.8% of the employees in the private sector in the United States; and

Whereas, 79% of consumers understand the importance of supporting the small businesses in their community on Small Business Saturday®, 70% report the day makes them want to encourage others to Shop Small®, independently-owned retailers, and 66% report that the day makes them want to Shop Small all year long; and

Whereas, 58% of shoppers reported they shopped online with a small business and 54% reported they dined or ordered takeout from a small restaurant, bar, or café on Small Business Saturday in 2021; and

Whereas, Snellville supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, BE IT PROCLAIMED that I, Barbara Bender, Mayor of the City of Snellville, Where Everybody's Proud to be Somebody, do hereby join with the City Council and the Citizens of Snellville do hereby proclaim November 26, 2022, as

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Proclaimed this 14th day November 2022.

Barbara Bender, Mayor

Dave Emanuel, Mayor Pro Tem

Solange Destang, Council Member

Cristy Lenski, Council Member

ATTEST:

Gretchen Schulz, Council Member

Melisa Arnold, City Clerk

Tod Warner, Council Member



CITY OF SNELLVILLE

Proclamation

PRO 2022-17

In Honor and Recognition of the American Legion Post 232 75th Anniversary

WHEREAS, The Sawyer-Herndon American Legion Post 232 was established to serve members of the American Legion, all Veterans and active-duty military personnel of all the armed forces of the United States and the community surrounding the American Legion; and

WHEREAS, the Sawyer-Herndon American Legion Post 232 was chartered in Snellville in March of 1947 and the main building was constructed in 1950 and has been operational for 75 years serving the veterans and the community with honor and distinction; and

WHEREAS, this is the last post in Georgia to have had members of the Pearl Harbor Survivors on their membership roll. There is also an active Legion Auxiliary unit for wives, mothers and daughters, as well as Sons of the American Legion Squadron where sons and daughters of the Veterans can join and honor their family members' service to our great nation; and

WHEREAS, Legion Post 232 has brought the Moving Wall to Briscoe Park, honoring our Veterans from Vietnam with services for those that did not return home. This post is actively involved throughout the year and participates in Color Guard activities, hosts a Veterans Museum in the historic Lawrenceville Courthouse and participates in all Veterans holidays with placing flags on veterans' graves as well as participating in parades and other programs to honor the living.

THEREFORE, I, Barbara Bender, Mayor of the City of Snellville, Georgia, Where Everybody's PROUD to be Somebody, do hereby join with our City Council and the Citizens of Snellville recognize the honorable service the Sawyer-Herndon American Legion Post 232 has served the veterans and the community with for the last 75 years.

Proclaimed this 14th day of November.

Barbara Bender, Mayor

Dave Emanuel, Mayor Pro Tem

Solange Destang, Council Member

ATTEST:

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Melisa Arnold, City Clerk

Tod Warner, Council Member



**WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, OCTOBER 24, 2022**

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present: City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Planning and Development Director Jason Thompson, Chief G. Perry, Captain Z. Spahr, IT Administrator Erika Fleeman, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:03 p.m.

**REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA
ITEMS**

The agenda was reviewed and discussed.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY'S REPORT

None

DISCUSSION ITEMS

Discussion About the Budget for The Hall at the Grove [Bender]

Kirk Demetrops with MidCast was present via teleconference. City Manager Sanders reviewed the new proposed budget numbers as well as a revised Letter of Intent with The Vigor Group that was received from Shannon Dixon with Casto. City Manager Sanders said the proposed increase was for \$2,168,000 over the original budgeted amount. After discussion consensus by Mayor and Council was to move forward with the letter and new budget while still looking at some more value engineering to try to get the budget reduced.

Update of Ongoing Projects [Bender]

City Manager Sanders gave an update on several issues. During the discussion, the ordinance regarding package sales was discussed and consensus was to change it to reflect that any package stores must be a freestanding building instead of being part of a shopping center.

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Discussion of Updates to the Unified Development Ordinance [Emanuel]

Mayor Pro Tem Emanuel asked about finding a way to enforce maintenance of retention ponds by Homeowner's Associations. City Attorney Ross advised the best way to enforce it on existing HOA's would be through the abatement process. Planning Director Thompson said he would explore ways to help with that for future development.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:17 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, OCTOBER 24, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Chief Greg Perry, Captain Zach Spahr, IT Administrator Erika Fleeman, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:30 p.m.

INVOCATION

Snellville Police Chaplain Elizabeth Hendrick gave the invocation.

PLEDGE TO THE FLAG

Winta Mamo and Narjise Koko with the Snellville Youth Commission led the Pledge of Allegiance.

CEREMONIAL MATTERS

MINUTES

Approve the Minutes of the October 10, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the October 10, 2022 minutes, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

Snellville Youth Commission

Winta Mamo and Narjise Koko with the Snellville Youth Commission reported on recent activities and how the students have benefited from their involvement in the Commission.

APPROVAL OF THE AGENDA

Council Member Schulz made a motion to approve the agenda, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

None

City of Snellville Administration Department

2342 Oak Road Snellville, GA 30078 770-985-3500 770-985-3525 Fax www.snellville.org

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

2nd Reading - ORD 2022-17 - An Ordinance to provide for participation by the City of Snellville ("Participating Employer" or "Employer") in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer's Declaration Page(s), and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes [Bender]

Mayor Bender explained that this ordinance is required by Georgia Municipal Association (GMA) and will allow the City to move the health insurance plan over to the Georgia Interlocal Risk Management Association (GIRMA) plan offered by GMA.

Mayor Pro Tem Emanuel made a motion to approve ORD 2022-17, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. (A copy is attached to and made a part of these minutes.)

COUNCIL REPORTS

Council Members Destang, Warner, Lenski, Schulz and Mayor Pro Tem Emanuel each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following person spoke:

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:52 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



SPECIAL CALLED MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
TUESDAY, NOVEMBER 1, 2022

Present: Mayor Barbara Bender, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. (Mayor Pro Tem Dave Emanuel was absent.) Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, Chief Greg Perry, Planning and Development Director Jason Thompson, Parks and Recreation Director Lisa Platt, Public Works Director Craig Barton, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:02 p.m.

City Manager Sanders introduced Mr. Freddie Broome, Director of Equity and Inclusion with Georgia City Solutions that is part of Member Services and Operational Support with the Georgia Municipal Association.

Diversity, Equity, and Inclusion Training by Mr. Freddie Broome with Georgia Municipal Association

Mr. Broome gave a presentation on the importance of Diversity, Equity, and Inclusion.

ADJOURNMENT

Mayor Bender adjourned the meeting at 8:34 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: November 14, 2022

RE: #RZ 22-08 – Britt & Camp, LLC
2.765± Acres at 2706 Lenora Church Road, Snellville

STATUS: 1st Reading

Application requesting to amend the Official Zoning Map from RS-30 to RS-5 for an 11-lot single-family (detached) residential subdivision development on a 2.765± acre property at 2706 Lenora Church Road, Snellville.

Financial Impact: Site Development and Building Permit Fees; Real Property Taxes; and Stormwater Utility Fees

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting Date and Recommendation: September 27, 2022 (Meeting Canceled)
November 15, 2022

Mayor and Council Meetings: November 14, 2022 (1st Reading)
November 28, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Case Documents (website link):

- [Letter of Intent \(8-16-2022\)](#)
- [#RZ 22-08 Rezoning Application \(8-16-2022\)](#)
- [Property Boundary Survey \(5-17-2019\)](#)
- [Sample Elevations & Interiors \(5-16-2022\)](#)
- [Rezoning Site Plan \(8-15-2022\)](#)
- [Updated Property Boundary Survey \(8-29-2022\)](#)

2.765± Acre Property at 2706 Lenora Church Road, Snellville, Georgia
Case #RZ 22-08
November 14, 2022
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- Updated Rezoning Site Plan (8-29-2022)
- September 27 2022 Planning Department Case Summary & Analysis (9-6-2022)
- November 14 2022 Planning Department Case Summary & Analysis (10-31-2022)
- November 15 2022 Planning Department Case Summary & Analysis (10-31-2022)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-17

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 2.765± ACRE TRACT OF LAND LOCATED IN LAND LOT 28 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2706 LENORA CHURCH ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

PROPERTY OWNER:	Britt and Camp, LLC Snellville, Georgia 30078
LOCATION:	2706 Lenora Church Road Snellville, Georgia 30078
TAX PARCEL:	R5028 001
APPLICANT:	Lazaro Mota Mota's Construction, LLC Winder, Georgia 30680
CONTACT:	Tyler Lasser Alliance Engineering and Planning Alpharetta, Georgia 30009 770-225-4730 or TylerL@allianceco.com
DEVELOPMENT/PROJECT:	11-Lot Single-family (Detached) Residential Subdivision Development

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 2.765± acre tract of vacant land located

at 2706 Lenora Church Road, Snellville, Georgia (Tax Parcel 5028 001) for an 11-lot single-family (detached) residential subdivision development; and,

WHEREAS, the 2,765± acre tract of land is designated as Low-Density Residential on the Snellville 2040 Comprehensive Plan Future Land Use Map; and,

WHEREAS, the Low-Density Residential future land use category allows for single-family residential areas less than four (4) units per acre; and,

WHEREAS, the density for the eleven (11) single-family detached lots on the 2.765± acre tract of land is 3.978 units per acre, less than the 3.99 units per acre maximum allowed for single-family residential areas; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 2.765± acre tract of land described and shown on the boundary survey “Britt & Camp, LLC”, sealed and dated 5-25-2022 (stamped received 8-29-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from RS-30 (Single-family Residential) District to RS-5 (Single-family Residential) District, subject to the following enumerated conditions:

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled “Rezoning Plan for Lenora Church Tract”, sealed and dated 8-15-2022 (stamped received 8-29-2022) in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the

rezoning site plan, as determined by the Director of Planning and Development and City Manager will require Mayor and Council approval.

2. All dwelling driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
3. A Property Owner's Association shall be established for the continuous maintenance of open space, stormwater detention facility, entrance signage and landscaping.
4. A minimum twenty (20) percent of the total site area must be conserved as open space and subject to the Open Space regulations of Sec. 401-2 Article 1 of Chapter 4 of the Snellville Unified Development Ordinance.
5. Subdivision entrance signage (if any) shall be located on Open Space.
6. Signs higher than 15 feet or larger than 225 square feet are prohibited.
7. Non-substantial variances, as determined by the Director of Planning and Development and City Manager for the design, development, or zoning requirements of the Snellville Unified Development Ordinance, must be submitted in writing for Administrative Variance approval consideration by the Director of Planning and Development.

Section 2. The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy

between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent

allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 7. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

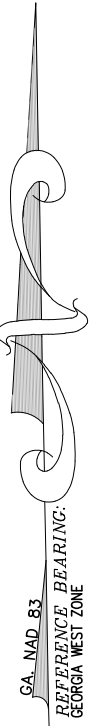
Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

BOUNDARY SURVEY OF AN EXISTING TAX PARCEL
LAND LOT 28 OF THE 5TH LAND DISTRICT
CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA
REFERENCE DEED: D.B. 14430 PG. 71
EXISTING TAX PARCEL: R5028 001

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT.

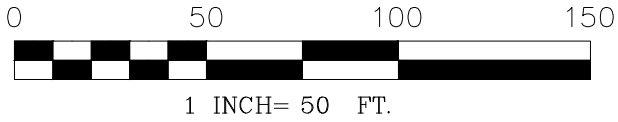


SYMBOL LEGEND

- ☆ LP = LIGHT POLE
⊙ PP = POWER POLE
⊙ = TRAFFIC POLE
⊙ M.H. = SANITARY SEWER MANHOLE
DWCB = DOUBLE WING CATCH BASIN
SWCB = SINGLE WING CATCH BASIN
□ TRAN = TRANSFORMER ELECTRIC
—X— = FENCE LINE
△ = TITLE EXCEPTION
JB = JUNCTION BOX
FH = FIRE HYDRANT
⊞ = STORM PIPE

TEXT LEGEND

- C/L = CENTERLINE
C&G = CURB & GUTTER
DB = DEED BOOK
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
X = SPOT ELEVATION
TE = FINISHED PAVEMENT
TE = FINISHED FLOOR ELEVATION
TE = INVERTED ELEVATION
RBS = REBAR BDN FOUND
RBS = REBAR BDN SET
N/F = NOW OR FORMERLY
P/L = PROPERTY LINE
P/B = PLAT BOOK
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R.O.W. = RIGHT OF WAY
DI = DROP INLET
WM = WATER METER
WM = WATER VALVE
FES = FLARED END STRUCTURE
SSMH = SANITARY SEWER MANHOLE



FLOOD NOTE

NO PORTION OF THE SUBJECT PROPERTY LIES IN A DESIGNATED SPECIAL FLOOD HAZARD AREA PER GWINNETT COUNTY FEMA FLOOD MAP NUMBER 13135C0138F, DATED 6-29-2006.

SURVEYOR'S NOTES

1. A LEICA TS12 ROBOTIC TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
2. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 66,998 FEET AND WAS ADJUSTED USING LEAST SQUARES.
3. THE HORIZONTAL AND VERTICAL DATUM FOR WHICH THIS SURVEY IS BASED WAS OBTAINED BY THE USE OF GPS. A CHAMPION NETWORK RTK ROVER WAS USED TO COLLECT CORRECTED MEASUREMENTS REPORTED BY A REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC.
4. VERTICAL DATUM SHOWN HEREON IS NAVD 88 AND AS REPORTED BY THE RTN OPERATED BY EGPS SOLUTIONS, INC.
5. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE.
6. THE BEARING BASIS USED TO PREPARE THIS PLAT IS BASED UPON NAD-83, GEORGIA STATE PLANE, WEST ZONE COORDINATES. ALL DIRECTIONS AND DISTANCES SHOWN HEREON ARE A GROUND LEVEL PROJECTION OF THE SYSTEM.

SURVEYOR CERTIFICATION

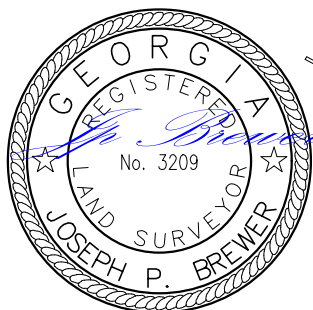
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON.

RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Joseph P. Brewer Ga. RLS #3209

5-25-2022



SUBJECT PROPERTY
AREA- 2.765 ACRES
MAP CLOSURE 1: 308, 302

NOW OR FORMERLY
CITY OF SNELLVILLE
P.B. Q. PG. 266
TAX ID: R5028 004D

NOW OR FORMERLY
GWINNETT COUNTY PUBLIC LIBRARY
D.B. 3945, PG. 214
D.B. 4200, PG. 251
TAX ID: R5028 002A

LEGAL DESCRIPTION

2706 Lenora Church Road

All that tract or parcel of land lying and being in Land Lot 28 of the 5th Land District, City of Snellville, Gwinnett County, Georgia and being more particular described as follows;

BEGINNING at a 1/2 inch rebar found at the intersection of the easterly right of way of Lenora Church Road (100 foot right of way) with the common Land Lot Line of Land Lots 27 and 28, said point being the **TRUE POINT OF BEGINNING**;

THENCE leaving the right of way of Lenora Church Road and along the common Land Lot Line of Land Lots 27 and 58, North 59 degrees 58 minutes 39 seconds East for a distance of 295.25 feet to a 2 inch open top pipe found; THENCE leaving the said common land lot line South 29 degrees 33 minutes 52 seconds East for a distance of 425.99 feet to a 1/2 inch rebar found with cap; THENCE South 60 degrees 24 minutes 49 seconds West for a distance of 271.73 feet to a corner found in a power pole on the right of way line of Lenora Church Road; THENCE along the said right of way line North 32 degrees 44 minutes 25 seconds West for a distance of 424.39 feet to a 1/2 inch rebar found, said point being the **TRUE POINT OF BEGINNING**

The above described tract contains 2.765 acres.

BOUNDARY SURVEY FOR:

NO.	DATE:	REVISION:
1	12/9/20	added legal description as requested
SURVEY INFORMATION:		
DATE: 5/25/2022	LAND LOT: 28	LAND DISTRICT: 5TH
COUNTY: GWINNETT	CITY: SNELLVILLE	DRAWN BY: BENNETT
JOB NUMBER: 19-187	SCALE: 1"=50'	DATE OF FIELD WORK: 5/25/2022

PREPARED BY: A Georgia Land Surveying Firm: LSF# 001105

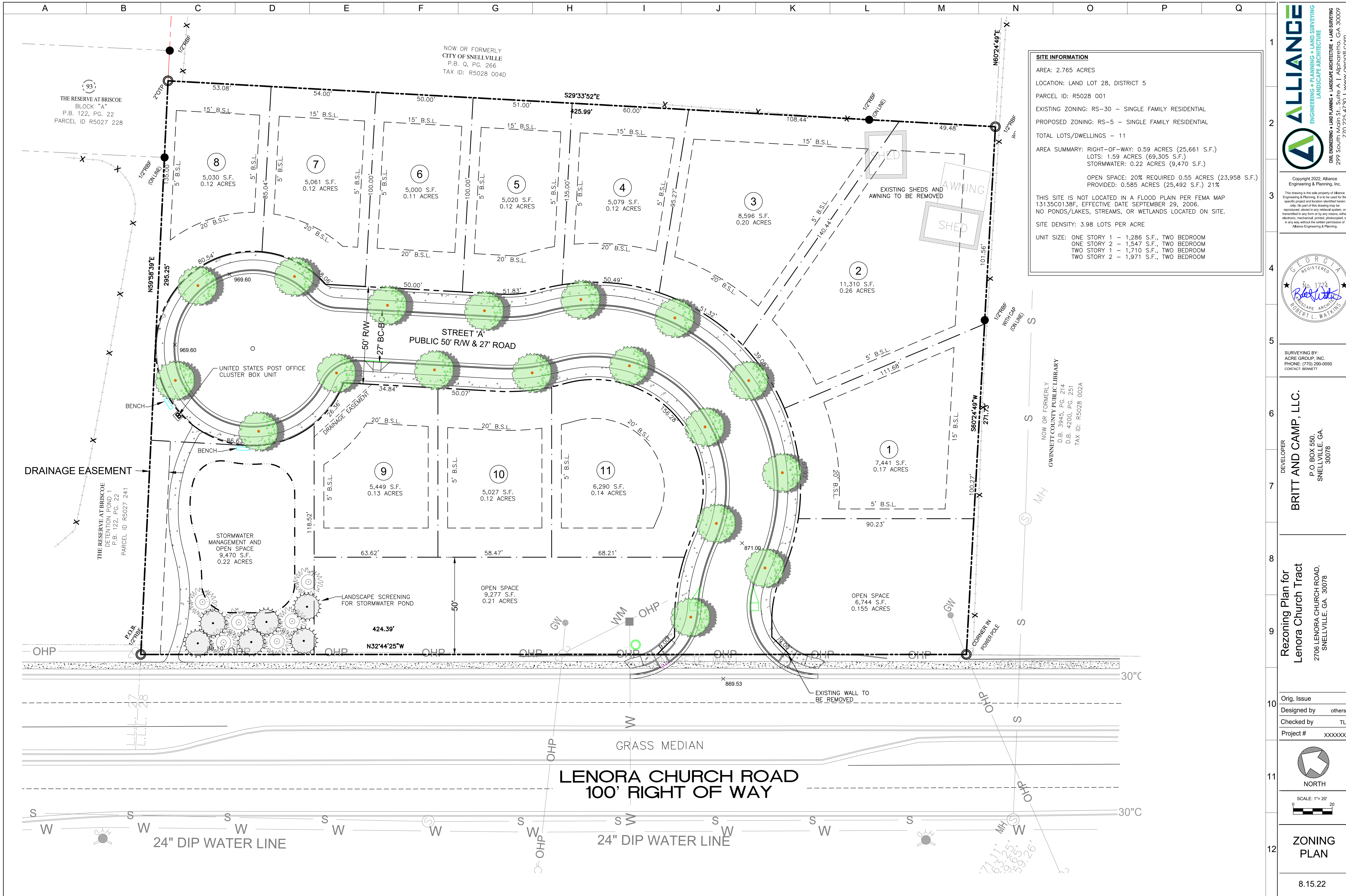
acre
PROFESSIONAL SURVEYORS

ACRE GROUP, INC.
P.O. BOX 54 | LOGANVILLE | GEORGIA 30052 | 770.290.0050

SHEET
1 OF 1

BRITT & CAMP, LLC

EXHIBIT “B”



Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: November 14, 2022

RE: #UDO 22-02 - Text Amendment #3 to the Snellville Unified
Development Ordinance (UDO)

STATUS: 1st Reading

The Planning Department has identified several items in Sec. 207-6 (Signs) that need to be amended to reduce ambiguity, provide clarification and help further the purpose of the UDO.

In addition, new Sec. 207-6.12 (Sign Plan Required in TC-MU District) is being added to allow for and regulate signage in The Grove at Towne Center per an approved Master Sign Plan.

Financial Impact: None

**Planning Department
Recommendation:** Approval

**Planning Commission
Meeting Date
(Recommendation):** September 27, 2022 (Meeting Canceled)
November 15, 2022

**Mayor and Council
Meetings:** November 14, 2022 (1st Reading)
November 28, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Agenda Item Summary - Case #UDO 22-02
November 14, 2022
Page... 2

Case Documents (website link):

- [Summary of Sign Ordinance Amendments \(V1\) 08-16-2022](#)
- [Draft Sign Ordinance Amendment \(V1\) 08-16-2022](#)
- [9-27-2022 Memo to Planning Commission \(09-20-2022\)](#)
- [Summary of Sign Ordinance Amendment \(V2\) 09-28-2022](#)
- [Draft Sign Ordinance Amendment \(V2\) 09-28-2022](#)
- [11-15-2022 Memo to Planning Commission \(10-21-2022\)](#)

CITY OF SNELLVILLE

STATE OF GEORGIA

ORDINANCE NO. UDO 22-02

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 200 OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF SNELLVILLE, GEORGIA, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia, the governing body of the City of Snellville, Georgia, desire to amend Article 7 (Signs) of Chapter 200 of the Unified Development Ordinance for the City of Snellville, Georgia;

WHEREAS, the Mayor and the Council of the City of Snellville, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the Mayor and Council of the City of Snellville, Georgia deem such amendment to be for the betterment and general welfare of the City of Snellville and its inhabitants; and

WHEREAS, due notice to the public was published in the Gwinnett Daily Post, the legal organ for Gwinnett County and the City of Snellville, Georgia on October 26, 2022 giving notice of the November 15, 2022 Planning Commission specially called public hearing and second notice published on November 9, 2022 giving notice of the November 28, 2022 Mayor and Council regular meeting and public hearing; and

WHEREAS, the Planning Commission of the City of Snellville, Georgia considered the proposed amendments at a duly advertised specially called meeting and public hearing on _____ at 7:30 p.m. and by a vote of _____ to _____, the Planning Commission recommends _____ of the proposed amendments; and,

WHEREAS, the Mayor and Council of the City of Snellville, Georgia deem such amendment to be for the betterment and general welfare of the City of Snellville and its inhabitants; and,

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. Chapter 200, Article 7 of the Unified Development Ordinance for the City of Snellville, Georgia is hereby amended as follows:

Section 207-6.2. Definitions, is hereby amended by deleting the previous definition and inserting in its place the following language:

Sign, menu board. A freestanding sign oriented to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window.

Section 207-6.3. Signs Prohibited, is hereby amended by deleting the previous section and inserting in its place the following language:

207-6.3. Signs Prohibited

A. Prohibited Signs

The following types of signs are prohibited in all zoning districts:

1. Animated sign;
2. Flashing sign;
3. Roof sign;
4. Signs attached to any street sign or marker, traffic control sign or device, or attached to or painted on any pole, post, tree, rock, shrub, plant or other natural object or feature;
5. Signs which contain flashing lights or are in imitation of an official traffic or construction sign;
6. Any sign placed or erected on a property without the permission of the property owner;
7. Signs placed within the public right-of-way, except publicly owned, authorized or maintained signs which serve an official public purpose;
8. Mobile sign;
9. Bench sign;
10. Air and gas filled device sign;
11. Beacon sign;
12. Open face channel letter construction;
13. Attention getting device;
14. Swinging or rotating sign except as provided Sec. 207-6.5 (Signs Exempt);
15. Freestanding signs larger than 6 square feet in sign area;
16. Ground signs over 15 feet in height;
17. Building wraps as defined in Sec.207-6.2, unless they receive a special use permit or approved master signage plan;
18. Murals as defined in Sec.207-6.2, unless they receive a special use permit or approved master signage plan;
19. Spinsock;
20. Windsock;
21. Signs attached to a retaining wall;
22. Signs associated with a customery home occupation, as defined in Sec. 206-8.12.;
23. Signs which contain words, pictures, or statements which are obscene, as defined by applicable case and statutory law;
24. Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such sign;

25. Signs which advertise any activity, service, or product prohibited by the laws or regulations of the United States or the State of Georgia or by the ordinances or resolutions of the City. This section shall not prohibit signs promoting the legalization of any matter presently prohibited by federal, state, or local law;
26. Signs which obstruct any fire escape, any means of egress or ventilation or shall prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape;
27. Signs which do not conform to applicable building and electrical codes;
28. Signs which are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be enacted;
29. Signs (including sign structures) related to a business, service or commercial transaction that has been discontinued for 6 months or more;
30. Signs that are structurally unsound, or are a hazard to traffic or pedestrians; and,
31. Signs (including sign structure) that do not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.

Section 207-6.4. Signs Permitted, is hereby amended by deleting the previous section 207-6.4.A and inserting in its place the following language:

207-6.4.A. Signs Permitted

A. Residential Districts

Signs permitted and regulated in residential zoning districts include:

Section 207-6.4. Signs Permitted, is hereby amended by deleting the previous section 207-6.4.A.2 and 207-6.4.A.3 and inserting in its place the following language:

207-6.4.A Residential Districts

2. Monument signs no greater than thirty-two (32) square feet, excluding the monument base, decorative columns and supporting structure at the entrance to a subdivision.
3. Freestanding sign required by the Georgia Department of Community Health for state licensed Personal Care Home, Community Living Arrangement, or Group Home, one (1) sign per road frontage, not to exceed six (6) square feet in sign area, not to exceed three (3) feet in height including sign support post(s) and generally located at or near the driveway. Sign must meet the setback requirements of Sec. 207-6.6.A.

Section 207-6.4. Signs Permitted, is hereby amended by deleting the previous section 207-6.4.B and inserting in its place the following language:

207-6.4. Signs Permitted

B. Nonresidential and Mixed-Use Districts

Signs permitted and regulated in the nonresidential and mixed-use districts, and approved special uses in residential districts and places of worship as an approved special use include:

Section 207-6.4. Signs Permitted, is hereby amended by deleting the previous section 207-6.4.B.5 and inserting in its place the following language:

5. Monument signs as defined in Sec. 207-6.2. and regulated as follows:
 - a. Monument sign area is defined as the entire area within a continuous perimeter, enclosing the extreme limits of the sign structure (overall height by overall width), not to include the first twenty-four (24) inches of the base height of a monument sign.
 - b. One (1) monument sign is allowed per public road frontage.
 - c. The maximum square footage of the sign is based upon one-half (0.50) square feet per one (1) foot of road frontage or sixty-four (64) square feet, whichever is larger.
 - d. In lieu of allowing a second monument sign, corner lots with two (2) adjacent public road frontages may utilize thirty (30) percent of the allowable sign area from the second public road frontage for the sign area calculation of the monument sign, subject to the maximum sign area of subsection (e). Sign area variances of Sec. 207-6.6.C. are not allowed. Sign placement shall comply with Sec. 201-1.8. (Intersection Visibility).
 - e. The maximum sign area allowed is two-hundred-twenty-five (225) square feet.
 - f. Signs greater than five (5) feet high must be set back at least ten (10) feet from the right-of-way. Signs greater than ten (10) feet high must be set back at least fifteen (15) feet from the public right-of-way.
 - g. Monument base must be constructed of natural unpainted brick or natural unpainted stone; or true hard coat stucco painted or stained using hues from or equivalent to any historic palettes from any major paint manufacturer, except that primary and fluorescent colors are prohibited. Faux stone, faux brick, or foam core monument base signs are prohibited.
 - h. Monument base shall be at least as wide as the sign and/or frame upon it and a minimum of two (2) feet in height above the highest adjacent grade. No support posts may be exposed.
 - i. Electrical service to be provided by underground service only. Electrical disconnect and/or meter base must not be visible from the public right-of-way. Solar powered lighting is prohibited.
 - j. Monument sign must include the numeric street address of the property upon which it is located. The numbers used to identify the address may be no less than five (5) inches in height and no more than nine (9) inches in height.

Section 207-6.4. Signs Permitted, is hereby amended by deleting the previous section 207-6.4.B.6 and inserting in its place the following language:

6. Signs for convenience stores, automotive service stations and other locations providing vehicle fueling with fuel pump islands: Spreader bars (signs located under canopy over pump islands) are limited to no more than two (2) signs per spreader bar, not to exceed four (4) square feet per sign. Fuel pump signage not to exceed six (6) square feet per side.

Section 207-6.4. Signs Permitted, is hereby amended by deleting the previous section 207-6.4.B.14 and 207-6.4.B.15 and inserting in its place the following language:

14. Interior project directional sign(s) are authorized in all developments or planned subdivisions of land within any nonresidential, mixed-use districts, approved special uses in residential districts and places of worship as an approved special use subject to the following:
 - a. May not be located within one-hundred (100) feet of an entrance to a project.
 - b. Maximum sign area of each sign may not exceed sixteen (16) square feet.
 - c. Maximum sign height shall not exceed six (6) feet above grade.
 - d. Only one (1) sign may be located at each internal intersection of private driveway or public streets within the project.
15. Electric Vehicle (EV) Charging Station signage may not exceed eighteen (18) square feet in total area per side per station and may be an element of an electronic message board sign, subject to the requirements of Sec. 207-6.B (Electronic Message Boards). The maximum sign height may not exceed ten (10) feet above grade and setback a minimum of ten (10) feet from the right-of-way.

Section 207-6.4. Signs Permitted, is hereby amended by adding the following language:

B. Nonresidential and Mixed-Use Districts

16. Signs per an approved Sign Plan in Sec. 207-6.12. (Sign Plan Required in TC-MU (Towne Center Mixed Use) District).

Section 207-6.5. Signs Exempt, is hereby amended by deleting the previous section and inserting in its place the following language:

207-6.5.A. Signs Exempt

- A. The following types of signs are exempt from the requirements of this section unless otherwise expressly prohibited by Sec. 207-6.3. (Signs Prohibited). These signs must meet the height and setback requirements of this section. No permit is required. Signs that are constructed of degradable material may be posted for a maximum period of ninety (90) calendar days. Nothing will prevent such a sign from being replaced by an identical sign:
 1. Signs not visible from public thoroughfares or intended to be seen by the traveling public.
 2. Signs within a business, office, mall, or totally enclosed area.
 3. Signs erected by, or on the order of, a public official in the performance of their duty, may be located within the public right-of-way.

4. Portable signs that are a maximum of six (6) square feet in area, only one (1) per storefront. Portable signs must be located near the building entry on the sidewalk. Portable signs are not allowed in parking areas, streets or public rights-of-way and may not impede the flow of pedestrian traffic.
5. Flags, no more than three (3) poles, neither in excess of sixty (60) square feet, nor greater than forty (40) feet in height per property. The flags must be no further from the structure than fifty (50) percent of the distance from the face of the structure to the public right-of-way.
6. Temporary sign(s). There may be no more than eight (8) temporary signs on display at any one time. The cumulative total of all temporary signs may be no greater than thirty-two (32) square feet per property. Temporary signs may not exceed six (6) feet in height above grade and must be located out of right-of-way or at least ten (10) feet from the back of the curb or edge of the pavement of the adjacent street, whichever is greater.
7. Sign spinners, wavers, costumed characters or street performers with signage devices are prohibited within the public right-of-way. Any persons involved in this activity must remain on private property in a hard surface paved area, away from entry and exit drives.
8. Swinging or projecting signs not exceeding five (5) square feet or projecting more than four (4) feet and attached under the eave or awning of a building above a business entrance.
9. One official sign as required by the State of Georgia for vehicle emissions stations licensed by the State. One (1) sign per public right-of-way frontage. Sign shall meet the setback requirements of Sec. 207-6.6.A. and may not exceed 24 inches wide by 36 inches high with standard frame and hardware.
10. Vehicle sign/wrap shall be allowed when the vehicle is legally parked in the rear or to the side of an establishment or when vehicle cannot legally park in the rear or side of the establishment, may park in a parking area that is farthest away from the public street right-of-way. Vehicles must be operational at all times and must not remain stationary for more than 72 hours.
11. Signage affixed to an automated teller kiosk and accompanying canopy if serving as an accessory use to a bank or financial institution on the same lot.
12. Signage on vending machines, limited to four (4) per lot, and which are not located more than five (5) feet from the building foundation and wall, and within the required front yard setback of the zoning district.
13. Freestanding sign required by the Georgia Department of Community Health for state licensed Personal Care Home, Community Living Arrangement, or Group Home.

Section 207-6.6. General Requirements, is hereby amended by deleting the previous section and inserting in its place the following language:

207-6.6. General Requirements

In addition to the requirements of Sec. 207-6.3. (Signs Prohibited), Sec. 207-6.4. 207-6.4 (Signs Permitted), and Sec. 207-6.5. (Signs Exempt), the following regulations also apply:

A. Setbacks

Signs may not be located in the right-of-way and must be at least 10 feet from the back of the curb or edge of the pavement of the adjacent street, whichever is greater. Signs on a corner lot located at the intersection of two streets must be located outside of the sight distance triangle, measured 30 feet from the intersecting lines of the street right-of-way or at least 15 feet from the back of the curb or edge of pavement of the adjacent streets, whichever is greater.

B. Multiple Signs

No business is allowed to install an additional conforming sign until it has removed all existing nonconforming signs. Provided, however, that on lots with three or more businesses, at least two of which are party to a lease or leases, any business that does not own or control the nonconforming sign may erect a wall sign.

C. Administrative Variances

1. Setback dimensions of monument and freestanding signs can be adjusted up to a maximum of 5 feet. The Director has the discretion to use administrative variance only when necessary to prevent a visual hazard from occurring with the placement of signs.
2. The Director has the discretion to allow administrative variances in sign area allowances for wall signs. Under no circumstances may the administrative variance allow the proposed wall sign to be more than 125% of the base regulation sign size.

D. Street Numbers

Monument signs must include the numeric street address of the property upon which it is located. The numbers used to identify the address may be no less than 5 inches in height and no more than 9 inches in height.

E. Illumination

Excluding electronic message board signs, internally illuminated signs may not exceed 20 foot-candles at a distance of 10 feet from such structure. Externally illuminated signs must be lighted so that lights are positioned in such a manner that light does not produce glare nor does it shine into the eyes of motorists or pedestrians so as to create a hazardous or dangerous condition. Externally illuminated signs must have lights with directional cut offs which do not allow the light source to be seen by passersby. All fixtures must be ground-mounted. No more than two fixtures per side. No more than 2% of light may go above horizontal.

Section 207-6.7. Banners, is hereby amended by deleting the previous section and inserting in its place the following language:

207-6.7. Banners

Banners are permitted in nonresidential and mixed-use districts and special uses in residential districts subject to the approval of a banner permit issued by the Director and subject to the following criteria:

- A. Banners and/or feather flags not in excess of 32 square feet in area (cumulative) to be attached to the building facade or to a permanent sign or placed in the ground, must be located out of right-of-way or at least 10 feet from the back of the curb or edge of pavement of the adjacent street, whichever is greater.
- B. A banner permit may be issued for each occurrence not to exceed two, 14-day periods and one, 21-day period per calendar year per establishment.
- C. Feather flags are limited to one flag per business and must be located out of right-of-way or at least 10 feet from the back of the curb or edge of the pavement of the adjacent street, whichever is greater. Feather flags are permitted for no more than two, 14-day periods and one, 21-day period each calendar year.

Section 207-6.8. Electronic Message Boards, is hereby amended by deleting the previous section and inserting in its place the following language:

207-6.8. Electronic Message Boards

A. Permitted Districts

- 1. Electronic messaging signs are permitted in the following zoning districts:
 - a. CI - Civic Institutional district.
 - b. OP – Office Professional district.
 - c. BG – General Business district.
 - d. HSB – Highway Service Business district.
 - e. LM – Light Manufacturing district.
 - f. MU – Mixed Use district.
 - g. TC-MU - Towne Center Mixed Use district.
- 2. Electronic messaging signs are allowed with an approved special use permit in the following districts:
 - a. NR – North Road district.
 - b. TC-R – Towne Center Residential district.
- 3. Electronic messaging signs are allowed in the RS-30 (Single-family Residential) zoning district for any place of worship operating with an approved special use permit or conditional use permit.

B. Sign Types to Utilize Electronic Message Boards

Electronic messaging may be an element of a monument, freestanding, fuel pump canopy, menu board, pre-menu board or window/door sign. Wall signs may not contain electronic messaging.

C. Size and Location Requirements

Electronic message boards must meet the size and placement requirements of this subsection.

- 1. Maximum allowable electronic message board sign area as an element of:

- a. Monument sign: Fifty (50) percent of the monument sign area in Sec. 207-6.4.B.5. (Monument Sign).
 - b. Menu board/pre-menu board: One-Hundred (100) percent of allowable sign area in Sec. 207-6.4.B.12. (Menu Board Sign) and 207-6.4.B.13. (Pre-menu Board Sign).
 - c. Fuel pump canopy: One-Hundred (100) percent of allowable sign area in Sec. 207-6.4.B.6. (Fuel Pump Islands).
 - d. Window/door: One-Hundred (100) percent of allowable sign area in Sec. 207-6.4.B.3. (Window and Door Signs) for one (1) window/door. Only one (1) window/door electronic message board sign allowed per location. No electronic message board window/door sign may exceed fifteen (15) square feet in total display area.
 - e. Freestanding sign: One-Hundred (100) percent of allowable sign area in Sec. 207-6.4.B.7. (Freestanding Sign).
 - f. Electric Vehicle (EV) Charging Station: One-Hundred (100) percent of allowable sign area in Sec. 207-6.4.B.15. (EV Charging Station).
2. Sign area variances of Sec. 207-6.6.C. are not allowed and may only be considered by the Board of Appeals.

D. Duration of Display

1. Any electronic message displayed shall remain unchanged for a minimum of 10 seconds before switching messages.
2. The following display types are prohibited:
 - a. Animation is prohibited;
 - b. Flashing, blinking, fade in, fade out or scrolling text is prohibited; and
 - c. Video images are prohibited.

E. Intensity of Light

1. The maximum luminance produced by the sign may not exceed three-tenths (3/10) foot-candles greater than the ambient light level.
2. The light level produced by the sign is measured using the following equation based on typical sign-to-viewer distance: the square root of the product of the sign area and 100. Example using a 12 square foot sign:

$$\sqrt{(12 \times 100)} = 34.6 \text{ ft. measuring distance}$$

3. Automatic dimming capability must adjust the sign's illumination to the ambient light at all times of the day or night.

F. Default Control

1. The sign must be equipped to freeze the display in one position if a malfunction occurs.
2. The sign must also be equipped with a means to immediately discontinue the display if it malfunctions.

3. The sign owner must immediately stop the display when notified by the Director that the sign is not complying with the standards of this section.

Section 207-6.9. General Procedures, is hereby amended by deleting the previous Section 207-6.9.A. and inserting in its place the following language:

207-6.9. General Procedures

The following procedures must be followed by all persons erecting signs:

A. Conformance and Permits

All signs erected, replaced, modified or relocated must be in conformance with all ordinances and codes of the City. A sign permit must be secured from the Director. This permit must be issued before installation or modification of any sign. No permit is required for any change in the lettering, text or graphics displayed on a display board, provided no modification is made to the size or location of the sign. No permit is required for those signs exempt under Sec.207-6.5. (Signs Exempt). The discretion of any City official reviewing a sign permit application is to determine if the application and the proposed sign are in compliance with this section. No official reviewing a sign permit application or building or electrical permit application for a proposed sign may consider the content of any message on a proposed sign.

Section 207-6.9. General Procedures, is hereby amended by deleting the previous Section 207-6.9.A.2. and inserting in its place the following language:

2. Signs that require design by a Georgia registered professional engineer:
 - a. Signs that exceed 50 square feet in area, inclusive of the sign support structure and/or monument base, that are either monument signs or signs with supporting structures.
 - b. Signs that exceed 12 feet in height above grade.

Section 207-6.9. General Procedures, is hereby amended by deleting the previous Section 207-6.9.A.5. and inserting in its place the following language:

5. Structural drawing(s) plan review requirements:
 - a. Drawings for each sign structure must clearly specify the required materials, sizes, and locations for all structural components. Complete details must be provided that clearly indicates the required connections between all structural components including anchorage to the foundation. Details shall also indicate required attachments of sign cabinets to the supporting structure.
 - b. Sign foundation requirements must be clearly indicated on the drawings including, but not limited to, footing size and reinforcement, 28-day compressive strength of concrete, anchor bolt size and embedment depth.
 - c. Drawings for signs that require design by a Georgia registered professional engineer must contain the following minimum design data in addition to the information required in sentences (a) and (b) immediately above:

- i. State on drawings that the design complies with the International Building Code;
- ii. State on drawings that the wind load design complies with ASCE 7 (minimum design loads for buildings and other structures);
- iii. Basic wind speed (mph), design wind pressure (PSF), exposure category (B or C);
- iv. Minimum required soil bearing capacity (PSF);
- v. Structural material specifications (including but not limited to ASTM designation, yield strength (SKI), and material grade, if applicable).

Section 207-6.9. General Procedures, is hereby amended by deleting the previous Section 207-6.9.C. and inserting in its place the following language:

C. Expiration Date

A sign permit becomes null and void if the sign for which the permit was issued has not been completed within 6 months after the date of approval.

Section 207-6.10. Nonconforming Signs, is hereby amended by deleting the previous Section 207-6.10.B.2. and inserting in its place the following language:

207-6.10. Nonconforming Signs

B. Billboard Conversion and Reduction

2. Exchange Ratio and Permitting

Notwithstanding any other provision of Sec. 207-6. (Signs), any eligible conversion structure may be modified to an electronic billboard, provided that the applicant removes from within the City of Snellville an equal number of removal structures and billboard sign faces to be converted. In order to be eligible for use as a removal structure, the entirety of the above-ground portion of the removal structure must be removed. The applicant is entitled to obtain a permit, upon proper application, for the conversion of a conversion structure to an electronic billboard, which permit must provide that the conversion structure may not be converted to an electronic billboard until the removal structure has been fully removed. Each permit will grant the applicant a period of not less than 1 year to complete conversion of the conversion structure after removal of the removal structure.

Section 207-6.12. Sign Plan Required in TC-MU (Towne Center Mixed-Use District), is hereby amended by inserting the following new language:

207-6.12. Sign Plan Required in TC-MU (Towne Center Mixed-Use District)

A. Purpose and Intent

The purpose of this Section is to allow for consistent signage throughout a qualifying development. It is the intent of the City of Snellville that this Section will only apply to and affect qualifying properties located within the Towne Center Mixed Use District.

B. Qualifying Property

This Section shall apply to developments of 10 acres or more that are zoned Towne Center Mixed Use (TC-MU).

C. Process

1. All Qualifying Properties under this section shall submit a Signage Plan to be approved by the Mayor and Council. This Signage Plan shall include:
 - a. Street address of the property upon which the sign is to be located. In the absence of a street address, an acceptable alternative method of location may be used.
 - b. Type of sign as defined in this Article.
 - c. Plans indicating the dimensions of the sign, sign area, height, and mounting details.
 - d. Plans indicating its location on the property or the face of the building including the road frontage or building elevation
 - e. The name(s) and address(es) of the real property upon which the subject sign is to be located.
 - f. Written consent of the owner, or their agent, granting permission for the placement and/or maintenance of the subject sign.
 - g. The name, address, phone number and business license number of the sign contractor.
 - h. Indicate any signage which would otherwise require a variance under this Article. Upon submission of the Signage Plan, the applicant shall not have to submit a separate request for a variance under this Article.
2. The Planning and Development Department will review the plan for completeness. If complete, the Department will forward the plan to Planning Commission for a public hearing and recommendation. The recommendation from Planning Commission will then be forwarded to Mayor and Council for public hearing and final decision.
3. If approved, the applicant will pay all necessary sign permit fees in accordance with the Fee Schedule prior to work beginning on the signs.

Section 2. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4. This Ordinance was adopted _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

ORDAINED this _____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Solange Destang, Council Member

APPROVED AS TO FORM:

Cristy Lenski, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: November 14, 2022

RE: #MSP 22-01 – Master Sign Plan for The Grove at Towne Center

STATUS: 1st Reading

Master sign plan to govern all signage for Phase 1 of The Grove at Towne Center.

Financial Impact: None

**Planning Department
Recommendation:** Approval

**Planning Commission
Meeting Date
(Recommendation):** September 27, 2022 (Meeting Canceled)
November 15, 2022

**Mayor and Council
Meetings:** November 14, 2022 (1st Reading)
November 28, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Case Documents (website link):

- [#MSP 22-01 Sign Plan Application \(10-10-2022\)](#)
- [3-14-2022 The Grove at Towne Center Comprehensive Sign Plan \(9-20-2022\)](#)
- [Survey Phase I \(9-20-2022\)](#)
- [Site Plan Phase I \(9-20-2022\)](#)
- [9-27-2022 Memo to Planning Commission \(9-20-2022\)](#)
- [11-15-2022 Memo to Planning Commission \(10-21-2022\)](#)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-18

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 10.0910± ACRE TRACT OF LAND LOCATED IN LAND LOTS 26 AND 39 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO APPROVE A MASTER SIGNAGE PLAN; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#MSP 22-01
PROPERTY OWNERS:	Snellville Towne Center, LLC Columbus, Ohio 43215-5088 Downtown Development Authority of Snellville Snellville, Georgia 30078 Gwinnett County Georgia (Library) Lawrenceville, Georgia 30046
LOCATION:	10.091± Acres at the intersection of Clower Street, Oak Road, North Road, and Wisteria Drive, Snellville, Georgia
TAX PARCELS:	R5026 209, 227, 256, 258, 275, 326; and R5039 013, 014, 036, 063, 190, 191, 208, 275, 279, and 281
DEVELOPMENT/PROJECT:	The Grove at Towne Center (Phase 1) A Master Planned Mixed-Use Development

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHERAS, the governing authority of the City of Snellville, Georgia approved the amendment to Sec 207-6 (Signs) of Article 7 of Chapter 200 of the Unified Development

Ordinance for the City of Snellville, Georgia, adding Sec. 207-6.12. (Sign Plan Required in TC-MU (Towne Center Mixed-Use District) allowing the Mayor and Council to consider for approval a master signage plan for qualifying developments of ten (10) acres or more that are zoned TC-MU (Towne Center Mixed Use) District; and

WHEREAS, the subject property is a qualifying development consisting of a 10.091± acre tract of land located at the intersections of Clower Street, Oak Road, North Road, and Wisteria Drive, Snellville, Georgia, and is zoned TC-MU District, and known as The Grove at Towne Center (Phase1); and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 10.091± acre tract of land as shown on Sheet 3/3 of the final plat in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, and approve the master signage plan for The Grove at Towne Center (Phase 1), a master planned mixed-use development; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, the master signage plan entitled “The Grove at Towne Center Comprehensive Sign Plan, Snellville, GA”, dated March 14, 2022 and containing pages 1-21 in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, is hereby approved subject to the following enumerated conditions:

CONDITIONS:

1. Building mounted signs and/or ground project signage shall require an approved sign permit and building permit, as applicable, from the City of Snellville prior to the installation of signage.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 3. The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or

phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

MISCELLANEOUS NOTES

THE IMPROVEMENTS SHOWN HEREON ARE PROPOSED AND ARE SHOWN PER FILES RECEIVED BY THE CLIENT.

THE INDIVIDUAL PARCELS AND INTERIOR STREET RIGHTS-OF-WAY SHOWN HEREON ARE PROPOSED.

PROPERTY CORNERS (1/2" REBAR WITH CAP "LSF810" OR PK NAIL WITH WASHER "LSF810") SHALL BE PLACED AT MAJOR LOT CORNERS AT THE TIME OF FINAL PLAT.

SITE CURRENTLY UNDER CONSTRUCTION AND DEMOLITION. CONDITIONS CHANGING DAILY.

PROPOSED PARCELS

PARCEL 1: 5 STORY PARKING DECK
PARCEL 2A: 4 STORY MULTIFAMILY APARTMENTS
PARCEL 2B: 4/5 STORY MULTIFAMILY APARTMENTS
PARCEL 3A: JAMES SAWYER WAY
PARCEL 3B: PUBLIC PLAZA
PARCEL 4A: 2 STORY LIBRARY / OFFICE / COMMUNITY SPACE
PARCEL 4B: PUBLIC MARKET
PARCEL 5A: OPEN SPACE / LAWN / TREE HOUSE PAVILION
PARCEL 5B: PUBLIC CORRIDOR
PARCEL 6A: COMMERCIAL / RESTAURANT
PARCEL 6B: COMMERCIAL / RESTAURANT
PARCEL 7A: THOMAS SNELL WAY
PARCEL 7B: THOMAS SNELL WAY
PARCEL 7C: GROVE PROMENADE
PARCEL 7D: OPEN SPACE / LAWN
PARCEL 8: COMMERCIAL / RESTAURANT
PARCEL 9: COMMERCIAL / RESTAURANT

LINE TABLE

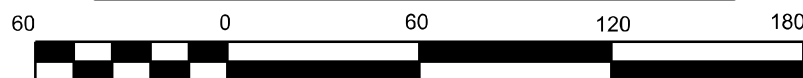
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 29° 22' 38" E	4.18'	L21	S 55° 24' 22" E	20.40'
L2	N 34° 42' 26" E	18.72'	L22	S 34° 48' 25" W	34.72'
L3	S 55° 17' 34" E	18.30'	L23	S 55° 24' 54" E	6.57'
L4	N 34° 42' 26" E	39.91'	L24	N 31° 49' 23" W	32.75'
L5	S 55° 17' 34" E	9.09'	L25	N 32° 22' 21" W	7.18'
L6	N 34° 42' 26" E	0.42'	L26	S 55° 17' 34" E	3.88'
L7	S 55° 17' 34" E	34.54'	L27	S 34° 42' 26" W	0.53'
L8	S 34° 42' 14" W	7.34'	L28	N 55° 24' 22" W	51.25'
L9	S 55° 17' 34" E	26.05'	L29	S 48° 48' 26" W	54.63'
L10	N 34° 42' 26" E	0.48'	L30	S 60° 19' 54" W	28.42'
L11	S 55° 17' 34" E	21.41'	L31	S 60° 18' 40" W	88.94'
L12	N 34° 42' 26" E	9.95'	L32	S 51° 27' 38" W	9.00'
L13	S 55° 17' 34" E	47.51'	L33	N 87° 28' 26" E	22.20'
L14	N 34° 42' 26" W	44.21'	L34	N 55° 17' 34" W	43.63'
L15	N 55° 17' 34" W	38.42'	L35	S 33° 08' 28" W	6.53'
L16	S 36° 14' 21" E	32.74'	L36	S 57° 26' 49" E	31.11'
L17	S 03° 38' 06" W	8.12'	L37	S 47° 42' 46" W	10.67'
L18	S 49° 12' 57" E	19.58'	L38	S 48° 53' 32" W	12.40'
L19	S 58° 17' 58" E	7.86'	L39	N 34° 42' 26" E	43.69'
L20	N 55° 17' 34" W	3.88'	L40	N 58° 10' 37" E	5.10'

SEE SHEET 2 OF 3; A. FOR WATER AND SEWER EASEMENT DETAIL SKETCHES (DEPICTS EASEMENT METES AND BOUNDS). B. PARCEL AREAS SHOWN HEREON.

WISTERIA DRIVE
(VARIABLE PUBLIC R/W)NORTH ROAD
(VARIABLE PUBLIC R/W)CLOVER STREET
(VARIABLE PUBLIC R/W)OAK ROAD
(VARIABLE PUBLIC R/W)

CASE NUMBER: FPL 2021-00040

SCALE: 1" = 60'



P.O.B. PARCEL 1
P.O.B. PARCEL 2A
P.O.B. PARCEL 3A
P.O.B. PARCEL 3B
P.O.B. PARCEL 5A
P.O.B. PARCEL 5B
P.O.B. PARCEL 6A
P.O.B. PARCEL 6B
P.K. NAIL W/ WASHER SET
N: 1404133.49
E: 2341664.30

P.O.B. PARCEL 2B
1/2" RB W/ CAP SET
N: 1404516.29
E: 2341990.66

P.O.B. PARCEL 3
1/2" RB W/ CAP SET

P.O.B. PARCEL 4A
1/2" RB W/ CAP SET

P.O.B. PARCEL 4B
1/2" RB W/ CAP SET

P.O.C. PARCEL 4A
P.O.C. PARCEL 4B
P.O.C. PARCEL 7
P.O.C. PARCEL 9
P.O.B. PARCEL 8
N: 1404001.14 1/2" RB W/
E: 2342702.61 CAP SET

P.O.B. PARCEL 1
1/2" RB W/ CAP SET
N: 1404368.36
E: 2341824.77

P.O.B. PARCEL 5A
1/2" RB W/ CAP SET

P.O.B. PARCEL 6A
1/2" RB W/ CAP SET

P.O.B. PARCEL 6B
1/2" RB W/ CAP SET

P.O.B. PARCEL 9
1/2" RB W/ CAP SET

TerraMark Land Surveying, Inc.
1396 Belle Ferry Road
Marietta, Georgia 30068
Phone: 404.271.1217
Fax: 404.271.0552
www.TerraMark.com

TerraMark
Professional Land Surveying C.O. # LSF00810

Project No.	2020-035	No		Revision	Date
Survey Crew	WL KM	#1		REVISED PER VALLER COMMENTS	09/29/2021
				ADDED RIGHT OF WAY DESIGNATION	12/14/2021
Drawn By	JDW	#2		ADDED RIGHT OF WAY DESIGNATION	09/29/2021
				UPDATE PARCELS 6A, 6B, & 8	09/29/2021
		#3		UPDATE TO SHOW OVERALL PARCEL 7	09/14/2022
Approved By:	WCW	#4		ADDED MISCELLANEOUS COMMENTS	09/15/2022
		#5			
Date:	04/20/2021	#7			
		#8			
Scale:	1"=60'				

FINAL PLAT FOR
SNELLVILLE TOWNE CENTER, LLC; GWINNETT COUNTY,
GEORGIA & DOWNTOWN DEVELOPMENT AUTHORITY
OF SNELLVILLE, GEORGIA
(THE GROVE AT TOWNE CENTER)
LOCATED IN
LAND LOTS 26 & 39, 5TH DISTRICT
CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA

SHEET NO.

3/3

DRAWING# TM 20-035

EXHIBIT “B”



Comprehensive Sign Plan

Snellville, GA

March 14, 2022

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Purpose and Intent

The purpose and intent of this Comprehensive Sign Plan is to provide the guidelines necessary to achieve a visually coordinated, balanced and appealing sign environment, harmonious with the architecture of the Project, while maintaining provisions for individual graphic expression. The requirements contained herein are intended to provide adequate exposure for the Occupants merchandising and identification while maintaining the overall appearance critical to the success of the Project.

General The Grove at Towne Center Comprehensive Sign Plan

- The Grove at Towne Center Comprehensive Sign Plan sets forth outlines all the Project requirements for signage.
- Occupant signing is expected to enhance and extend the spirit of the architecture for the Project, expression of the high quality of merchandise and services within.
- Graphic Design shall be imaginative, simple and clear. Signage shall be limited to the logo and/or name of the Occupant. Additional icon/imagery for Occupants will be considered (at the sole discretion of the Landlord/Owner) as long as it contributes to the overall identity of Project and meets all applicable requirements of this document and the City of Snellville Signage Masterplan. Occupants are required to retain the services of a professionally trained graphic designer to create their identity and sign program.

Retail Tenant Sign The Grove at Towne Center Comprehensive Sign Plan

1. All Tenants are required to purchase and install their own signs and pay all costs for installation and any electrical service connections (to the Tenant's individually metered service) as required. The storefront and/or blade signage must be installed on or before Tenant opens for business in Tenant space.
2. After first acquiring Owner/Landlord approvals, all Tenants shall be responsible for applying for and acquiring all permits from the City of Snellville prior to installation.
3. To verify compliance with the design intent of The Grove at Towne Center Comprehensive Sign Plan, the Landlord/Owner reserves the right to disapprove all proposed signs and/or graphic treatment governed by The Grove at Towne Center Comprehensive Sign Plan per the Landlord/Owner's interpretation of The Grove at Towne Center Comprehensive sign Plan, and to require revisions of any sign design which the Landlord/Owner judges not in compliance.
4. To verify compliance with the design intent of The Grove at Towne Center Comprehensive Sign Plan, the City of Snellville reserves the right to disapprove all proposed signs and/or graphic treatment governed by The Grove at Towne Center Comprehensive Sign Plan per City of Snellville's interpretation of The Grove at Towne Center Comprehensive sign Plan, and to require revisions of any sign design which the City of Snellville judges not in compliance.
5. All Tenants shall be responsible for removal of its signs upon termination of lease. Damage caused by the installation or removal of the sign and all penetrations appurtenant to the Tenant's sign installation shall be repaired by the Tenant to the satisfaction of the Landlord/Owner within 30 days of the sign removal. If a sign is damaged by a natural event, such as wind, an engineer certified letter is required. This requirement is the same as Georgia building code ground sign wind load requirements. This requirement applies to both ground and fascia signs.
6. No tenant shall erect, install, paint or affix any signs, posters, cards/banners or other advertising medium to upon or above the exterior of the premises of the building, nor on the exterior of the glass surface of the windows and doors, except as stated herein. Tenant shall be held liable and shall bear all costs for removal and/or correction of sign installation and damage to building by signs that do not conform to The Grove at Towne Center Comprehensive Sign Plan or those signs required to be removed by termination of lease. The Landlord/Owner reserves the right to have all non-conforming, non-permitted, non-approved signs by Landlord/Owner removed regardless of state of erection, by Landlord's/Owner's means at sole expense of the Tenant.
7. The Landlord/Owner reserves the right to make periodic changes to The Grove at Towne Center Comprehensive Sign Plan, when approved by the City of Snellville Planning Director. Any changes approved by the Planning Director cannot change the character and/or nature of the proposed The Grove at Towne Center Comprehensive Sign Plan.
8. Tenants with a national logo, service mark or word mark may use their identification mark and type style subject to the criteria contained within this Comprehensive Sign Plan and City of Snellville approval. Tenants without a locally or nationally recognizable logo may choose a type style for approval and may use a logo or mark on their leased space.
9. Sign fabrication and installation shall comply with any applicable building codes, City of Snellville Zoning Ordinance and the National Electrical Code, and all internal and external wiring, lighting, and other electrical devices shall bear the U.L. symbol. It is the Tenant's responsibility to verify that its sign and installation are in accordance with these requirements and have the Jurisdiction's approval.
10. Tenant is responsible for maintaining its sign in a good state of repair including prompt replacement of burned out lighting or damaged components. Tenant shall promptly initiate repairs and make repairs after being notified in writing by Landlord/Owner.

11. All sign fabrication work shall be of excellent quality. All logo images and type styles shall be accurately reproduced. Lettering that approximates type styles shall not be accepted. The Landlord reserves the right to reject any fabrication work deemed to be below standard.
12. Signs must be made of durable rust-inhibited materials that are appropriate and complementary to the building.
13. All formed metal, such as letter forms, shall be fabricated using full-weld construction.
14. All ferrous and non-ferrous metals shall be separated with non-conductive gaskets to prevent electrolysis. In addition to gaskets, stainless steel fasteners shall be used to secure ferrous to non-ferrous metals.
15. Threaded rod or anchor bolts shall be used to mount sign letters which are spaced out from background panel. Angle clips attached to letter sides will not be permitted.
16. Paint colors and finishes must be reviewed and approved by the Landlord. Color coating shall exactly match the color(s) specified on the approved plans.
17. Finished surfaces of metal shall be free from oil-canning and warping. All sign finishes shall be free of dust, orange peel, drips, and runs and shall have a uniform surface conforming to the highest standards of the industry.
18. Reverse channel letters shall be pinned 2" off building fascia. Signs shall have a clear polycarbonate backing and p.k. housings shall be mounted flush to surface of building.
19. All hardware inside open channel letters shall be painted to match interior letter color. Lighting shall be sufficient to make letters read "solid". Exposed lighting is prohibited.
20. All lighting must match the exact specifications of the approved working drawings. Surface brightness of all illuminated materials shall be consistent in all letters and components of the sign. Light leaks will not be permitted.
21. All conduit, raceways, crossovers, wiring, ballast boxes, transformers and other equipment necessary for sign connection shall be concealed.
22. All penetrations into building wall, where required, shall be sealed and waterproofed. Color and finish to match existing wall.
23. Murals that have been approved by the Landlord will be allowed but will require a Special Use Permit.
24. There shall be no signs that are rotating, revolving, flashing, flickering, moving or audible.
25. No sign shall project above or below the allowable sign area. Landlord approved vertical metal signs attached to the building will be allowed.
26. No signs will be allowed that constitute a Traffic Hazard: any building sign which simulates or imitates in size, color, lettering, design of any traffic sign or signal, or which makes use of the words "STOP", "LOOK", "DANGER" or any words or phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.
27. Signs in close proximity to Utility Lines are prohibited, as prescribed by the laws of the jurisdiction.
28. Advertising or promotional signs on parked vehicles are prohibited in the areas identified on Illustration S. This includes signs on or affixed to trucks, automobiles, trailers or other vehicles which advertise, which are not related to the vehicle's lawful activity. This provision does not apply to service and delivery vehicles of Tenants when engaged in regular business activities (i.e. trucks making deliveries to businesses with the Center).

29. Tenants with outdoor seating or dining will be allowed to have umbrellas with the tenant logo affixed to them, subject to Landlord/Owner approval of size, color, quantity and placement.
30. Temporary signs for commercial spaces less than 15,000 SF shall not exceed thirty (32) square feet, or the maximum allowed by the City of Snellville Zoning Ordinance, may be permitted (i.e. for announcing openings and re-openings after remodels) subject to Landlord/Owner approval. These signs are limited to forty-nine days (49) days per calendar year per the City of Snellville *Zoning Ordinance*. This sign will require approval by the City of Snellville Planning Department.
31. Temporary signs for commercial or residential space greater than 15,000 SF and 2 stories or higher, shall not exceed sixty-four (64) square feet, subject to Landlord/Owner approval. These signs are limited to forty-nine days (49) days per calendar year. This sign will require approval by the City of Snellville Planning Department.
32. The Landlord/Owner reserves the right to hire an independent electrical engineer at the Tenant's sole expense to inspect the installation of all Tenant's signage and to require Tenant to have any discrepancies and/or code violations corrected at the Tenant's expense.
33. No exposed lighting is permitted on the exterior of the building, including signs, or in the interior of the storefront to highlight the glazing system.
34. Each Tenant will be allowed to display an "A" frame sign on the front, rear or side of the premises. The design and location of the sign must be approved by landlord. A maximum of two (2) signs are allowed and no more than one (1) sign per side.
35. Temporary signs and banners approved by and in a location designated by Owner/Landlord will be allowed on the construction fencing, construction barricades, building or other temporary measures used during the construction of the mixed-use buildings. The banners will not be greater than 6 feet in height and will be wind screen type if installed on the fencing. The banners can identify existing tenants, future tenants, project promotions or advertising, developer, contractor, designers, lenders and other project related entities.
36. Seasonal and event banners no larger than 12 feet by 15 feet can be displayed on the library, mercantile building, and mixed-use buildings. The banners may be changed from time to time at the Owner / City discretion and with approval by both parties. The Owner will provide standard templates to the town for the event banner.
37. Seasonal and event banners no larger than 21 feet by 21 feet will be allowed to be displayed on the parking deck. The banners may be changed from time to time at the City/Owner's discretion and approved by both parties.

Submittals and Approvals for Building Mounted Signs

A copy of The Grove at Towne Center Comprehensive Sign Plan will be provided to future Tenants by the Landlord/Owner.

Prior to sign fabrication and installation, plans for all proposed signage shall be submitted to the Landlord/Owner who will review plans for conformance with The Grove at Towne Center Comprehensive Sign Plan. All plans submitted for approval must conform to requirements of The Grove at Towne Center Comprehensive Sign Plan contained in this Comprehensive Sign Plan. The Landlord/Owner shall have the discretionary authority to deny approval for any submittal which does not comply with this Comprehensive Sign Plan. No sign permit application may be made to the City prior to Landlord/Owner's written approval.

For Landlord/Owner signage approval, such submissions shall include three (3) sets of the following:

- Elevations showing all proposed signs indicating sign type, design, location size and layout of the sign. Drawing to be to scale indicating dimensions, construction details (including materials, colors and lighting specifications) and attachment method(s).
- Section detail of letters and/or sign or logo element(s) showing attachment detail and with electrical specifications.

For City of Snellville signage approval, such submissions shall include all documents required at time of permit. May include, but not limited to, the following:

- Completed Application
- Fee
- Completed Fee Schedule
- Landlord/Owner's approval letter
- All requirements listed on sign application

Following approval of proposed signage by the Landlord/Owner and the City of Snellville, applications for all permits for fabrication and installation by Sign Contractor shall be submitted to the City of Snellville. Fabrication and installation of all signs shall be performed in accordance with the standards and specifications outlined in this Comprehensive Sign Plan, as well as the final approved plans and working drawings. It is the responsibility of the Tenant's sign company to verify all conduit and transformer locations and service access prior to fabrication.

Tenant shall be responsible for all costs for Building Signage and Site Signage panels as follows:

- Design Consultant fees
- Application and permitting fees
- Sign fabrication, related materials and installation fees (including all plan check and inspection costs)
- Signage removal, including repair of any damage to building. It is the Tenant's responsibility to properly patch and repair all holes and paint the patched and repaired area to match the existing color and finish.

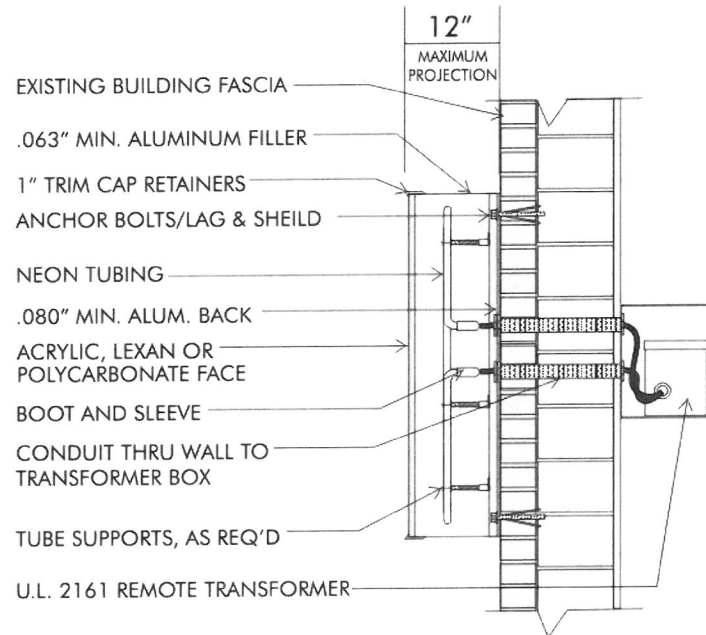
Guidelines for individual building mounted sign types are outlined in the following pages.

Tenant Wall Mounted Signs

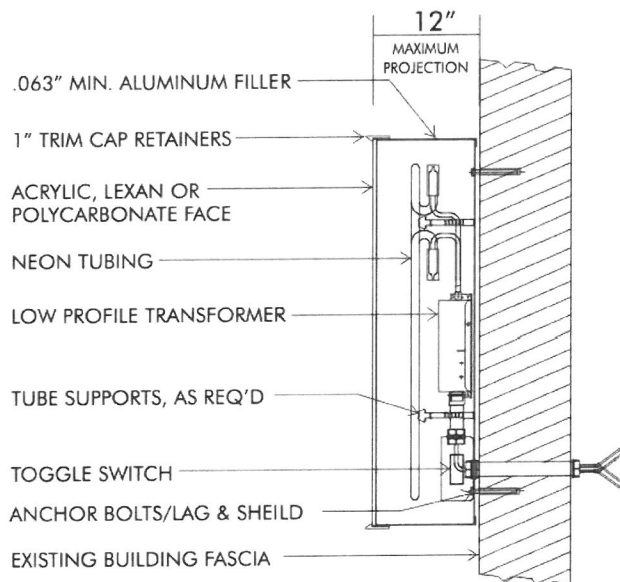
- A. Plastic Face Channel Letters.** Remote wired or Self-Contained and Reverse Channel Letters. *No raceways permitted.* Maximum filler depth or projection off fascia is to be 12" (see Illustration B for Plastic Face Channel letters and Illustration E for Reverse Channel Letters). Aluminum fillers to be painted with an acrylic polyurethane. Final approval of color to be by Landlord. Welded construction. Acrylic, lexan or polycarbonate letter faces, with or without vinyl graphics. Letters to be internally illuminated with neon tubing using manufacturer's recommended spacing between rows of neon, or LED lighting for maximum illumination. 1" trip cap retainers to match filler color(s).
- B. Reverse Channel Letters.** Remote wired or Self-Contained. Maximum filler depth or projection off of fascia is to be 12". Aluminum fillers and letter faces to be painted with an acrylic polyurethane. Final approval of color to be by Landlord. Welded construction. Lexan or polycarbonate letter backs. Letters to be internally illuminated with neon tubing using manufacturer's recommended spacing between rows of neon for maximum illumination, or LED lighting. See Illustration E.
- C. Non-illuminated 2-dimensional or 3-dimensional individual letters.**
- D. Canopy mounted non-illuminated letters.** See Illustration F.
- E. Externally illuminated letters.** Gooseneck lights allowed for illumination.
- F. Bracket Mounted Signs (Illustration G)**
- Sign must be stationary and not move.
 - Maximum projection from face of building is 3'-0".
 - Minimum height to bottom of sign is 7'-6".
 - Maximum height to top of sign is not to project above a parapet wall or architectural feature or the limits outlined for sign placement on Illustration O, P, or Q.
 - This shall count as (1) sign with multiple sides.
 - To be mounted only to space of the Tenant.
- G. Vertical Bracket Mounted Signs (Blade Sign) (Illustration H)**
- **Sign must be stationary and not move.**
 - Maximum projection from face of building is 5'.
 - Minimum height to bottom of sign is 7'-6".
 - Maximum height to top of sign is not to project above a parapet wall or architectural feature or the limits outlined for sign placement on Illustration O, P, or Q.
 - This shall count as (1) sign with multiple sides.
 - To be internally illuminated (if illuminated), no visible neon tubing

Tenant – Plastic Face Channel Letters – Illustration B

Section Details



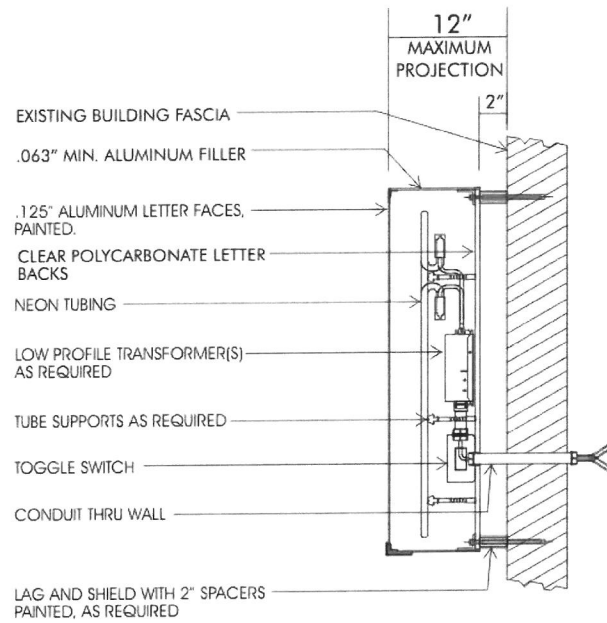
TYPICAL SECTION THRU "REMOTE" LETTERS



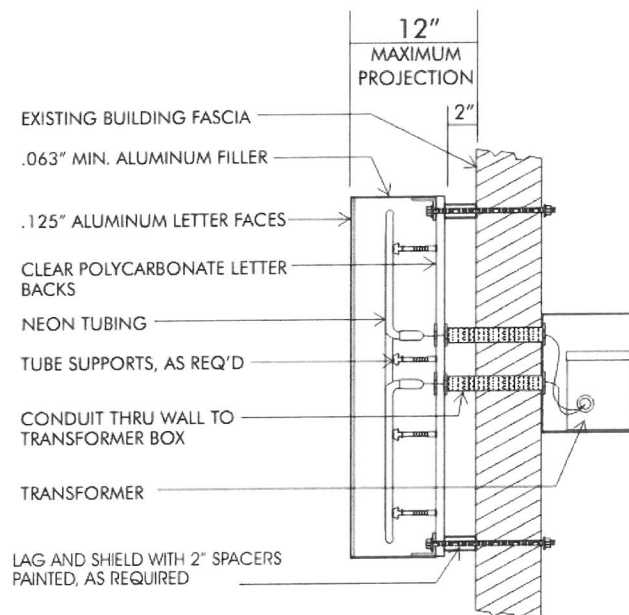
TYPICAL SECTION THRU "SELF CONTAINED" LETTERS

Tenant – Reverse Channel Letters – Illustration E

Section Details



TYPICAL SECTION THRU "REVERSE" CHANNEL LETTERS
SELF-CONTAINED TRANSFORMER

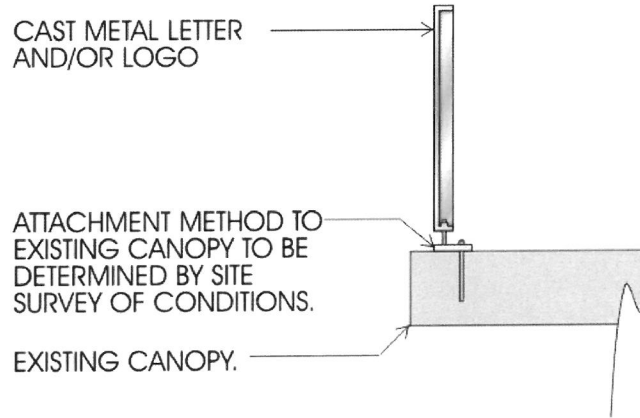


TYPICAL SECTION THRU "REVERSE" CHANNEL LETTERS
REMOTE TRANSFORMER

Tenant – Canopy Mounted Signs – Illustration F

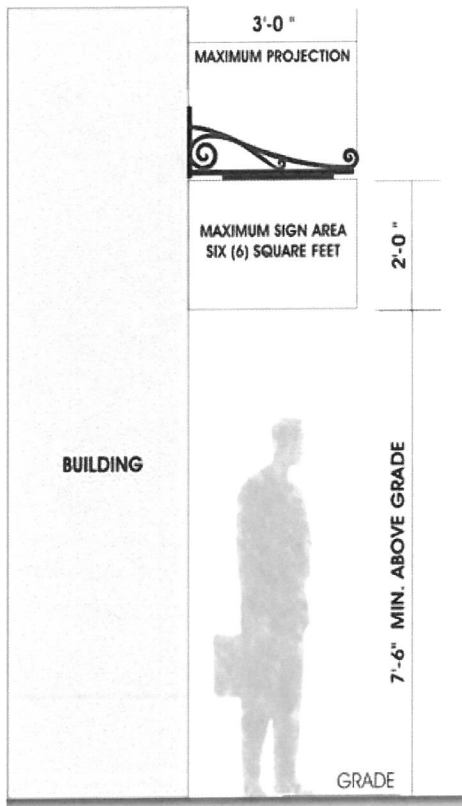
Typical Section Detail – May also include signs on fabric canopies.

*** Note: square footage to be calculated same as shown on Illustration C.**



TYPICAL SECTION THRU LETTERS

Tenant – Bracket Mounted Signs – Illustration G



Notes:

- Signs must be “non-swinging”, cannot be hung by chain.
- If projecting more than 12”, must be listed in deviations.
- Minimum height to bottom of sign is 7’-6” above grade.
- Maximum area of sign panel to be six (6) square feet.

Tenant – Vertical Bracket Mounted Signs (Blade Sign) Illustration - H

Multi-Family Signage
South Elevation

Primary Blade Sign

Blade sign is located on the Southwest corner of the Tomlin Property. The sign protrudes off the South wall of the corner. Messaging on the sign will be facing East and West along Oak Road.



Key Plan



Location Reference

6.1 Primary Multi-Family Blade Sign



SCALE: 1/4" = 1'



MOUNTED ON CENTER OF VERTICAL COLUMN
SCALE: 1/8" = 1'

Comprehensive Sign Allowance

A. RETAIL/OFFICE (Nonresidential) TENANT SIGNAGE

Gross Building Elevation Face Area	Min. Sign Area	Max. Sign Area
1 – 1,000 sf.	36 sf.	5.0% of face areas
1,001 – 2,600 sf.	60 sf.	5.0% of face areas
2,601 – 3,600 sf.	120 sf.	5.0% of face areas
3,601 – 4,500 sf.	140 sf.	5.0% of face areas
Over 4,500 sf.	160 sf.	5.0% of face areas

The gross building elevation face is defined as the area of side of the building from the top finished floor to bottom of parapet. Where more than one main entrance on different sides of the building exists, then both sides may be used to compute total signage allowance for each side. A fascia sign includes: Plastic Face Channel Letters, Reverse Channel Letters, Canopy Mounted, Awning, and Bracket Mounted, depending on which condition Tenant's space is in (see page 7).

Single Tenant Buildings:

A single tenant building shall be limited to three (3) fascia signs. Each building shall:

- Affix the fascia sign on a wall adjacent to the leased space;
- Limit each fascia sign to separate sides of the building with the exception of the bracket sign which may be placed on the same wall as a reverse channel, or canopy mounted fascia sign; however, two fascia signs will be allowed on the same side of the building provided the side with two fascia signs is the entry side of the building;
- Prohibit plastic face channel or reverse channel on the same side of the building as a canopy mounted fascia sign;
- Limit each sign to no more than five percent (5%) of the building wall or minimal sign area, whichever is greater;
- Place the largest of the signs on the side of the building with the main entrance; and
- Fascia signs shall be mounted on the parapet walls of the building or entry structure such that the top of the sign cannot encroach above the bottom of the cornice or eave of said wall (See illustration O & P for sample locations);
- Fascia Signage that is mounted on a City of Snellville approved architectural element shall be allowed such that no more than 50% of the sign be located above the top of the adjacent parapet. See illustration Q for sample location.

Multi-Tenant Buildings:

A multi-tenant building is permitted to place signs on four sides of the building. Each tenant shall:

- Affix the fascia sign on a wall adjacent to the leased space;
- Have no more than three (3) fascia signs;
- Limit each fascia sign to separate sides of the building with the exception of the bracket sign which may be placed on the same wall as a reverse channel, or canopy mounted fascia sign; however, two fascia signs will be allowed on the same side of the building provided the side with two fascia signs is the entry side of the building;
- Limit each sign to no more than five percent (5%) of the building wall or minimal sign area, whichever is greater
- Place the largest of the signs on the side of the building with the main entrance; and
- Limit the square footage for all signs from the total signage allowed. (See Illustration K for how to measure).
- Fascia signs shall be mounted on the parapet walls of the building or entry structures such that the top of the sign cannot encroach above the bottom of the cornice or eave of said wall (See illustration O & P for sample locations);

- Signage that is mounted on a City of Snellville approved architectural element shall be allowed such that no more than 50% of the sign be located above the top of the adjacent parapet. See illustration Q for sample location.

Illustration K – How to Calculate Total Fascia Signage Square Footage Allowance

EXAMPLE

Square Footage Calculation:

Linear feet of leased building / tenant space = 20' - 0"

Vertical Height of building to top parapet = 24' - 0"

Gross Building Elevation Face = 20' - 0" x 24' - 0" = 480 sf.

Total square footage allowed 36 sf.

**Where 5% of face sign is less than the minimal sign area allowed the greater sign area will be used.*

Illustration O – Limit of Allowable Area for Fascia Sign Mounting on Multi Tenant Building

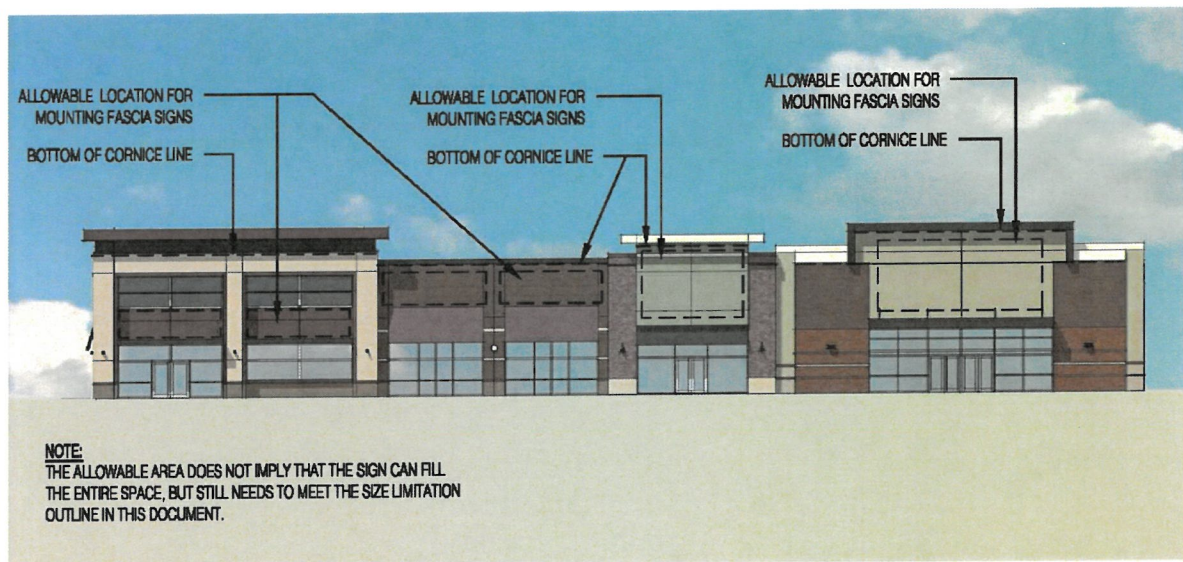


Illustration P – Limit of Allowable Area for Fascia Sign Mounting on Tenant Entry Feature when Gable Roof Shaped

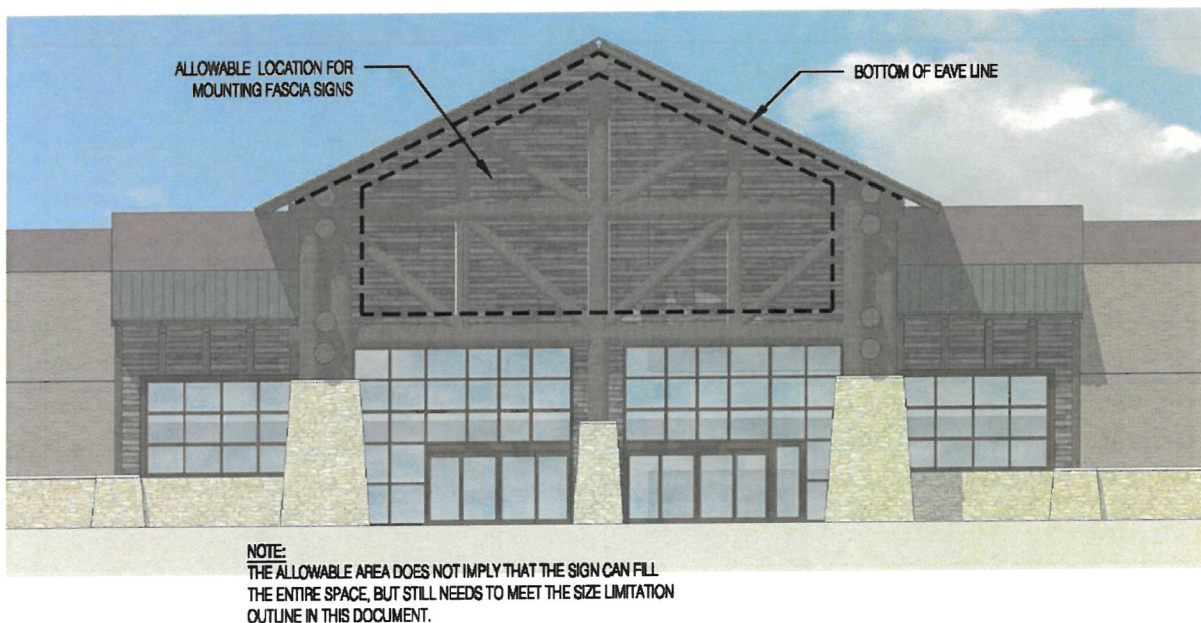
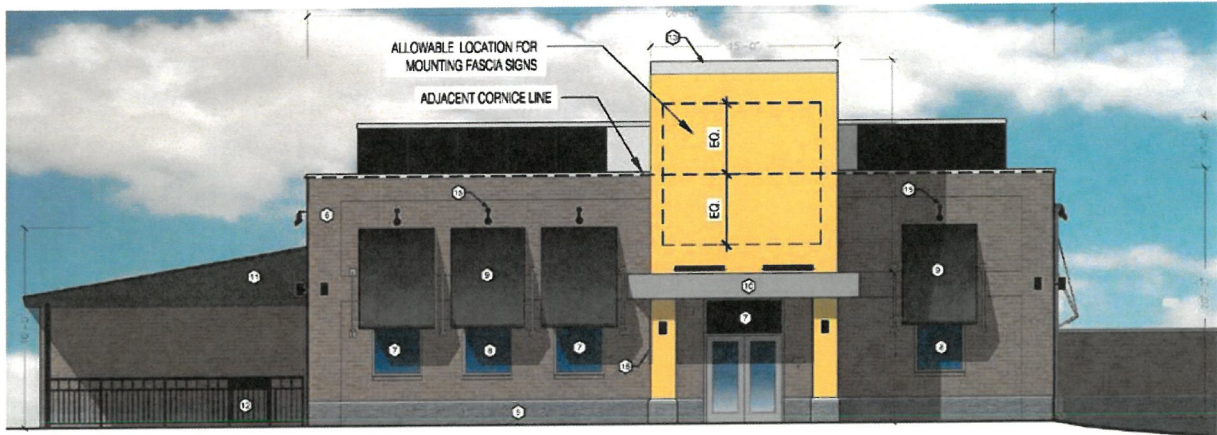


Illustration Q – Limit of Allowable Area for Fascia Sign Mounting on Architectural Entry Feature



NOTE:
THE ALLOWABLE AREA DOES NOT IMPLY THAT THE SIGN CAN FILL THE ENTIRE SPACE, BUT STILL NEEDS TO MEET THE SIZE LIMITATION OUTLINE IN THIS DOCUMENT.

B. RESIDENTIAL SIGNAGE

This guideline is for use in the stand-alone or mixed-use residential signage on building of The Grove at Towne Center.

The building signage can be vertical blade signs, Illustration H, channel letters, canopy letters or reverse channel letters. Residential identification signage will be limited to eighty-five (85) square feet for blade signs with a projection off the building no greater than 5 feet. Other sign types are limited to 150 square feet per side with max being no greater than 5% of the of the face area. Only one identification sign can be placed on each face of the building.

C. Parking Deck Signage

There are no signage limits or guidelines for signage on the parking deck visible from ROW. City and Owner to both agree on final approved signage.

Project Signage Listing

1. **DISPLAY TYPE 1: Primary Entrance Display**
 Located: See sign Location Plan, Illustration M1
 Quantity: (1)
 No greater than 80 square feet (excluding the monument base and supporting structure).
2. **DISPLAY TYPE 2: Secondary Main Entrance Display**
 Located: See sign Location Plan, Illustration M2
 Quantity: (1)
 No greater than 80 square feet (excluding the monument base and supporting structure).
3. **DISPLAY TYPE 3: Street Signs and Posts**
 Various Locations throughout project
 All street signs and posts will comply with the City of Snellville Signage Masterplan.
4. **DISPLAY TYPE 4: Pedestrian Directories**
 Located: See Sign Location Plan, Illustration Directional #1 and Information Kiosk
5. **DISPLAY TYPE 5: Pole Banner**
 Affixed to various poles throughout project.
 All pole banners will comply with the City of Snellville Signage Masterplan.
6. **DISPLAY TYPE 6: Project Logos**
 Located on site amenities such as benches, street signs, umbrellas, and regulatory signs.
 Project ID only.
 Maximum of one (1) square foot, measured with one rectangle, per amenity.

Sign Location Plan – Illustration J

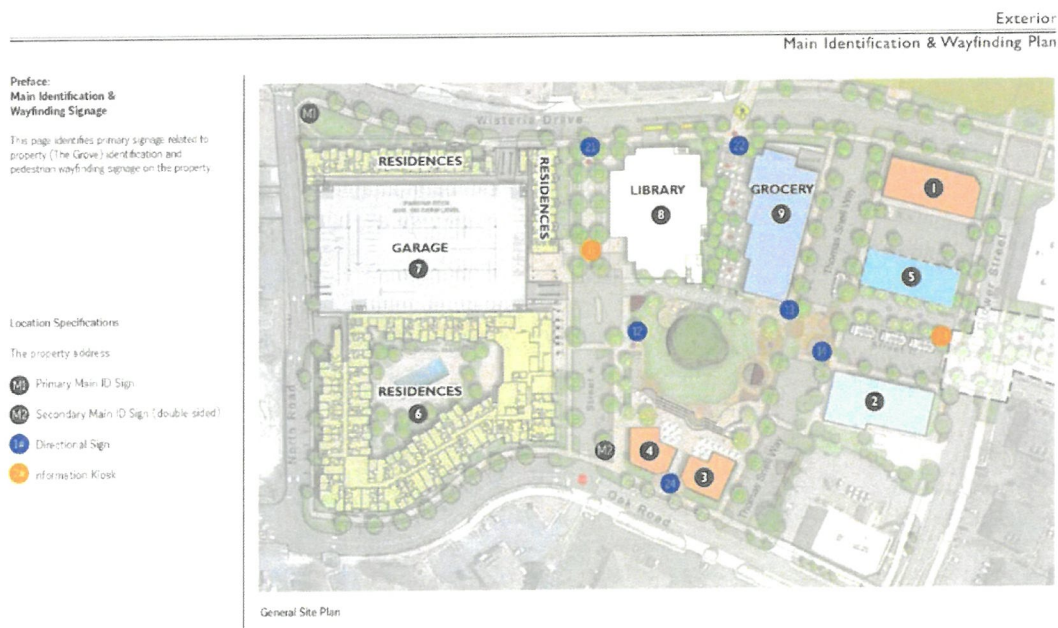


Illustration M1 and M2 – Primary and Secondary ID Sign

Primary Main ID Sign
North Arrival Point

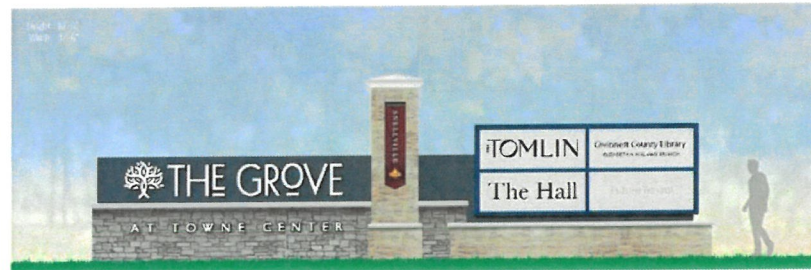
Primary Main ID Sign (M1)

Basic Description:
This is the primary arrival point for all residents and visitors.



Location Reference

Primary Main ID Sign



Primary Main ID Sign
South Arrival Point

Secondary Main ID Sign (M2)

Basic Description:
This is the primary arrival point for all select residents and visitors.



Location Reference

Secondary Main ID Sign

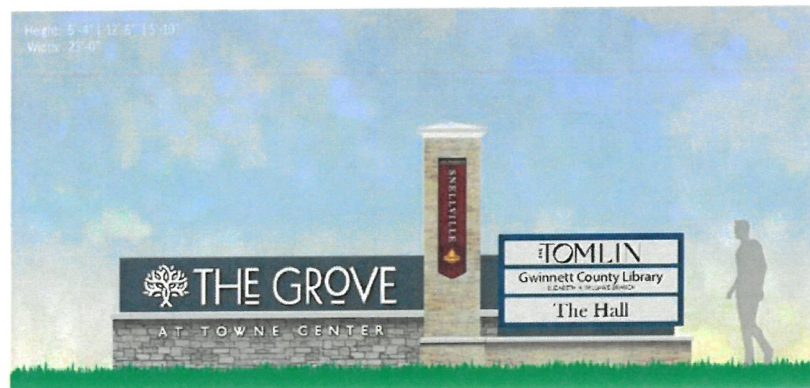


Illustration Directional #1 and Information Kiosk #2

Series 10 & 20 Signage
Option B

Series 10 - Directional Signs

Key wayfinding signs that help visitors navigate to a destination within a space.

Series 20 - Information Kiosks

Wayfinding signs that help a visitor view an overall space and locate key features of interest within the space. Often times will contain map artwork and in some instances may utilize an interactive touchscreen.



Location Specifications

- | | |
|---|---|
| ● Kiosk | ● 1 Directional |
| ● Directional | ● 2 Directional |
| ● Directional | ● Kiosk |
| ● Directional | ● 6 Directional |



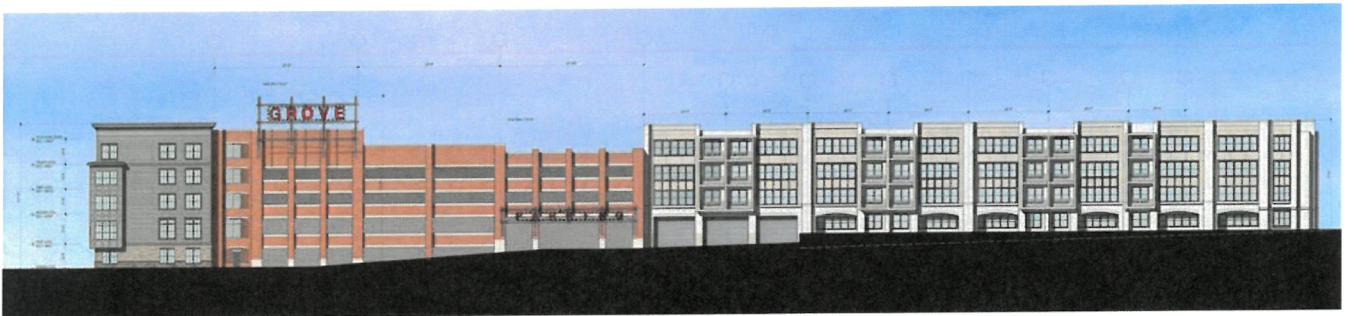
Illustration T – Exterior Signage



EAST ELEVATION
(WISTERIA DRIVE)



SOUTH ELEVATION
(STREET "A")



NORTH ELEVATION
(NORTH ROAD)



WEST ELEVATION
(OAK ROAD)



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: November 14, 2022

RE: #SUP 22-05 – Dairy Queen Drive-Thru
1.71± Acres at 2340 Scenic Hwy., Snellville

STATUS: 1st Reading

Application requesting a Special Use Permit for a Restaurant with Drive-Thru and variances from the Snellville Unified Development Ordinance for a proposed Dairy Queen restaurant with drive-thru on a 1.71± acre parcel, zoned BG (General Business) District and located in the Towne Center Overlay District, 2340 Scenic Highway, Snellville.

Financial Impact: Site Development and Building Permit Fees; Real Property Taxes; and Stormwater Utility Fees

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting Date and Recommendation: October 25, 2022 (Approval with Conditions)

Mayor and Council Meetings: November 14, 2022 (1st Reading)
November 28, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Case Documents (website link):

- [Letter of Intent \(9-13-2022\)](#)
- [#SUP 22-05 Special Use Permit Application \(9-13-2022\)](#)
- [Application Supplemental \(Use Standards\) \(9-13-2022\)](#)

1.71± Acre Property at 2340 Scenic Hwy., Snellville, Georgia

Case #SUP 22-05

November 14, 2022

Page... 2

- 8-16-2022 Property Boundary Survey (9-13-2022)
- 9-13-2022 Building Elevations (9-13-2022)
- 8-15-2022 Conceptual Site Plan (9-13-2022)
- 10-25-2022 Planning Department Case Summary & Analysis (10-12-2022)
- October 25 2022 Planning Commission Case Report (10-26-2022)
- *Unofficial* October 25, 2022 Planning Commission Regular Meeting Minutes (11-01-2022)
- 11-14-2022 Planning Department Case Summary & Analysis with Planning Commission Report (11-01-2022)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-19

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.17± ACRE TRACT OF LAND LOCATED IN LAND LOT 26 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2340 SCENIC HIGHWAY, SNELLVILLE, GEORGIA; TO GRANT A SPECIAL USE PERMIT; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#SUP 22-05
PROPERTY OWNER:	2338 Scenic Highway, LLC Atlanta, Georgia 30318
LOCATION:	2340 Scenic Highway, Snellville, Georgia (the “Property”)
TAX PARCEL:	R5026 316
DEVELOPMENT/PROJECT:	Diary Queen Grill & Chill Restaurant with Drive-Thru
APPLICANT/CONTACT:	Art Brannen, Member 2338 Scenic Highway, LLC Atlanta, Georgia 30318 404-355-9500 or bdc9500@gmail.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 1.17± acre tract of land located at 2340 Scenic Highway, Snellville, Georgia (Tax Parcel R5026 316) and grant the requested special use permit for a drive-thru lane and window; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, a special use permit is hereby granted for the development and use of a drive-thru lane and window for a Dairy Queen Grill & Chill Restaurant on the 1.17± acre tract of land located at 2340 Scenic Highway, Snellville, Georgia (Tax Parcel R5026 316), described and shown on the site plan entitled “Site Development Plans for dairy Queen, 2340 Scenic Highway, Snellville, GA 30078”, sealed and dated 8-15-2022 (stamped received 9-13-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, subject to the following enumerated variances and conditions:

VARIANCES:

- (a) Approval of variance from UDO Sec. 205-1.6.B.6. (Space Limit Standards) to increase the 10-foot maximum front yard building setback to ±35-feet.
- (b) Approval of variance from UDO Sec. 201.10.B. (Shopfront Specific Standards) to allow parking between the building and local street.

CONDITIONS:

- 1. The property shall be developed in accordance with the submitted site plan entitled “Site Development Plans for Dairy Queen, 2340 Scenic Highway, Snellville, GA 30078”, sealed and dated 8-15-2022 and exterior building elevations entitled “DQ Grill & Chill”, sealed and dated 9-13-2022, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.

2. Signage shall require an approved Sign Permit. Upper or second-story windows shall not contain any graphics or signage and shall adhere to the window tinting/film guidelines of the Sign Ordinance. All other windows and glass doors shall be allowed signage and/or tinting/film in accordance with the Sign Ordinance.
3. The development shall abide by all applicable standards and regulations of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals, or where allowed by the UDO as an administrative variance for approval by the Director of Planning and Development.
4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
5. New signs higher than 15 feet or larger than 225 sq. ft. in area are prohibited.
6. All conditions of zoning attached to the subject property, approved by the Mayor and Council on 1-28-2008 for case #RZ 07-19, and approved on 8-25-2008 for case #RZ 08-05 are hereby repealed.

Section 2. The special use permit shall expire after twelve (12) months from date of approval unless a certificate of occupancy or occupational tax license has been approved for the special use. The Director of Planning and Development may extend authorization for an additional period of six (6) months for reasons such as health, financial, or administrative problems incurred by the applicant during the permit period. The director must make a finding that the delay is justified by circumstances beyond the applicant's control, and that the six-month extension can reasonably be expected to remedy the circumstances.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 4. The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as

soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent

jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this ____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

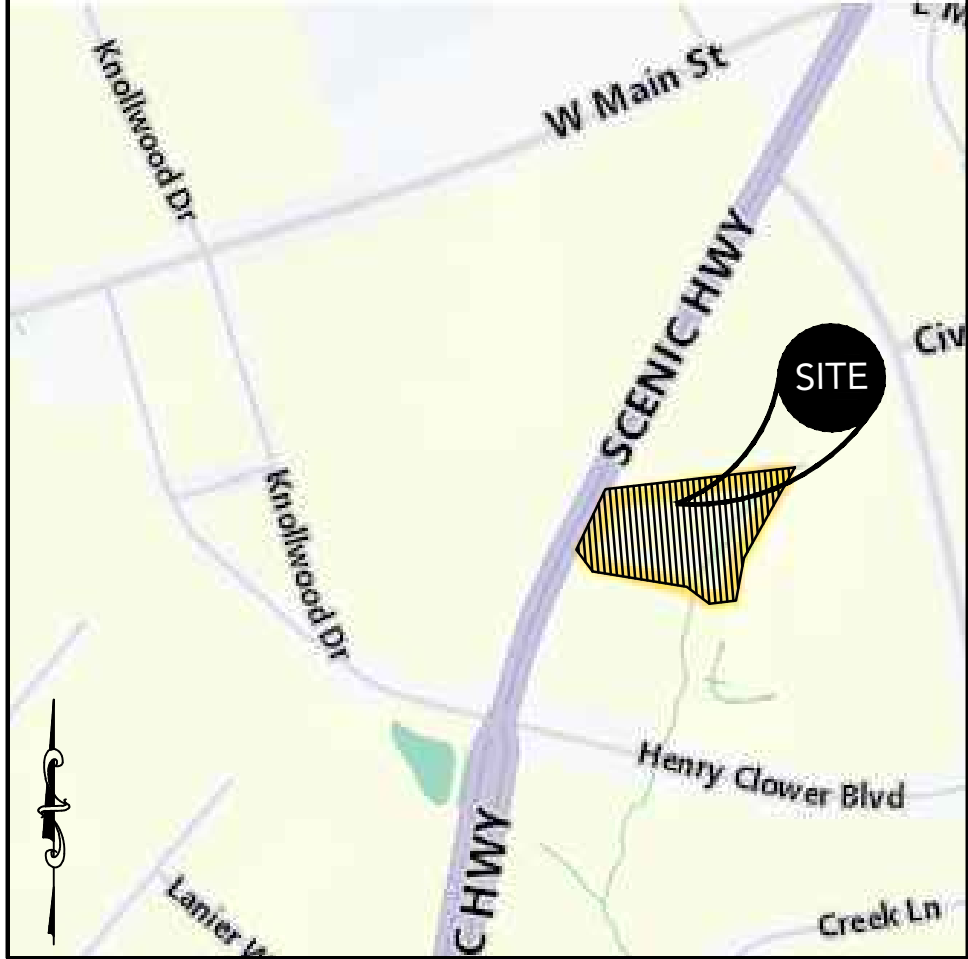
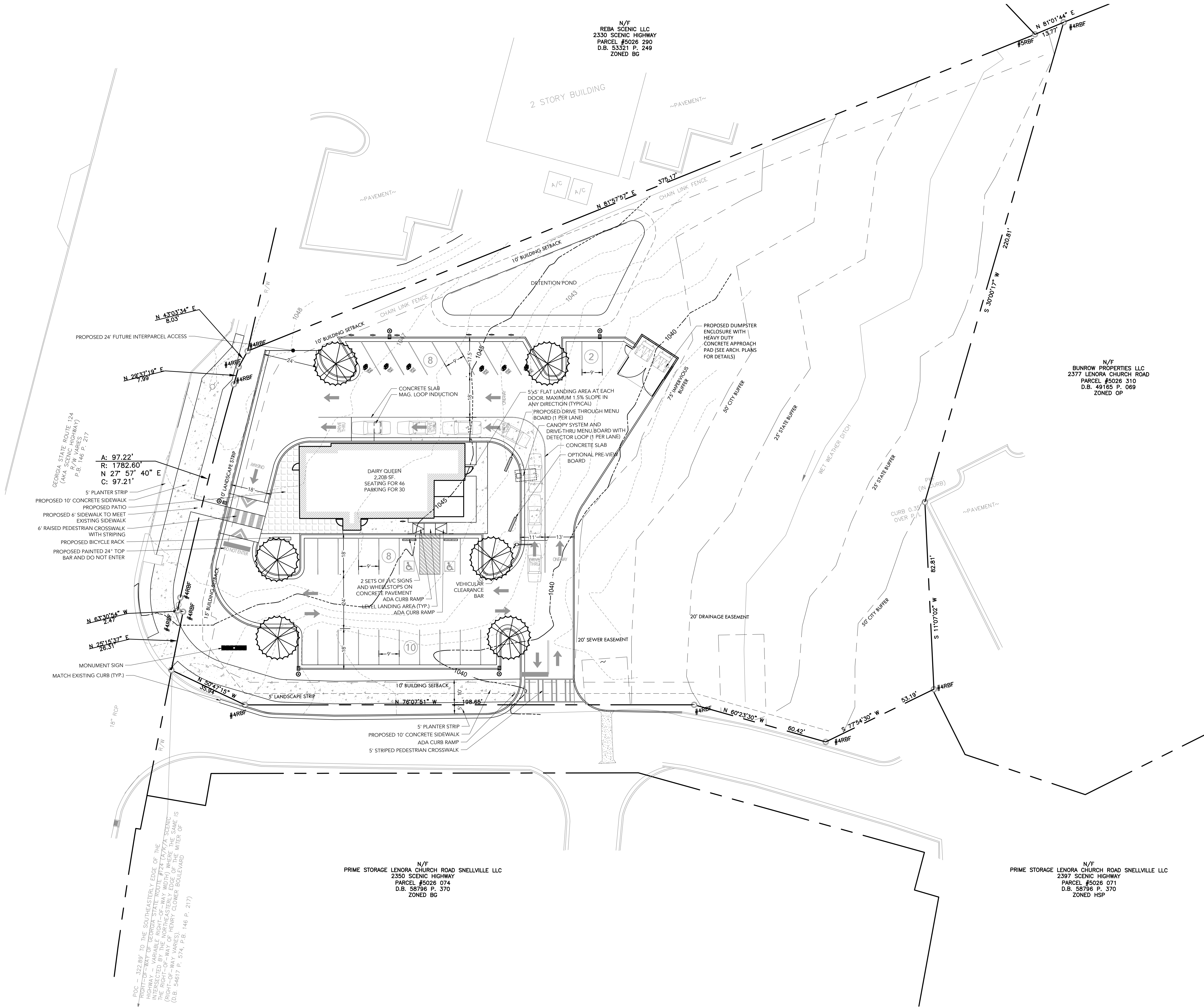
Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”



LOCATION MAP
SCALE: N.T.S.

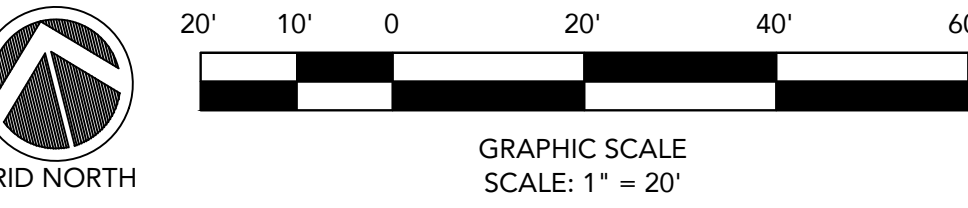
PROJECT INFORMATION	
DRAWING SET PREPARED BY: CARTER ENGINEERING CONSULTANTS, INC. 3651 MARS HILL ROAD, STE 2000 WATKINSVILLE, GA 30677 CONTACT: JEFF CARTER, P.E. PHONE: 770.725.1200 JEFF@CARTERENGINEERING.NET	OWNER/DEVELOPER: WILKERSON ARCHITECTS, LLC 119 E TALLULAH DR. GREENVILLE, SC 29605 CONTACT: JAMES WILKERSON 865.414.1499 WILKP@CARTER.NET

SITE INFORMATION	
JURISDICTION	SNELLVILLE
PROPERTY LOCATION	2340 SCENIC HIGHWAY SNELLVILLE, GA 30078
PARCEL NUMBER	5026 316
CURRENT ZONING	BG (GENERAL BUSINESS)
CURRENT ZONING	BG (GENERAL BUSINESS)
OVERLAY DISTRICT	TOWNE CENTER OVERLAY DISTRICT
EXISTING USE	VACANT LOT
PROPOSED USE	COMMERCIAL RESTAURANT
BUFFERS REQUIRED	N/A
REQUIRED BUILDING SETBACKS	FRONT: 15 FEET SIDE: 10 FEET REAR: 10 FEET
MAXIMUM LOT COVERAGE	90%
MINIMUM LANDSCAPE	10%
MAXIMUM BUILDING HEIGHT	80 FEET
SANITARY SEWER SERVICE	COUNTY
WATER SERVICE	COUNTY
FEMA FLOOD INSURANCE RATE MAP NO.	13135C0129F
FEMA FIRM DATE	9/29/2006
FEMA SFHA ZONE	X

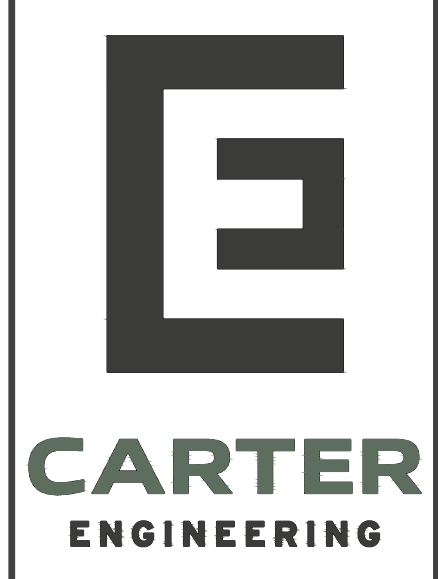
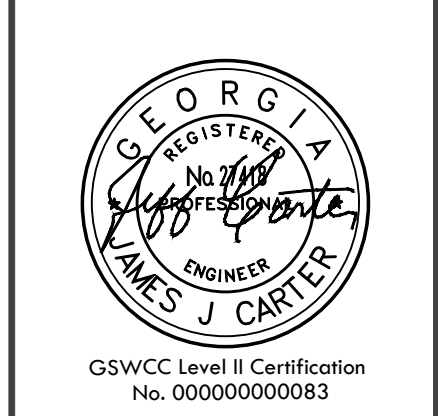
UNDERGROUND UTILITY DISCLAIMER:
THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD INFORMATION AND/OR EXISTING DRAWINGS. CARTER ENGINEERING DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. CARTER ENGINEERING DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE OWNER, HIS/HER EMPLOYEES, CONSULTANTS AND CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE CARTER ENGINEERING IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION REGARDING THE UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREON. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD LOCATE ALL UTILITIES PRIOR TO COMMENCING WORK AND NOTIFY ENGINEER IF A DISCREPANCY IS FOUND. SPECIFICALLY, THE CONTRACTOR SHALL VERIFY THE INVERT ELEVATIONS OF ALL EXISTING STORM AND SANITARY SEWER STRUCTURES PRIOR TO COMMENCEMENT OF STORM AND SANITARY SEWER CONSTRUCTION.

PARKING DATA	
Parking Required: (per Snellville, GA Code of Ordinances Table 207-1.2.B) Requirement: Free standing restaurant: 1 space per 150 square feet of floor area.	
2,208 Square Feet / 150 Square Feet =	15 Parking Spaces Required
Required Parking =	15 Parking Spaces Required (28 Provided)
Handicap Parking =	2 Provided (1 Required)

SITE AREA	
1.71 ACRES	74,793.075 SQ FT
TOTAL LOT COVERAGE	
0.528 ACRES	23,026 SQ FT
31%	



REVISION BLOCK	
ISSUE	REVISION DATE & DESCRIPTION
1	8/15/22 - SUP SITE PLAN
2	
3	
4	
5	
6	
7	
8	



CARTER ENGINEERING
3651 MARS HILL ROAD
SUITE 2000
WATKINSVILLE, GA 30677
P: 770.725.1200
F: 770.725.1204
www.carterengineering.com

SITE DEVELOPMENT PLANS
FOR
DAIRY QUEEN
2340 SCENIC HIGHWAY - SNELLVILLE, GA 30078

SHEET TITLE:
EXISTING SITE PLAN

PROJECT NAME:
DQ Grill & Chill

SHEET NUMBER:
1.0

PROJECT NUMBER:
22001JWA

DATE:
8/15/22



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: November 14, 2022

RE: #RZ 22-09 SUP 22-06 – Indoor Self-Storage Facility
1.82± Acres at 1915 Pharrs Road, Snellville

STATUS: 1st Reading

Applications requesting to amend the Official Zoning Map from BG (General Business) District to HSB (Highway Service Business) District and request for a Special Use Permit for a 3-story, 100,149 sq. ft. Climate Controlled Self-Storage Facility on a 1.82± acre site located in the Park Place commercial retail development, 1915 Pharrs Road, Snellville.

Financial Impact: Site Development and Building Permit Fees; Real Property Taxes; and Stormwater Utility Fees

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting Date and Recommendation: October 25, 2022 (Approval with Conditions)

Mayor and Council Meetings: November 14, 2022 (1st Reading)
November 28, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Case Documents (website link):

- [Letter of Intent \(9-13-2022\)](#)
- [#RZ 22-09 Rezoning Application \(9-13-2022\)](#)
- [#SUP 22-06 Special Use Permit Application \(9-13-2022\)](#)
- [Conceptual Building Renderings \(9-13-2022\)](#)

1.82± Acre Property at 1915 Pharrs Road, Snellville, Georgia
Case #RZ 22-09 SUP 22-06
November 14, 2022
Page... 2

- 5-11-2017 Property Boundary Survey (9-13-2022)
- 9-12-2022 Conceptual Site Plan (9-13-2022)
- 10-25-2022 Planning Department Case Summary & Analysis (10-12-2022)
- October 25 2022 Planning Commission Case Report (10-26-2022)
- *Unofficial* October 25 2022 Planning Commission Regular Meeting Minutes (11-01-2022)
- 10-26-2022 Revised Building Renderings & Site Plan (10-26-2022)
- Conditions *Only* Recommendations (11-01-2022)
- 11-14-2022 Planning Department Case Summary & Analysis with Planning Commission Report (11-01-2022)

_STATE OF GEORGIA
CITY OF SNELLVILLE

ORDINANCE NO. 2022-20

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.82± ACRE TRACT OF LAND LOCATED IN LAND LOT 56 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1915 PHARRS ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 22-09

APPLICANT/PROPERTY OWNER: Park Place Snellville, LLC
Lawrenceville, Georgia 30043

LOCATION: 1915 Pharrs Road, Snellville, Georgia
(the “Property”)

TAX PARCEL: R5056 362

DEVELOPMENT/PROJECT: 3-Story 100,149 Sq. Ft. Climate Controlled
Self-Storage Facility

CONTACT: Jack Wilson, Esq.
Robert Jack Wilson, P.C.
770-962-9780 or jwilson@rjwpclaw.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 1.82± acre tract of undeveloped land located at 1915 Pharrs Road, Snellville, Georgia (Tax Parcel 5056 362) for a climate controlled self-storage facility; and,

WHEREAS, the 1.82± acre tract of land is designated as Commercial Retail on the Snellville 2040 Comprehensive Plan Future Land Use Map; and,

WHEREAS, the Commercial Retail future land use category is the appropriate land use category for the HSB (Highway Service Business) District; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 1.82± acre tract of land described and shown on the final plat entitled “Park Place Snellville, LLC”, dated 5-11-2017 (stamped received 9-13-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from BG (General Business) District to HSB (Highway Service Business) District, subject to the following enumerated conditions:

CONDITIONS:

1. All variances and conditions applicable to the subject property and previously approved on 7-10-2017 by the Mayor and Council for case #RZ 17-06 LUP 17-04 are hereby repealed.
2. The property shall be developed in general accordance with the rezoning site plan entitled “Proposed Storage Climate Controlled, Snellville, Georgia”, dated 9-12-2022 (stamped received 10-26-2022) in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
3. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.

4. Signs higher than 15 feet or larger than 225 square feet are prohibited.

Section 2. The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,

clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 7. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

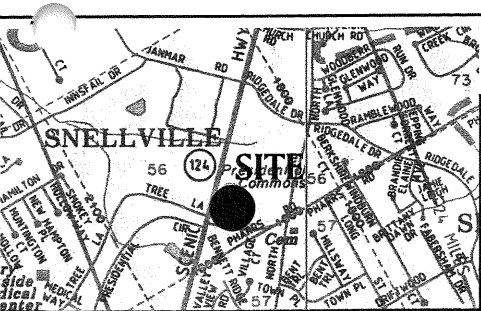
Tod Warner, Council Member

EXHIBIT “A”

13/014/2014/219/0 SURVEY/2014/219/0 SCHEME "MANLEY, KRISTOPHER MANLEY, 19-Apr-17, 3:48:23 PM"

Plat
Recorded 5/12/2017 8:50 AM
RICHARD T ALEXANDER JR
Clerk of Superior Court
Gwinnett County, GA
Book 139 Page 150
Participant IDs: 2854823208

RESERVED FOR CLERK OF COURT



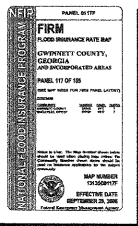
VICINITY MAP

SCALE: NTS

SITE

FIRM PANEL MAP

SCALE: NTS



ABBREVIATION LEGEND

AC	ACRES
ASPH	ASPHALT
BSL	BUILDING SETBACK LINE
CONC	CONCRETE
CIP	CRIMP TOP PIPE
DB	DEED BOOK
EST	ESTABLISHES
LLC	LAND LOT CORNER
LLL	LAND LOT LINE
LSS	LANDSCAPE STRIP
N/A	NOT AVAILABLE OR ACCESSIBLE
N/F	NOW OR FORMERLY
OTF	OPEN TOP PIPE
PB	PLAT BOOK
PG	PAGE
PID	PARCEL IDENTIFICATION NUMBER
PK	PK NAIL
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
REAR	REAR W/ CAP
REAR	REAR
R/W	RIGHT OF WAY
R/W	RIGHT OF WAY MONUMENT
SPGC	STATE PLANE GRID COORDINATE
SSMH	SANITARY SEWER MANHOLE

LINE LEGEND

—	CENTERLINE-ROAD
—	CENTERLINE-STREAM
- - -	FENCE
- - -	PROPERTY LINE-ADJACENT
- - -	PROPERTY LINE-EXTERIOR
- - -	PROPERTY LINE-INTERIOR
- - -	RIGHT-OF-WAY
- - -	STORM SEWER
- - -	UTILITY-CABLE
- - -	UTILITY-FIBER OPTIC
- - -	UTILITY-GAS
- - -	UTILITY-POWER OVERHEAD
- - -	UTILITY-POWER UNDERGROUND
- - -	UTILITY-SANITARY SEWER
- - -	UTILITY-TELEPHONE
- - -	UTILITY-WATER

SYMBOL LEGEND

(100')	RECORD DIMENSION
□	BOX (P-POWER, C-CABLE)
△	COMPUTED POINT (NOT MONUMENTED)
⊗	FIRE HYDRANT
—	GUY WIRE
⊗	LIGHT POLE
⊗	MANHOLE (P-POWER, S-SANITARY SEWER)
⊗	METER (P-POWER, W-WATER, G-GAS)
□	MONUMENT FOUND
■	MONUMENT SET
○	POWER POLE
○	PROPERTY CORNER FOUND
○	PROPERTY CORNER SET (NO. 4 RBC)
⊕	STREET SIGN
⊕	TEST HOLE
⊕	TRAFFIC CONTROL BOX
⊕	TRAFFIC SIGNAL POLE
⊕	TRAFFIC WIRE PULLBOX
⊕	TRAFFIC SIGNAL POLE
⊕	VALVE (G-GAS, W-WATER)

GEORGIA HIGHWAY 124
4.4 ACENIC HIGHWAY
SURFACE WIDTH VARIES VARIABLE R/W

OWNER/DEVELOPER:
PARK PLACE SNELLVILLE, LLC
1505 LAKES PARKWAY SUITE 190
LAWRENCEVILLE, GA 30043

CONTACT PERSON:
MARK NOERNBERG
PHONE: 678.584.9373

Curve	Length	Radius	Chord Bearing	Chord Length
C1	311.01	22795.31'	N15° 09' 10"E	311.01'
C2	170.04	22795.31'	N15° 45' 26"E	170.04'
C3	211.80	22795.31'	N16° 14' 13"E	211.80'
C4	20.67	22795.31'	N16° 31' 45"E	20.67'
C5	184.57	23041.32'	N16° 19' 33"E	184.57'
C6	268.82	23041.32'	N15° 45' 43"E	268.82'
C7	59.96	790.00'	S54° 25' 11"W	59.94'
C8	25.82	125.00'	S36° 04' 37"E	25.78'
C9	70.28	125.00'	S58° 06' 01"E	69.36'

LINE	BEARING	DISTANCE
L1	S60° 20' 13"W	23.87'
L2	S25° 41' 43"E	6.92'
L3	S60° 19' 43"W	26.47'
L4	S29° 41' 42"E	1.10'
L5	N67° 00' 08"W	22.19'
L6	N25° 44' 30"W	32.51'
L7	N15° 47' 39"E	21.09'
L8	N67° 00' 08"W	50.52'
L9	N75° 27' 57"W	50.87'

PHARRS ROAD
(24' ASPHALT VARIABLE R/W)

MUNICIPAL/JURISDICTIONAL CERTIFICATIONS

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT, OR PLAN FOR FILING.

THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT CERTIFIES THAT THIS PLAT COMPLIES WITH THE ZONING RESOLUTION AND THE DEVELOPMENT REGULATIONS, AND THAT IT HAS BEEN APPROVED BY ALL OTHER OPERATIONAL COUNTY DEPARTMENTS, AS APPROPRIATE. THIS PLAT IS APPROVED SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS PROJECT BETWEEN THE OWNER AND GWINNETT COUNTY.

DATED THIS 5 DAY OF 2 2017
DIRECTOR-DEPARTMENT OF PLANNING & DEVELOPMENT

OWNERS ACKNOWLEDGEMENT AND DECLARATION

STATE OF GEORGIA, COUNTY OF GWINNETT

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES BY THIS ACKNOWLEDGEMENT AND DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, SEWER COLLECTORS, LIFT STATIONS, DRAINS, EASEMENTS, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN.

SIGNATURE OF SUBDIVIDER DATE SIGNED

PRINTED OR TYPED NAME OF SUBDIVIDER

Park Place Snellville, LLC

SIGNATURE OF OWNER

Richard D. Swager, Managing Member

PRINTED OR TYPED NAME OF SUBDIVIDER

SURVEYORS NOTES

- DATUM
STATE PLANE GRID (GEORGIA WEST ZONE) AS DEFINED BY NAD83 (HARN) IS ESTABLISHED BY GPS OBSERVATIONS (EGPS NETWORK)
VERTICAL NAVD 88 ESTABLISHED BY GPS OBSERVATIONS (EGPS NETWORK)
U.S. SURVEY FEET
- CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 97,820 FEET AND AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMBASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND THE PARCELS HAVE AN ACCURACY OF 1 FOOT IN:
 - OUTLOT-1: 81,525
 - OUTLOT-2: 75,470
 - OUTLOT-3: 72,174
 - OUTLOT-4: 59,991
 - OUTLOT-5: 102,996
 - OUTLOT-6: 105,707
 - OUTLOT-7: 295,105
 - OUTLOT-8: 130,232
- EQUIPMENT STATEMENT
LINEAR AND ANGULAR MEASUREMENTS OBTAINED USING TRIMBLE S6 ROBOTIC TOTAL STATION AND A TRIMBLE R8 GPS RECEIVER.
- FLOOD ZONE
BASED ON GRAPHICAL INTERPRETATION THIS PROPERTY IS SITUATED IN UNSHADED "ZONE X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS DEPICTED ON THE NFIP FLOOD INSURANCE RATE MAP NO. 13135C-0117E, HAVING AN EFFECTIVE DATE OF 29 SEPTEMBER 2006. USER OF THIS INFORMATION IS CAUTIONED THAT A MORE PRECISE FLOOD DELINEATION MAY BE NECESSARY. REFERENCE INFORMATION NOT SHOWN:
 - A. GEORGIA DOT PLANS, PROJECT F-4709-1(14), P.1. NO. 120585, SHEETS 3-5, DATED 04 FEBRUARY 1988, SHEET 3 LAST REVISED 11 MAY 1992, SHEETS 4-5 LAST REVISED 19 OCTOBER 1990.
 - B. PB 134 PG 186
 - C. PB 135 PG 244
- CERTIFICATION
THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE FOR THE CLIENT NAMED HEREON AND REPRESENTS A SPECIFIC SCOPE OF SERVICES. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
- COUNTY NOTES
GWINNETT COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT. GWINNETT COUNTY DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE COUNTY RIGHT-OF-WAY.
 - STRUCTURES ARE NOT ALLOWED IN DRAINAGE EASEMENTS.
 - STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION, EXCEPT AS ALLOWED BY VARIANCE.
 - THE OWNER/DEVELOPER IS RESPONSIBLE FOR INSTALLING SIDEWALKS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 - PER ARTICLE 8, SECTION 8.2.6.b OF THE DEVELOPMENT REGULATIONS, IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN ANY DETENTION FACILITY AND STORM SEWER CONSTRUCTED ON THEIR PROPERTY AND TO ENSURE THE FACILITY IS FREE OF OBSTRUCTION, SILT, OR DEBRIS.
 - WATER AND SANITARY SEWER SERVICE PROVIDED BY GWINNETT COUNTY.
- SITE NOTES
PROPERTY IS ZONED BG
TOTAL AREA: 12.93 ACRES
TOTAL NUMBER OF LOTS: 8
SETBACKS, BUFFERS, AND LANDSCAPE STRIPS ARE AS SHOWN
SITE IS UNDER CONSTRUCTION
DECLARATION OF PROTECTIVE COVENANTS RECORDED IN DB 54167, PGS 401-432.

SURVEYORS CERTIFICATIONS

- AS REQUIRED BY SUBSECTION (c) OF OCGA SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT, OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNMENT AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.
- SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER AS TO INTENDED USE OF ANY PARCEL. THE REGISTERED LAND SURVEYOR FURTHER CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE GEORGIA SUPERIOR COURT CLERK'S COOPERATIVE AUTHORITY. THE APPROVAL SIGNATURES CONTAIN HEREON WERE NOT IN PLACE WHEN THIS SURVEY WAS ISSUED, AND ARE TO BE PROPERLY OBTAINED PRIOR TO RECORDING.
- IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION ON ONE FOOT IN 97,820 FEET AND AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMBASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 246,856 FEET, AND CONTAINS A TOTAL OF 12.93 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A TRIMBLE S6 ROBOTIC TOTAL STATION AND A TRIMBLE R8 GPS RECEIVER.

KRISTOPHER P. MANLEY - REG. NO. GA PLS 3301 - Exp: 12.31.18

11 MAY 2017



NOT VALID WITHOUT SEAL AND SIGNATURE FOR THE FIRM
PAULSON MITCHELL, INC. LSI 000797

RECEIVED

APR 25 2017

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

REVISIONS

- | | |
|-------------|---|
| 01/02.09.17 | COMBINED LOTS 5-6, RECONFIGURED LOTS 1-2, & UPDATED NOTES |
| 02/04.19.17 | RECONFIGURED LOTS 1-2 |

PROJECT NUMBER: 2014219

DATE: 20 APRIL 2016

FIELD DATE: 15 MARCH 2016

DRAWN BY: K.MANLEY

CHECKED BY: D.RAINES

FILE NAME: 2014219V.DWG

SHEET

1 OF 2

FINAL PLAT FOR

LAND LOT 56--5TH DISTRICT
CITY OF SNELLVILLE--GWINNETT COUNTY, GEORGIA

PARK PLACE
SNELLVILLE, LLC

SEP 13 2022

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

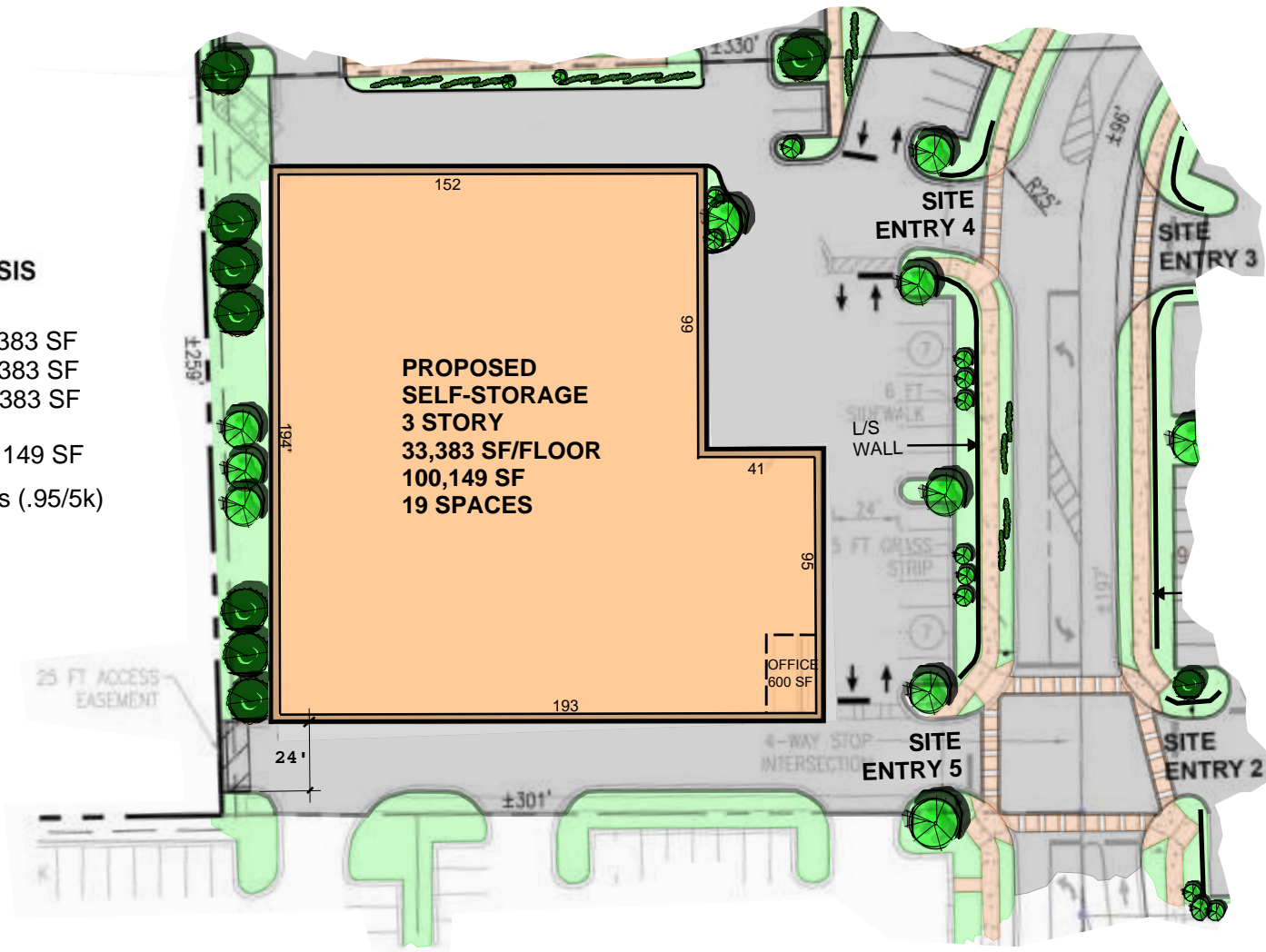
LAND PLANNERS
ENGINEERS • SURVEYORS
TRANSPORTATION
LANDSCAPE ARCHITECTS
85-A MILL STREET
SUITE 200
SNELLVILLE, GEORGIA 30075
VOICE 770.650.7685
FAX 770.650.7684
www.paulsonmitchell.com

PAULSON MITCHELL
INCORPORATED
RECEIVED

EXHIBIT “B”

PARKING ANALYSIS

Storage.....	
Building: 1st Floor	33,383 SF
2nd Floor	33,383 SF
3rd Floor	33,383 SF
TOTAL BUILDING:	100,149 SF
Parking Provided:	19 cars (.95/5k)



STORAGE SITE PLAN

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-21

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.82± ACRE TRACT OF LAND LOCATED IN LAND LOT 56 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1915 PHARRS ROAD, SNELLVILLE, GEORGIA; TO GRANT A SPECIAL USE PERMIT; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #SUP 22-06

APPLICANT/PROPERTY OWNER: Park Place Snellville, LLC
Lawrenceville, Georgia 30043

LOCATION: 1915 Pharrs Road, Snellville, Georgia
(the “Property”)

TAX PARCEL: R5056 362

DEVELOPMENT/PROJECT: 3-Story 100,149 Sq. Ft. Climate Controlled
Self-Storage Facility

CONTACT: Jack Wilson, Esq.
Robert Jack Wilson, P.C.
770-962-9780 or jwilson@rjwpclaw.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 1.82± acre tract of land located at 1915 Pharrs Road, Snellville, Georgia (Tax Parcel R5056 362) and grant the requested special use permit for an Indoor Multi-Story Self-Storage Facility; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, a special use permit is hereby granted for the development and use of a indoor multi-story self-storage facility on the 1.82± acre tract of land located at 1915 Pharrs Road, Snellville, Georgia (Tax Parcel R5056 362), described and shown on the final plat entitled “Park Place Snellville, LLC”, dated 5-11-2017 (stamped received 9-13-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, subject to the following enumerated conditions:

CONDITIONS:

1. All variances and conditions applicable to the subject property and previously approved on 7-10-2017 by the Mayor and Council for case #RZ 17-06 LUP 17-04 are hereby repealed.
2. The property shall be developed in general accordance with the rezoning site plan entitled “Proposed Storage Climate Controlled, Snellville, Georgia”, dated 9-12-2022 (stamped received 10-26-2022) in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
3. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.

Section 2. The special use permit shall expire after twelve (12) months from date of approval unless a certificate of occupancy or occupational tax license has been approved for the special use. The Director of Planning and Development may extend authorization for an additional period of six (6) months for reasons such as health, financial, or administrative problems incurred by the applicant during the permit period. The director must make a finding that the delay is justified by circumstances beyond the applicant's control, and that the six-month extension can reasonably be expected to remedy the circumstances.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 4. The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,

upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this ____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

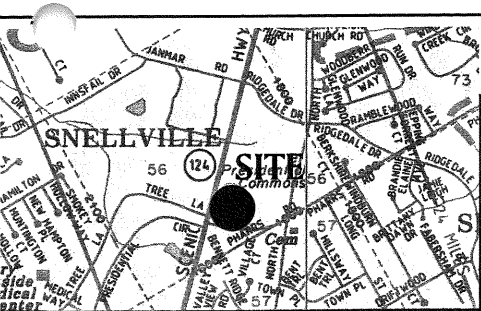
Tod Warner, Council Member

EXHIBIT “A”

13/014/2014219V SURVEY/2014219V SCHEME "M/S/ST/ROSE/OPHER MANLEY, 19-Apr-17, 3:48:23 PM

Plat
Recorded 5/12/2017 8:50 AM
RICHARD T ALEXANDER JR
Clerk of Superior Court
Gwinnett County, GA
Book 139 Page 150
Participant IDs: 2854823208

RESERVED FOR CLERK OF COURT



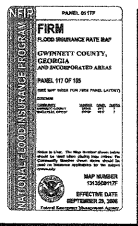
VICINITY MAP

SCALE: NTS

SITE

FIRM PANEL MAP

SCALE: NTS



ABBREVIATION LEGEND

AC	ACRES
ASPH	ASPHALT
BSL	BUILDING SETBACK LINE
CONC	CONCRETE
CIP	CRIMP TOP PIPE
DB	DEED BOOK
EST	ESTABLISHES
LLC	LAND LOT CORNER
LLL	LAND LOT LINE
LSS	LANDSCAPE STRIP
N/A	NOT AVAILABLE OR ACCESSIBLE
N/F	NOW OR FORMERLY
OTF	OPEN TOP PIPE
PB	PLAT BOOK
PG	PAGE
PID	PARCEL IDENTIFICATION NUMBER
PK	PK NAIL
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
REAR	REAR W/ CAP
REAR	REAR
R/W	RIGHT OF WAY
R/W	RIGHT OF WAY MONUMENT
SPGC	STATE PLANE GRID COORDINATE
SSMH	SANITARY SEWER MANHOLE

LINE LEGEND

—	CENTERLINE-ROAD
—	CENTERLINE-STREAM
- - -	FENCE
- - -	PROPERTY LINE-ADJACENT
- - -	PROPERTY LINE-EXTERIOR
- - -	PROPERTY LINE-INTERIOR
- - -	RIGHT-OF-WAY
- - -	STORM SEWER
- - -	UTILITY-CABLE
- - -	UTILITY-FIBER OPTIC
- - -	UTILITY-GAS
- - -	UTILITY-POWER OVERHEAD
- - -	UTILITY-POWER UNDERGROUND
- - -	UTILITY-SANITARY SEWER
- - -	UTILITY-TELEPHONE
- - -	UTILITY-WATER

SYMBOL LEGEND

(100')	RECORD DIMENSION
□	BOX (P-POWER, C-CABLE)
△	COMPUTED POINT (NOT MONUMENTED)
⊗	FIRE HYDRANT
—	GUY WIRE
⊗	LIGHT POLE
⊗	MANHOLE (P-POWER, S-SANITARY SEWER)
⊗	METER (P-POWER, W-WATER, G-GAS)
□	MONUMENT FOUND
■	MONUMENT SET
○	POWER POLE
○	PROPERTY CORNER FOUND
○	PROPERTY CORNER SET (NO. 4 RBC)
⊕	STREET SIGN
⊕	TEST HOLE
⊕	TRAFFIC CONTROL BOX
⊕	TRAFFIC SIGNAL POLE
⊕	TRAFFIC WIRE PULLBOX
⊕	TRAFFIC SIGNAL POLE
⊕	VALVE (G-GAS, W-WATER)

GEORGIA HIGHWAY 124
4.4 SCENIC HIGHWAY
SURFACE WIDTH VARIES VARIABLE R/W

OWNER/DEVELOPER:
PARK PLACE SNELLVILLE, LLC
1505 LAKES PARKWAY SUITE 190
LAWRENCEVILLE, GA 30043

CONTACT PERSON:
MARK NOERNBERG
PHONE: 678.584.9373

Curve	Length	Radius	Chord Bearing	Chord Length
C1	311.01	22795.31'	N15° 09' 10"E	311.01'
C2	170.04	22795.31'	N15° 45' 26"E	170.04'
C3	211.80	22795.31'	N16° 14' 13"E	211.80'
C4	20.67	22795.31'	N16° 31' 45"E	20.67'
C5	184.57	23041.32'	N16° 19' 33"E	184.57'
C6	268.82	23041.32'	N15° 45' 43"E	268.82'
C7	59.96	790.00'	S54° 25' 11"W	59.94'
C8	25.82	125.00'	S36° 04' 37"E	25.78'
C9	70.28	125.00'	S58° 06' 01"E	69.36'

LINE	BEARING	DISTANCE
L1	S60° 20' 13"W	23.87'
L2	S25° 41' 43"E	6.92'
L3	S60° 19' 43"W	26.47'
L4	S29° 41' 42"E	1.10'
L5	N67° 00' 08"W	22.19'
L6	N25° 44' 30"W	32.51'
L7	N15° 47' 39"E	21.09'
L8	N67° 00' 08"W	50.52'
L9	N75° 27' 57"W	50.87'

PHARRS ROAD
(24' ASPHALT VARIABLE R/W)

MUNICIPAL/JURISDICTIONAL CERTIFICATIONS

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT, OR PLAN FOR FILING.

THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT CERTIFIES THAT THIS PLAT COMPLIES WITH THE ZONING RESOLUTION AND THE DEVELOPMENT REGULATIONS, AND THAT IT HAS BEEN APPROVED BY ALL OTHER OPERATIONAL COUNTY DEPARTMENTS, AS APPROPRIATE. THIS PLAT IS APPROVED SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS PROJECT BETWEEN THE OWNER AND GWINNETT COUNTY.

DATED THIS 5 DAY OF 2 2017
DIRECTOR-DEPARTMENT OF PLANNING & DEVELOPMENT

OWNERS ACKNOWLEDGEMENT AND DECLARATION

STATE OF GEORGIA, COUNTY OF GWINNETT

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES BY THIS ACKNOWLEDGEMENT AND DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, SEWER COLLECTORS, LIFT STATIONS, DRAINS, EASEMENTS, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN.

SIGNATURE OF SUBDIVIDER DATE SIGNED

PRINTED OR TYPED NAME OF SUBDIVIDER

Park Place Snellville, LLC

SIGNATURE OF OWNER

Richard D. Swager, Managing Member

PRINTED OR TYPED NAME OF SUBDIVIDER

SURVEYORS NOTES

1. DATUM
STATE PLANE GRID (GEORGIA WEST ZONE) AS DEFINED BY NAD83 (HARN) IS ESTABLISHED BY GPS OBSERVATIONS (EGPS NETWORK)
VERTICAL NAVD 88 ESTABLISHED BY GPS OBSERVATIONS (EGPS NETWORK)
U.S. SURVEY FEET
2. CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 97,820 FEET AND AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMBASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND THE PARCELS HAVE AN ACCURACY OF 1 FOOT IN:
• OUTLOT-1: 81,525
• OUTLOT-2: 75,470
• OUTLOT-3: 72,174
• OUTLOT-4: 59,991
• OUTLOT-5: 102,996
• OUTLOT-6: 105,707
• OUTLOT-7: 295,105
• OUTLOT-8: 130,232
• OUTLOT-9: 130,232
3. EQUIPMENT STATEMENT
LINEAR AND ANGULAR MEASUREMENTS OBTAINED USING TRIMBLE S6 ROBOTIC TOTAL STATION AND A TRIMBLE R8 GPS RECEIVER.
4. FLOOD ZONE
BASED ON GRAPHICAL INTERPRETATION THIS PROPERTY IS SITUATED IN UNSHADED "ZONE X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS DEPICTED ON THE NFIP FLOOD INSURANCE RATE MAP NO. 13135C-0117E, HAVING AN EFFECTIVE DATE OF 29 SEPTEMBER 2006. USER OF THIS INFORMATION IS CAUTIONED THAT A MORE PRECISE FLOOD DELINEATION MAY BE NECESSARY. REFERENCE INFORMATION NOT SHOWN
A. GEORGIA DOT PLANS, PROJECT F-4709-1(14), P.1. NO. 120585, SHEETS 3-5, DATED 04 FEBRUARY 1988, SHEET 3 LAST REVISED 11 MAY 1992, SHEETS 4-5 LAST REVISED 19 OCTOBER 1990.
B. PB 134 PG 186
C. PB 135 PG 244
5. CERTIFICATION
THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE FOR THE CLIENT NAMED HEREON AND REPRESENTS A SPECIFIC SCOPE OF SERVICES. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
6. COUNTY NOTES
GWINNETT COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT. GWINNETT COUNTY DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE COUNTY RIGHT-OF-WAY.
• STRUCTURES ARE NOT ALLOWED IN DRAINAGE EASEMENTS.
• STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION, EXCEPT AS ALLOWED BY VARIANCE.
• THE OWNER/DEVELOPER IS RESPONSIBLE FOR INSTALLING SIDEWALKS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
• PER ARTICLE 8, SECTION 8.2.6.b OF THE DEVELOPMENT REGULATIONS, IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN ANY DETENTION FACILITY AND STORM SEWER CONSTRUCTED ON THEIR PROPERTY AND TO ENSURE THE FACILITY IS FREE OF OBSTRUCTION, SILT, OR DEBRIS.
• WATER AND SANITARY SEWER SERVICE PROVIDED BY GWINNETT COUNTY.
7. SITE NOTES
• PROPERTY IS ZONED BG
• TOTAL AREA: 12.93 ACRES
• TOTAL NUMBER OF LOTS: 8
• SETBACKS, BUFFERS, AND LANDSCAPE STRIPS ARE AS SHOWN
• SITE IS UNDER CONSTRUCTION
• DECLARATION OF PROTECTIVE COVENANTS RECORDED IN DB 54167, PGS 401-432.

SURVEYORS CERTIFICATIONS

- A. AS REQUIRED BY SUBSECTION (c) OF OCGA SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT, OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNMENT AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.
- B. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER AS TO INTENDED USE OF ANY PARCEL. THE REGISTERED LAND SURVEYOR FURTHER CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE GEORGIA SUPERIOR COURT CLERK'S COOPERATIVE AUTHORITY. THE APPROVAL SIGNATURES CONTAINED HEREON WERE NOT IN PLACE WHEN THIS SURVEY WAS ISSUED, AND ARE TO BE PROPERLY OBTAINED PRIOR TO RECORDING.
- C. IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION ON ONE FOOT IN 97,820 FEET AND AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMBASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 246,856 FEET, AND CONTAINS A TOTAL OF 12.93 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A TRIMBLE S6 ROBOTIC TOTAL STATION AND A TRIMBLE R8 GPS RECEIVER.

KRISTOPHER P. MANLEY - REG. NO. GA PLS 3301 - EXPIR. 12.31.18

11 MAY 2017 DATE



NOT VALID WITHOUT SEAL AND SIGNATURE FOR THE FIRM
PAULSON MITCHELL, INC. LSI 000797

RECEIVED

APR 25 2017

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

REVISIONS

- | | |
|-------------|---|
| 01/02.09.17 | COMBINED LOTS 5-6, RECONFIGURED LOTS 1-2, & UPDATED NOTES |
| 02/04.19.17 | RECONFIGURED LOTS 1-2 |

PROJECT NUMBER: 2014219

DATE: 20 APRIL 2016

FIELD DATE: 15 MARCH 2016

DRAWN BY: K.MANLEY

CHECKED BY: D.RAINES

FILE NAME: 2014219V.DWG

SHEET

1 OF 2

FINAL PLAT FOR

PARK PLACE
SNELLVILLE, LLC

LAND LOT 56--5TH DISTRICT
CITY OF SNELLVILLE--GWINNETT COUNTY, GEORGIA

SEP 13 2022

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

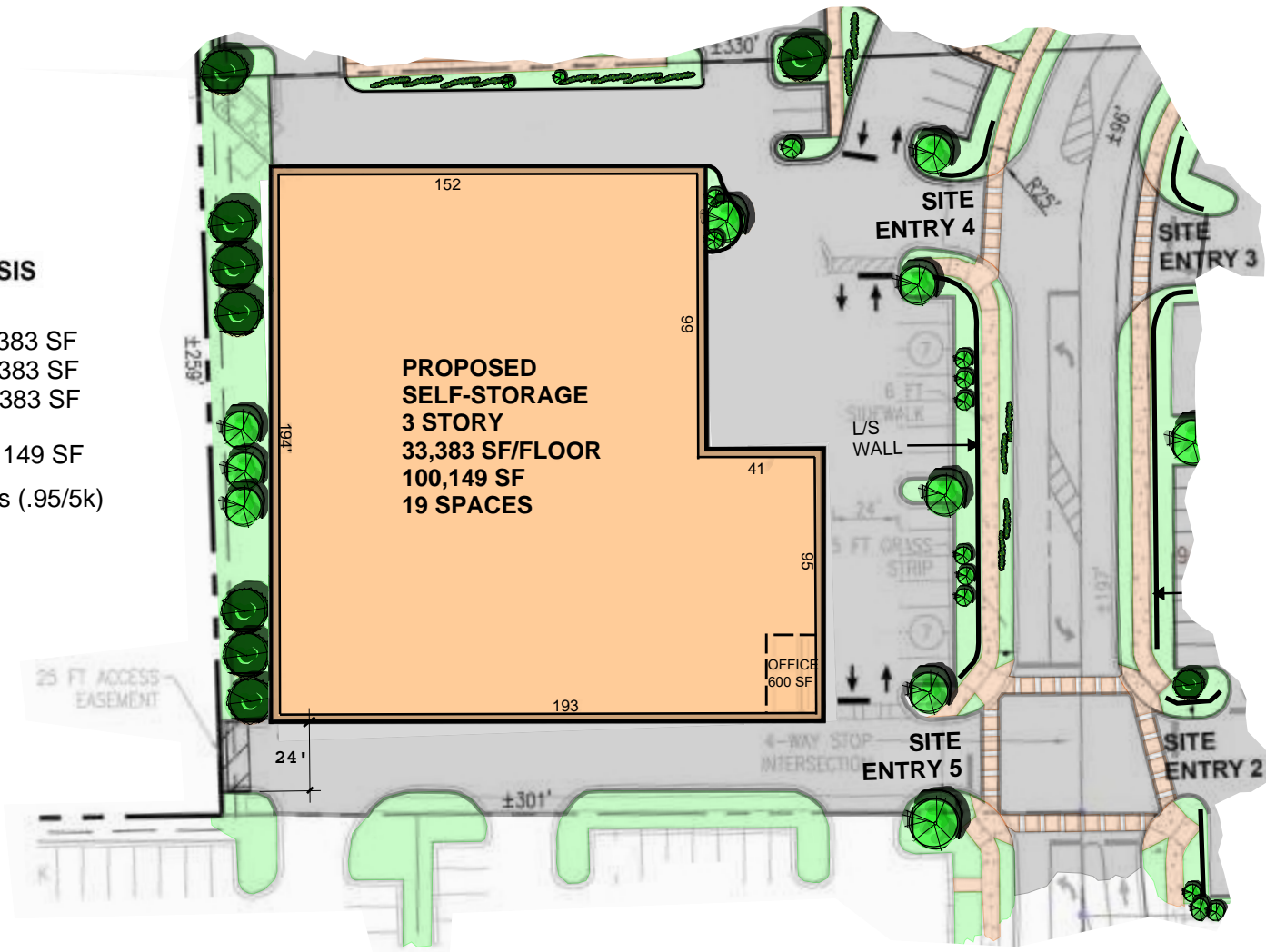
LAND PLANNERS
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TRANSPORTATION
LANDSCAPE ARCHITECTS
85-A MILL STREET
SUITE 200
SNELLVILLE, GEORGIA 30075
VOICE 770.650.7685
FAX 770.650.7684
www.paulsonmitchell.com

PAULSON MITCHELL
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EXHIBIT “B”

PARKING ANALYSIS

Storage.....	
Building:	
1st Floor	33,383 SF
2nd Floor	33,383 SF
3rd Floor	33,383 SF
TOTAL BUILDING:	100,149 SF
Parking Provided:	19 cars (.95/5k)



STORAGE SITE PLAN

Agenda Item Summary



Date: November 14, 2022

Prepared by: Melisa Arnold, City Clerk

Agenda item:

Ratify the Certified Results of the November 8, 2022 Special Election

Background:

The official Election Results for the November 8, 2022 Special Election are as follows:

“Shall the governing authority of the City of Snellville, Georgia be authorized to issue licenses for the package sale of distilled spirits within the city limits of the City of Snellville?”

Yes - 485

No -226

Action requested:

Ratification of the election results

Attachments:

- None



PERSONNEL RULES AND REGULATIONS

Adopted 8/12/2002

Revised: 10-2007

Revised: 5-2016

Revised: 9-2020

Revised: 11-2022

PERSONNEL RULES AND REGULATIONS

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1.1 DEFINITIONS

For the purposes of these Personnel Rules and Regulations, the following words and phrases shall have the respective meanings ascribed to them in this section:

Adverse Action - Disciplinary action taken against a provisional or regular employee, for cause, that results in a disciplinary suspension without pay, a disciplinary salary reduction, a disciplinary demotion or a dismissal.

Annual Leave - Paid leave accrued by regular full-time employees to provide time off from work for vacation purposes or to attend to personal business.

Appeal - A request by a regular full time employee for a review of a final adverse action decision made by the City against that employee.

Applicant - Any person who has filed an application for employment with the City in accordance with the provisions of these policies.

Board - Members of the Personnel Advisory Board who serve as advisors to the City Manager in the administration of personnel matters and hear appeals and certain grievances as prescribed in these Rules and Regulations.

Chairperson - The person elected by the Personnel Advisory Board members to chair the activities of the Board.

Cell Phone - A portable device including a cellular telephone, push to talk, laptop, netbook or similar device.

Cell Phone Use - includes receiving or placing personal calls, text messaging, surfing the internet, receiving or responding to e-mail, checking for phone messages, or any other purposes.

City Manager - The person appointed by the Mayor and Council to oversee the daily operations of the City and act as Chief Administrative Officer.

Classified Service - Provisional and regular full-time employees serving in positions now existing or hereafter established in the City of Snellville's Classification Plan.

Demotion - The movement of a regular full-time employee or a new employee during their provisional period to a position with a lower classification which is one that has a maximum salary in the salary range that is less than that of the previous classification held by the employee.

Dismissal - An involuntary separation of an employee from employment with the City.

Exempt Employee - An employee in a position that is designated (according to the Fair Labor Standards

Act) to be ineligible for overtime pay.

Full-time Employee - An employee in a position with a normally scheduled work week of forty (40) hours.

Grievance - A complaint made by a provisional or regular employee alleging that the employee's employment or productivity has been adversely affected by unfair treatment, unsafe or unhealthy working conditions, erroneous or capricious application of the City's policies or procedures, or unlawful discrimination.

Hearing Officer - The person, usually the Personnel Officer, designated by the City Manager to preside over the third hearing of the grievance process, to review the grievance, evidence and requested resolution, and to make a determination regarding the claim.

Illegal Drugs – Any drug or substance the law prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing or selling or otherwise transferring, including, but not limited to marijuana, cocaine or other drugs listed as controlled substances under the Control Substance Act, 21 U.S.C. Section 812 and/or Chapter 13 of Title 16 of the Official Code of Georgia Annotated. Further, for the purpose of this policy, any drug not herein defined, as a legal drug shall be an illegal drug, which includes legal drugs being abused.

Immediate Family - Includes the spouse, parent, son, daughter, sister, brother, and grandparent of an employee. Also includes any of these persons of a step, in-law, and foster or adoptive relationship to the employee.

Legal Drugs – Drugs and medication prescribed under the state or federal law as well as over the counter drugs, which have been legally obtained and are being used for the purpose for which they are intended or manufactured.

Mayor - The chief executive officer of the City of Snellville, or designated representative.

Name-Clearing Hearing - A hearing in which a provisional or regular employee has the opportunity to clear his/her name and to refute the charges and the adverse action proposed against the employee.

Open Competitive Vacancy - A City position wherein announcement of a vacancy and acceptance of applications is solicited from every segment of the community to compete.

Pay and Classification Plans - Plans that include the listing of class specifications, designated salary ranges and the pay plan for all positions in the City's Classified Service.

Performance Evaluation - A written appraisal of an individual employee's job performance based on an evaluation conducted by the employee's immediate Supervisor.

Period of Absence - A period of consecutive days away from work place due to illness or personal business.

Permanent Part Time Employee – Employees whose work an average of thirty (30) hours per week or less in a scheduled work cycle for 52 weeks each year. A person appointed to such a position shall not be eligible for the rights, privileges and benefits conferred through these Personnel Rules and Regulations to other City employees.

Provisional Period – A six (6) month period of time in which a new employee or a promoted employee is being evaluated on his/her work performance in the new position.

Promotion - The advancement of a regular full-time employee to a vacant position with a higher classification which is one that has a maximum salary in the salary range that is greater than that of the previous classification held by the employee.

Promotional Competitive Vacancy - A City position vacancy in which an announcement of a vacancy and acceptance of applications is confined to regular full-time employees of the City of Snellville.

Reappointed Employee - A person who has been previously employed by the City in a regular, full-time position and who reapplies for employment with the City and is appointed again to a regular, full-time position. Unless otherwise stated, all conditions of employment for reappointed employees shall follow those of new employees.

Reclassification - The changing of a position's class specification based on substantial changes in duties, responsibilities, and functions of a position; salary advancement may or may not result from this change.

Regular Full-time Appointment - An appointment to a full-time position in which the employee is given regular status after satisfactorily completing the provisional period. The attainment of regular status shall afford the employee all of the rights and privileges contained in these Personnel Rules and Regulations.

Sick Leave - Paid leave accrued by regular and provisional full-time employees to provide time off from work for bona fide illness or injury, temporary disability, and other medically related necessities for the employee or for the employee's spouse, parent or child, including those of an in-law, adoptive, step or foster relationship.

Temporary Full-time Appointment - An appointment to a full-time position for a limited duration of time. A person appointed to such a position shall not be eligible for the rights, privileges and benefits conferred through these Personnel Rules and Regulations to other City employee

Temporary seasonal part-time Appointment - Temporary Seasonal part-time position where the work schedule of the position is dependent on the seasonal nature of the duties to be performed and could average up to 40 hours per week in a scheduled work cycle for the season's duration; i.e. Pool Operations and Summer Day Camp. A person appointed to such a position shall not be eligible for the rights, privileges and benefits conferred through these Personnel Rules and Regulations to other City employees.

Transfer - The lateral movement of a regular full-time employee or new employee during their provisional period to another position in the same classification or in a different classification with the same salary

range of the employee's former position.

Written Reprimand- A formal means of communicating a violation of city policy and/or procedures to an employee in writing.

1.2 STATEMENT OF POLICY

The purpose of this Personnel Rules and Regulations Manual is to provide general information regarding the personnel guidelines of the City of Snellville. This Manual does not constitute an employment agreement or contract between any employee and the City of Snellville. The guidelines set out in this Manual may not apply to every employee or in every situation. The City of Snellville may rescind, modify, delete, or deviate from these or other guidelines, policies, practices, or procedures relating to employment matters from time to time as it considers necessary in its sole discretion, either in individual or City-wide situations, with or without notice.

The information contained in this Manual is designed as an advisory guide to assist the City of Snellville and its department directors with the effective management of personnel. The Personnel Rules and Regulations are intended to cover most personnel policies and issues. Those not specifically covered shall be interpreted by the Personnel Officer and shall be in keeping with these adopted rules and regulations. The provisions and guidelines contained in this Manual apply to all provisional and regular full - time classified service employees of the City. These Personnel Rules and Regulations shall not apply to the following: elected officials, City Clerk, volunteers, permanent part time employees; temporary part-time employees, temporary full- time employees, or other full time employees appointed by the Mayor and City Council, members of appointed Boards or Commissions, Judges, the City Attorney and the Solicitor, persons performing work under contract for the City of Snellville, or any other position officially designated or appointed by the City Council, who shall all nevertheless be expected to comply with state and federal laws regarding equal employment opportunity, sexual harassment and public records.

It is the policy of the City to expect all employees to comply with all personnel policies, state and federal laws, and local ordinances. Any employee violating any of these personnel policies may be subject to disciplinary action, including dismissal, in addition to any penalty that may be imposed for the violation of the same.

1.3 CITY AUTHORITY AND RIGHTS

The City retains certain authority and rights including but not limited to the following:

1. To determine the organization and staffing of each department.
2. To determine the purpose of each department.
3. To exercise control and discretion over the organization and the efficiency of operations.

4. To set standards for services to be offered to the public.
5. To manage and direct the employees of the City and to determine the number of personnel to be employed.
6. To hire, test, classify, promote, train, transfer, assign, schedule and retain employees.
7. To suspend, demote, dismiss or take other disciplinary action against employees.
8. To increase, reduce, change, modify or alter the composition and size of the work force, including the rights to relieve employees from duties because of lack of work, lack of funds, or other reasons.
9. To determine the location, methods, means and personnel by which operations are to be conducted including the right to contract and sub-contract existing and future work.
10. To evaluate any outside personal economic relationship which affords present or future financial benefits to an employee, his/her family, or individuals with whom he/she has business or financial ties.

1.4 EFFECTIVE DATE OF POLICIES

The City of Snellville Personnel Rules and Regulations shall become effective upon adoption by the City Council. These rules and regulations supersede and replace all previous policies.

If any section or other portion of these Personnel Rules and Regulations is found to be invalid by duly constituted authority, it shall not affect the validity of the balance of these regulations.

1.5 AMENDMENTS AND REVISIONS

Proposals to amend or revise these rules and regulations may be presented in the form of a resolution to the Mayor and Council for consideration. The Mayor and Council must adopt the resolution before implementation.

Adopted revisions of the Personnel Rules and Regulations shall be posted on the City of Snellville shared network folder and distributed to all employees during their initial orientation.

1.6 ADMINISTRATION

The responsibility and authority for the administration and enforcement of these Personnel Rules and Regulations are assigned to the Personnel Officer.

1.7 DEPARTMENTAL POLICIES

Departmental operating policies and procedures shall supplement and conform to these Rules and Regulations. In the event of a conflict in any section, these personnel policies shall prevail.

1.8 PERSONNEL ADVISORY BOARD

A. Terms of Appointment and Service

The City's Personnel Advisory Board shall be an advisory board appointed by the Mayor and Council, to serve without compensation. It shall be comprised of four (4) persons, 3 of whom shall be citizens of the City, but shall not be City elected officials and one (1) shall be a full time employee of the City, to be elected by the employees of the City. Three (3) members are necessary to have a quorum. Three (3) advisory votes are necessary to carry any motion or make a decision.

B. Authority

The principal functions of the Personnel Advisory Board are to serve in an advisory capacity to the Personnel Officer and the City Manager in the administration of the City's Personnel administration system and to act as an independent forum in the hearing of employee appeals as described herein.

The Personnel Advisory Board shall advise and counsel the City Manager on aspects of personnel administration as requested and hear appeals of claims involving employee adverse actions.

2.1 EQUAL EMPLOYMENT OPPORTUNITY (EEOC)

The City of Snellville is committed to maintaining a work environment that is free of unlawful conduct. In keeping with this commitment, we will not tolerate harassment, discrimination, or the unlawful treatment of employees by anyone, including any supervisor, coworker, vendor, client or customer of the City. The City provides equal employment opportunities for every employee and applicant without regard to race, religion, creed, color, sex, sexual orientation, age, national origin, disability, genetic information, or any other legally protected status.

Violations of this policy will not be permitted and may result in discipline up to and including dismissal. An employee may file a complaint of unlawful discrimination if that employee believes that they have been discriminated against in their employment with the City. A complaint may be filed in accordance with the grievance procedures outlined Section 7.

2.2 AMERICANS WITH DISABILITIES ACT (ADA)

The City of Snellville makes every effort to make employment decisions based on the facts applicable to individual applicants or employees and not on the basis of presumptions as to what an individual with a disability can or cannot do. The City will ensure that every effort is taken to comply with the regulations issued under the Americans with Disabilities Act (ADA) during an individual's pre-employment and employment with the City.

The City will strive for prompt resolution of complaints, which allege that any action prohibited under the ADA rules, which govern non-discrimination on the basis of a covered disability, has taken place. All complaints for ADA non-compliance should be filed with the designated ADA coordinator usually the Personnel Officer appointed by the City Manager to handle and investigate ADA complaints.

2.3 UNLAWFUL HARASSMENT

It is the policy of the City of Snellville, as part of its commitment to equal employment opportunity, to provide a work environment free of intimidation or harassment. Acts of harassment on the basis of race, sex, sexual orientation, color, religion, age, national origin, disability, genetic information, or veteran status are strictly prohibited. The City will not permit conduct, whether intentional or unintentional, occurring between an employee and/ or volunteer or between an employee and /or volunteer and a client, customer or other non-employee that creates an intimidating, hostile, or offensive working environment for others.

2.3.1 DISCRIMINATORY HARASSMENT

The Equal Employment Opportunity Commission's (EEOC) definition of harassment is unlawful harassment of verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, national origin, age, sexual preference, genetic information, or disability, or that of his/her relatives, friends, or employees, and that:

- A. has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- B. the purpose or effect of unreasonably interfering with an individual's work performance; or
- C. otherwise adversely affects an individual's employment opportunities.

All employees and elected officials are expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. Any form of harassment related to an individual's race, color, national origin, religion, sex, disability, age, veteran status, genetic information, citizenship, sexual orientation, or other protected group status, is a violation of this policy and will be treated as a disciplinary matter. For purposes of this policy, the term "discriminatory harassment," shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- A. Offensive remarks, comments, jokes or slurs pertaining to an individual's race, color, national origin, religion, sex, gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, or other protected group status;
- B. Offensive pictures, drawings, posters, photographs, reading materials, computer monitors, or other tangible items, or communications including e-mail or text messages that are reasonably offensive or that reasonably exploit an individual's race, color, national origin, religion, sex, disability, age, veteran status, citizenship, sexual orientation, genetic information, or other protected group status;
- C. Threatening reprisals based on an employee's race, color, national origin, religion, sex, disability, age, veteran status, citizenship, sexual orientation, genetic information, or other protected group status; or
- D. Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment.

2.3.2 SEXUAL HARASSMENT

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as a form of sex discrimination that violate Title VII of the Civil Rights Act of 1964, including and not limited to, unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- 2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision;
- 3. Such conduct has the purpose or effect to interfere with an individual's work performance or creates a hostile or intimidating environment;
- 4. Such conduct or behavior was known by the aggressor to be unwelcome, harmful or offensive; or
- 5. A person of average sensibilities would clearly have understood that the behavior or conduct was unwelcome, harmful or offensive.

Quid Pro Quo

Quid Pro Quo literally means "this for that" and exists when submission to, or rejection of, such conduct is used as a basis for employment decisions such as raises or promotions or affects public services.

Hostile Environment

Hostile Environment includes any lewd sexual conduct, pictures, words, or touching that interferes with a person's job performance or creates an intimidating, offensive working environment even if there are no occurrences of tangible or economic loss.

Prohibited Behavior

Behavior prohibited by this policy can include but is not limited to unwelcome sexual remarks or compliments, sexual jokes, sexual innuendo or propositions, sexually suggestive gestures or facial expressions, sexual remarks about a person's clothing or body, exhibiting sexually explicit publications or materials, kissing, touching, and sexual contact.

A. Complaint Procedure and Investigation

If an employee feels that this policy has been violated, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, the employee should ask the offender to immediately stop the behavior. The employee will then report the incident(s) immediately to either their immediate supervisor, Department Director, Assistant City Manager, or the City Manager. Any supervisor who receives a complaint related to harassing or offensive behavior or who has reason to believe that such behavior is occurring shall report these concerns to the Personnel Officer. At any point, the employee who feels they have been harassed, may go outside the chain of command or their department and go to the Personnel Officer.

The Personnel Officer will investigate all reports of harassing or offensive behavior promptly, fairly and discreetly. Investigatory procedures may vary from case to case depending upon the circumstances. The investigation will be conducted as confidentially as possible. During the investigation, the Personnel Officer may seek assistance from Departmental Personnel as needed. The Personnel Officer may recuse himself/herself from the investigation if a conflict of interest arises. If a conflict of interest arises, the Personnel Officer may recuse himself/herself from the investigation. Under this circumstance, the City Manager or his/her designee will select an outside investigator to conduct the investigation. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential whether the employee is the accused person, the complainant, or merely a potential witness. Persons who are interviewed are prohibited from discussing the matter outside the course of the investigation with coworkers, friends, or management. The City will keep the information it gathers as confidential as possible, consistent with state and federal laws and the needs of the investigation.

B. Corrective Action

If management concludes that a complaint of harassment has merit, appropriate action will be taken. Resolutions can include, but not necessarily be limited to, an apology, a transfer, direction to stop the offensive behavior, counseling or training, verbal or written warning, suspension with or without pay, or termination. In the event that harassment or offensive behavior reoccurs, it should immediately be reported to the City Manager or designee. Any employee found to be acting in a harassing manner will be subject to disciplinary action up to and including termination. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

C. No Retaliation

Retaliation is any action or behavior that is designed to punish an employee for reporting concerns or wrongdoing, cooperating with an investigation, or otherwise objecting to conduct that violates the City sexual harassment/EEO policies. City employees may not interfere with the right of another employee to report concerns or wrongdoing and may not retaliate against an employee who has reported concerns or wrongdoing, has cooperated with an authorized investigation, or otherwise objected to actions that are reasonably believed to be a violation of the City's sexual harassment/EEO policies. Violations of this section may result in disciplinary action, which may include the termination of employment

2.4 WORKPLACE INTERRUPTIONS

The City of Snellville does not allow an employee to use intimidation, verbal or implied threats, violence, or the threat of violence against any individual during the course of his/her work.

Work disturbances caused by persons not employed by the City of Snellville, but occurring on the city's work sites, will be reported immediately to a Department Director and the appropriate law enforcement agency. The appropriate law enforcement agency will conduct an investigation and make criminal charges when appropriate. If the disturbance is determined to be the result of a domestic or a personal situation involving an employee, the City Manager is to be notified.

Work disturbances resulting from domestic or personal situations can result in disciplinary action being taken against the employee, especially severe or ongoing disturbances that affects other employees or the City of Snellville's business environment. The employee will take all reasonable and precautionary steps to prevent these disturbances. These steps may include, but are not limited to, seeking counseling or a court order restraining the non-employee from coming to or being at the city's work sites.

Violations of this policy may result in disciplinary action up to and including termination.

2.5 RECRUITMENT

The City of Snellville provides equal employment opportunities for every employee and applicant without regard to race, religion, creed, color, sex, age, national origin, disability, or any other legally protected status.

A. Vacancies in Classified Service Positions

Positions in the Classified Service may be determined by the Department Director to be filled either by open competition from any applicants or by promotional competition from existing City employees in the Classified Service.

1. Announcement of Vacant Positions

All announcements for open competitive and promotional competitive vacancies in the Classified Service may be publicized by posting announcements for a minimum of fourteen (14) days in the City's Administrative Offices, official bulletin boards, in conspicuous public places, in appropriate public communications media or by any other means which the Personnel Officer or Department Director deem appropriate.

2. Application Forms

Application shall be made on application forms provided by the Personnel Officer. Applications will be accepted from all persons desiring employment with the City and who apply during regular business hours. Applicants will not be allowed to submit resumes or similar documents in place of a completed application. All applications shall be signed and such signature shall certify the truth of all statements contained therein.

B. Retention of Application Forms-Open Competitive Vacancies

For open competitive vacancies, all persons will be informed at the time of application that the application form will be placed in an active file for a period of ninety (90) days. The city will retain the applications from those not hired for a competitive position in accordance with Georgia record retention guidelines.

If an individual's application form is in active status as described above and that individual wishes to be considered for another open competitive vacancy that occurs during the same ninety (90) day period in which he/she originally applied for employment, the individual must request in writing to the City that his/her application be reconsidered.

C. Evaluation of Applicants

The Personnel Officer shall determine the process for evaluating applications for all open competitive and promotional vacancies. An applicant's work history, educational record, credit history, driving history, and criminal history may be investigated for the purpose of verifying the statements contained in the application and consideration of the applicant's suitability for the applied position. The City may also ask the applicant to supply professional and/or personal references regarding his/her qualifications for the job. The results of these findings shall be used to evaluate the applicant.

In addition to a job interview, the City may request an applicant to take a test as part of the applicant evaluation process.

The Personnel Officer or designee may disqualify an applicant as part of the application review for any of the following:

1. It is found that the applicant does not meet the minimum qualifications required for the job;
2. The applicant has made a false statement of material fact in the application;

3. The applicant has used or attempted to use political pressure or bribery to secure an advantage in the recruitment and selection process;
4. The applicant has failed to submit the application correctly or within the prescribed time limit;
5. The applicant has previously been separated from the City for cause; or
6. The applicant has been convicted of a felony or a crime involving moral turpitude or an aggravated misdemeanor.

D. Background Check, Drug Testing, Physical (Medical), Psychological and Polygraph Examination

Every potential regular full-time and permanent part-time employee will be subject to a pre-employment background check and drug test. Sworn police officers and police cadets will also be required to complete post-offer (*conditional employment*) drug testing, physical (medical), psychological, and polygraph examinations, in accordance with the Americans with Disabilities Act of 1990. Conditional employment offers are administered to potential employees who have fulfilled all job application requirements and it is understood that the employee will be hired given that certain conditions are met before employment begins.

1. Background Checks

The City will conduct pre-employment background checks on all internal and external finalist candidates for employment. Dependent upon the position being sought, the information collected may include legal residency, reference checks, education verification, criminal history, motor vehicle driving history, financial and credit information, and or any combination thereof determined by the City to be necessary, appropriate and relevant to the position being sought. The process for background checks will comply with all federal, state, and local laws and statutes and will be performed only after a candidate has provided written authorization. Candidates who refuse to provide such authorization will not be considered for employment.

2. Drug Testing

All job applicants will be informed in advance that said testing shall be required and shall sign the consent form. A candidate for employment shall not be allowed to start working until his or her drug test result has been reviewed and approved as a negative test by the medical review officials and/or the City Personnel Officer.

An applicant whose initial drug screening shows a positive test result may, at the applicant's own expense, have the initial result confirmed by the medical personnel who performed the initial test. The confirmation test must be performed on the same specimen supplied for the initial test. If the confirmation test is negative for illegal drugs or controlled substances, the applicant's initial positive test result will be disregarded.

Any applicants for a position to drive and/or operate a commercial motor vehicle, as defined supra herein, shall be required to submit to additional testing and other requirements as mandated by the Omnibus Transportation Employee Testing Act of 1991 now in force or as amended. These additional requirements will also apply to any city employee who, whether it be due to transfer, promotion or otherwise, will operate a commercial motor vehicle for the City.

3. Physical (Medical), Psychological and Polygraph Examination

Physical (medical), psychological, and polygraph examinations to applicants are administered only after a *conditional* offer of employment has been extended and when all entering employees in a particular job classification are subjected to such exams, regardless of disability (e.g. Sworn Police Officer), and to potential employees only when justified by job-related necessity. If physical examinations are required, all finalists for vacancies within the respective occupational group will be required to undergo a physical examination after a *conditional offer* of employment has been extended. A qualified physician (designated or deemed acceptable by the City) shall certify and perform such examination to determine whether the employee is able to perform the essential duties of the job for which they have applied. Applicants who are not able to perform the essential duties for the respective job as determined by the attending physician, shall be disqualified from the respective position.

2.6 PROVISIONAL PERIODS

The provisional periods shall be regarded as an integral part of the selection process and shall be utilized for evaluating an employee's work performance based on assigned job duties and responsibilities in the position's class description and in other administrative directives. The provisional periods provide an initial period of time for a new or reappointed employee to effectively adjust to the job.

A provisional period shall be established for new and promotional appointments and for reappointments. An employee transferred or demoted to another position shall not be required to begin a new provisional period. The provisional period for all appointments shall *normally* be for six (6) months.

An extension of an employee's provisional period may be granted by the Personnel Officer, upon written request by the department director. The provisional period may be extended when the employee has shown adequate progress in performing essential job duties but needs more time to demonstrate an acceptable level of performance based on existing standards. The Personnel Officer may grant an extension up to, but not to exceed, six (6) months.

If an employee has not performed satisfactorily during the provisional period, the department director may decide that the employee should be separated from the City. The effective date of the separation shall be on or before the last date of the employee's provisional period. Written notification of this decision shall be presented to the employee.

A. New and Reappointment Employees

The first six months of service in a position to which a new employee has been hired or reappointed into the Classified Service shall constitute an *introductory* provisional period. The introductory provisional period shall be an essential part of the evaluation process, and shall be utilized for the most effective adjustment of a new employee. If the employee successfully completes the introductory provisional period, the employee shall obtain regular full time status, to begin on the day following the successful completion of the introductory provisional period. The individual's appointment date shall be established on that date.

1. Initial employment

A new employee appointed to a position in the City shall not begin his/her first day of employment on a designated official holiday. The first day of employment shall be on a day that coincides with the employee's regular work schedule.

2. Promotional Employees

An existing Classified Service employee promoted to another position shall be required to begin a new provisional period. The employee's status as a regular full-time employee in his/her former position shall remain in effect during the promotional provisional period. A new appointment date shall be established on the day of successfully completing the promotional provisional period. If an employee fails to perform satisfactorily during the promotional provisional period, the employee shall be eligible for transfer to a position that is comparable to the previous position held prior to the promotion, if such position is available.

2.7 EMPLOYMENT STATUS

A. Regular Full-time Appointment

An appointment to a full-time position of forty (40) hours per week in which the employee is given regular status after satisfactorily completing the provisional period. This appointment provides the employee with all of the rights and privileges of the city's personnel rules and regulations and other policies as designated by the City Manager.

Regular appointments remain in effect until the appointee voluntarily separates, is involuntarily separated, or the position is eliminated.

B. Temporary Full-time Appointment

A Department Director may request that the City Manager approve a temporary full-time position that is needed for a limited duration of time, not to exceed one (1) year.

The acceptance or refusal of a temporary full-time appointment shall not affect an applicant's eligibility for

regular appointment. A person appointed to such a position shall not be eligible for the rights, privileges and benefits conferred through these Personnel Rules and Regulations to other City employees.

C. Permanent Part-Time Appointment

A Department Director may request that the City Manager approve a permanent part-time position. The work schedule of this position shall be year round and permanent part time employees will work an average of twenty-nine (29) hours per week or less in a scheduled work cycle.

The acceptance or refusal of a permanent part-time appointment shall not affect an applicant's eligibility for regular appointment. A person appointed to such a position shall not be eligible for the rights and privileges conferred through these Personnel Rules and Regulations to other City employees. The City Manager may authorize some benefits.

D. Temporary Seasonal Part-Time Appointment

A Department Director may request that the City Manager approve a Temporary Seasonal part-time position. The work schedule of this position is dependent on the seasonal nature of the duties to be performed and could average up to 40 hours per week in a scheduled work cycle for the season's duration; i.e. Pool Operations and Summer Day Camp.

The acceptance or refusal of a temporary seasonal part-time appointment shall not affect an applicant's eligibility for regular appointment. A person appointed to such a position shall not be eligible for the rights, privileges and benefits conferred through these Personnel Rules and Regulations to other City employees.

E. Reappointment of former employees

Former City employees (with at least one year of previous regular full-time continuous service with the City) who apply with and are reappointed to regular full-time employment with the City shall receive credit for previous service based on the following criteria.

If an individual is rehired within one calendar year of his/her date of termination then he/she will immediately receive credit for his/her former service with the City as of his/her date of reemployment, but he/she will have a break in service. Should an employee return to service with the City within an amount of time that could be covered by their severance payout, i.e. accumulated vacation and sick leave, then they will resume employment as if no break in service occurred.

If an individual is rehired after one calendar year from their date of termination then they must serve the amount of time they were away or five (5) years (whichever is less) before they will be credited for their prior service with the City of Snellville.

At the time a rehired employee meets the criteria stated above his/her date of employment will be adjusted for accredited past service for the purposes of calculating time sensitive benefits.

2.8 CHANGES IN POSITION STATUS

Vacancies in positions above the entry level in the Classified Service may be filled by promotion, except when it is determined to be in the best interest of the City to fill the position with candidates recruited from outside the Classified Service.

It shall be the responsibility of the Department Directors to submit their requests for changes in positions that involve promotions, demotions and transfers to the Personnel Officer who then will present it to the City Manager, if necessary. Such requests must include adequate information to explain and document the requested change in position status. The City Manager shall evaluate the request and shall be responsible for issuing final approval for such actions.

2.9 PROMOTIONS

A promotion is the advancement of a regular full-time employee to a vacant position with a higher classification. A higher classification is one, which has a maximum salary in the salary range that is greater than that of the previous classification held by the employee. Promotional vacancies are filled through a promotional competitive process and are available only to existing regular full-time employees in the City's Classified Service.

The promoted employee is eligible for two salary adjustments - one upon placement in the new position and one upon successful completion of the promotional provisional period. Such salary adjustments shall be implemented in accordance with procedures in Section 3.

2.10 DEMOTIONS

A demotion is the movement of a regular full-time employee or a new employee during their provisional period to a position with a lower classification. A lower classification is one, which has a maximum salary in the salary range that is less than that of the previous classification held by the employee. An employee may be demoted to a position on a voluntary basis or on an involuntary basis. An employee's regular full time status shall not change with the demotion although his/her rate of pay may be reduced.

A. Voluntary Demotions

An employee may request to be demoted to a vacant position upon written request to the Department Director. The affected Department Directors and the Personnel Officer shall determine whether the employee *is* qualified to perform the duties and responsibilities of the lower position and the City Manager shall provide final approval for such action.

When demotion is voluntary, the employee's pay rate shall be lowered by 5% if their current rate of pay is within the new job's salary range; or to the maximum of the lower job classification if their current rate of

pay is greater than the new job's salary range.

B. Involuntary Demotions

An employee who is demoted on an involuntary basis shall be moved to the established lower salary range. When demotion is involuntary, the employee's pay rate shall be lowered by 5% if their current rate of pay is within the new job's salary range; or to the maximum of the lower job classification if their current rate of pay is greater than the new job's salary range. Involuntary demotions require final approval by the City Manager.

2.11 TRANSFERS

A transfer is the lateral movement of a regular full-time employee or new provisional status employee to another position in the same classification or in a different classification with the same salary range of the employee's former position. The status and pay of the employee shall remain the same as previously existed. The transfer of an employee to a different department shall have the written approval of both Department Directors. All transfers shall be reported in writing to the Personnel Officer.

3.1 PAY AND CLASSIFICATION PLAN OVERVIEW

The City's Pay and Classification Plan establishes a fair and equitable system for classifying and compensating all Classified Service positions. The Plan shall be followed for all employee hiring and mobility including: new and reappointed employees hiring; promotions; reclassifications; transfers; disciplinary demotions or salary reductions; and annual merit increases. The Pay and Classification Plan shall be adopted by the Mayor and City Council and administered and enforced by the Personnel Officer to ensure that all City personnel actions and activities comply with the City's adopted Pay and Classification Plans and Personnel Rules and Regulations. This Plan is provided as a separate document from the City's Personnel Rules and Regulations and should be referenced for further information regarding the decision-making and other details.

It is the City's right to establish, change or modify the City's Pay and Classification Plans. Such action includes but is not limited to, revising the pay schedule; changing pay grade assignments of classifications, modifying class specifications; adding or deleting classifications.

A. Allocation of Positions

A comprehensive classification plan for all positions shall be established and approved by the City Council. The maintenance of the classification plan shall be subject to the provisions of these policies. The plan shall be based on investigation and analysis of the duties and responsibilities assigned to each position, and each position shall be assigned a pay grade in the City's Pay Plan. Employee salaries shall be set in accordance with the Pay plan and salary schedules in the Pay plan. The Classification plan shall be developed after consultation with the supervisors in each department and other persons technically familiar with the

character of the work. When complete, the classification plan shall include for each job an appropriate title, description of duties, responsibilities, and the education, training, experience, and other qualifications necessary to perform each job.

All positions shall be authorized in the City's operating budget each fiscal year. The City Manager with the consent of the City Council shall have the authority to establish new or delete existing positions based on work conditions, staffing and budgetary considerations.

B. Job Classifications

Job classifications are descriptive and explanatory but not meant to be restrictive or all encompassing of an employee's daily job duties. They are designed to indicate the nature of work performed and the minimum qualifications required. The language of classifications is not to be interpreted as limiting or modifying the authority of supervisory officials, and/or the City Council in its authority to take from, eliminate, or otherwise change the duties and responsibilities of a job, to assign duties, or to delegate responsibilities to employees and/or to direct and control their work.

C. Revisions

Revisions to the Classification Plan require the review and approval of the City Manager and the Mayor and City Council. Review of job duties as classified in the City's plan may be made upon request of a department director or the Personnel Officer. The City Manager may consider revisions to the Classification Plan based on classification information and other research gathered from public and private employers. Adjustments to the Classification Plan may be considered on an as-needed basis.

D. Records

The Personnel Officer must properly document classification and compensation actions in order to maintain the City's personnel system. The class title, pay grade and pay, if applicable, must be reflected on the necessary personnel action, budgeting and payroll records for proper execution and documentation of transactions.

The Personnel Officer shall maintain a copy of the adopted Pay and Classification Plans. These Plans shall be open for inspection by employees and the general public under reasonable conditions during normal business hours.

E. Reclassifications

A reclassification occurs when an employee's job duties and responsibilities change significantly such that the employee's current job title no longer reflects the job being performed. The employee may then be eligible for a reclassification to change his/her classification, salary range and rate of pay to properly classify and compensate the employee based on his/her current job duties.

Reclassifications as described in this section shall apply to individual position reclassifications requested

by department directors. Such reclassification requests shall be submitted in writing to the Personnel Officer and the City Manager. Reclassification requests must include adequate documentation on the changes in duties and responsibilities of the position to warrant approving the reclassification.

F. Entry Salaries-New Employees

The salary for all new employees shall normally be set at the beginning of the salary range for the classification. If it is necessary to set the starting salary for a new employee above the entry level, the Department Director must provide a written explanation of the reasons for the deviation to the Personnel Officer. The Department Director may use experience, educational attainment, or specialized skills as a reason for their request. The Personnel Officer will then present the request and his/her recommendation to the City Manager for approval. A copy shall be included in the personnel file of the affected employee.

G. Reappointment

An employee who is reappointed may be placed on an appropriate assigned salary range, considering the individual's qualifications. However, the employee may not be placed in a salary that is higher than what his/her salary would have been if he/she had remained in the employ of the City, unless the individual has obtained further education and or/credentials that would so merit the higher salary.

H. Provisional periods

A new employee is eligible for a salary increase on the date following the successful completion of the provisional period. Successful completion means the employee's job performance has been fully satisfactory and the individual accepts regular status as a City employee.

A regular full-time employee who is promoted to a higher classification shall be required to serve a new six (6) month promotional provisional period. The promoted employee is eligible for two salary adjustments - one upon placement in the new position and one upon successful completion of the promotional provisional period.

3.2 SALARY PLAN ADJUSTMENTS

A. Merit Increases

Salary advancements due to merit increases shall be given to City employees based on their individual job performance as documented on their performance evaluation forms. The city shall adhere to performance evaluation procedures as outlined in the Pay and Classification Plan.

Salary advancements shall be made effective according to the schedule adopted by the City. The advancement of each employee's salary within the employee's current salary range shall take effect in accordance with the performance rating system described in the Pay and Classification Plan.

B. Promotions

The promoted employee is eligible for two salary adjustments – one upon placement in the new position and one upon successful completion of the promotional provisional period.

The salary of a regular, full-time employee who receives a promotion in accordance with the section 2.8 will be increased by five percent (5%); or to the minimum of the new salary range, whichever is greater. If they successfully complete the promotional provisional period the employee will be eligible for another salary increase based on an evaluation of their performance in the new position and in accordance with the Pay and Classification Plan.

C. Demotions

When an employee is demoted either on a voluntary or involuntary basis, the employee's pay rate shall be lowered by 5% if their current rate of pay is within the new job's salary range; or to the maximum of the lower job classification if their current rate of pay is greater than the new job's salary range.

3.2.1 INCENTIVE-BASED ADJUSTMENTS

The City Manager may authorize a mid-year adjustment to an employee's pay when he/she earns an advanced certification or a degree. Department Directors will submit a list of certifications or degrees with an accompanying percentage increase to the City Manager. The amount of the adjustment shall be determined by the City Manager from this pre-authorized list. The new salary shall take effect starting in the next pay period. An employee shall receive one incentive-based salary adjustment per fiscal year. The incentive-based salary adjustment may be separate from the annual merit increase.

3.3 PAY PERIODS

Employees are paid on a bi-weekly basis, on Fridays. If a regularly scheduled payday falls on a city observed holiday, employees will normally be paid on the last workday preceding the holiday.

3.4 PAYROLL DEDUCTIONS

A. Mandated Deductions

Payroll deductions, including federal and state taxes, FICA, etc. shall be made by the City as required by federal and state laws. The employee may authorize additional deductions.

B. Charitable Contributions

Employee contributions to charitable organizations are voluntary. Coercion of an employee to make

contributions shall not be permitted.

3.5 OVERTIME PAY

Compensation for overtime work shall be administered in accordance with the Fair Labor Standards Act (29 U.S.C.) upon request by the Department Director and upon approval by the Personnel Officer. The Department Director or their designee must authorize any overtime work for non-exempt employees. In such an event and according to agreement between employee and supervisor, overtime shall be compensated by one of the following two (2) options, at the rate of:

1. one and one-half (1.5) times the non-exempt employee's regular rate of pay; or
2. compensatory leave on a time and a half (1.5) basis shall be granted to the employee.

Any non-productive time (sick leave, annual leave, court leave, holidays, etc.) occurring in a pay period will not be counted as time worked for non-holiday overtime computations.

Overtime shall be paid in fifteen-minute increments. Time worked less than eight (8) minutes will not be compensated while time worked in excess of eight (8) minutes will be paid.

A. Non-Exempt Employees (other than sworn police officers)

These employees are eligible for overtime pay in accordance with the overtime provisions of applicable federal and state wage and hour laws. Non-Exempt Employees will be eligible for overtime compensation for any hours actually worked in excess of 40 hours during the seven day period beginning Sunday 12:01 a. m. and ending Saturday 12:00 p.m.

B. Non-Exempt Sworn Police Officers

A partial exemption exists for sworn law enforcement employees under §7(k) of the FLSA. Under this section the City of Snellville has adopted a 14 day work period for Police Officers. Police Officers will be eligible for compensation at 1.5 their regular hourly rate for any hours actually worked in excess of 86 during the 14-day work period beginning Sunday 12:01 a. m. and ending in 2 weeks on Saturday 12:00 p.m.

C. Exempt Employees

These employees are excluded from the overtime pay provisions of applicable wage and hour laws. The job duties and compensation for these employees must meet the exemptions criteria established by the Fair Labor Standards Act (FLSA). Generally, exempt positions are classified as executive, administrative, or professional as defined by the FLSA.

D. Holiday Overtime Pay

For non-exempt employees and police officers, time worked on a holiday in excess of the normal shift time

shall be compensated at one and one-half times their regular rate of pay. Eligible employees will be compensated for holiday overtime pay without regard for leave time that is taken during the same pay period.

E. On-Call Pay

Any non-exempt employee who has actually worked 40 hours during a pay period (Sunday through Saturday) and is called back in to work for an emergency situation or other necessary city business shall receive a minimum of two (2) hours of pay at their regular pay rate for any time worked up to one hour. Any time worked over two (2) hours shall be paid at time and half for hours served. Hours paid for sick leave, vacation, or holidays do not count toward the 40 hours for purposes of this policy.

Employees called in after hours for emergency or other necessary city business, who have not worked forty (40) hours during the pay period (Sunday through Saturday) shall receive a minimum of one (1) hour of pay at their regular rate for any time worked up to one hour. This policy covers non-exempt employees only and does not apply to exempt employees, Department Directors or sworn law enforcement personnel.

F. Hazardous Duty Pay

This Policy implements uniform procedures for ensuring staff members who are required to work during hazardous conditions are assigned a stipend for Hazardous Duty Pay. This policy will be applicable to the tracking of wages during an impending or declared emergency and/or disaster response and recovery period for all employees (exempt and non-exempt) working under the hazardous conditions. In an emergency, this policy is intended to ensure fair and equitable compensation for City of Snellville employees. City of Snellville provides essential services that must continue during emergency situations, such as public health emergencies that pose a risk of harm to the general public and workers. Such services are essential to ensure the continuity of government operations, to provide for public safety, and to expedite the reestablishment of government services. During emergency situations, City of Snellville employees perform duties that may pose a risk to their health and safety, perform their regular duties under circumstances or in locations that may pose a risk to their health and safety, or both. City of Snellville recognizes that employees should be compensated for their willingness to take on such risks.

This Policy will be applied when conditions exist that pose a hazardous work environment to one or more employees. With authorization from the Mayor and Council, the City Manager may implement this Hazardous Duty Pay Policy for City Departments, in whole or in part, based on those assigned to work under the identified hazardous condition. All employees, regardless of length of service or job status, who physically report to their assigned work locations during a public health or other declared emergency, may be eligible for Hazardous Duty Pay (HDP). HDP is a supplement to the employee's regular rate of pay. Specified employees may receive HDP while performing duties or working in a location that may be affected by an emergency or disastrous event.

Employees will receive an additional flat amount of Hazardous Duty Pay determined and approved by the City Manager per bi-weekly pay period during the periods they physically report at their permanent work site or reassigned work site to perform assigned job duties during the emergency situation. The City

Manager shall determine the duration of the emergency situation along with data from other government entities. Employees will not receive HDP for hours worked remotely at home, hours on any type of paid or unpaid leave, hours that the employee is directed to stay at home without working, or any other type of non-work status.

FUTURE POLICY APPLICATION: The HDP Policy may be amended and activated as deemed necessary for any emergency or disaster event for the purpose of providing employees with additional compensation while working in emergency situations.

3.6 WITHHOLDINGS

Procedures for the garnishment or withholding of wages for support obligations such as alimony and child support and for other debts such as taxes shall follow prescribed Federal and State laws.

3.7 TERMINAL PAY

Prior to receiving final monies due, all items of City property in the employee's custody shall be returned to the Department Director. Certification to this effect must be made by the employee and must be submitted to his/her immediate supervisor prior to separation.

Deductions for the loss or abuse of City property, or other financial obligations, which are due to the City, may be deducted from the employee's final paycheck.

All unused compensatory time, vacation and sick leave shall be handled in accordance with the policy outlined in sections 5.2 and 5.5 of this document.

A. Compensation Due Deceased Employee

The City, in the case of a death of an employee, shall pay to the named beneficiary, or as otherwise provided by order from the Court, all wages, terminal annual leave, or other monies which may be due the employee, as of the date of death. Payment shall be made at the employee's rate of pay at death.

3.8 PERFORMANCE EVALUATIONS

The City of Snellville's performance management (evaluation) program assists employees and supervisors in establishing a workplace that is acceptable to all involved. The evaluation process gives the supervisor an opportunity to provide feedback to the employee regarding his/her work performance; to discuss needed improvements in work performance, and to discuss with the employee his/her work needs regarding supervision, training and other areas. The evaluation process allows the employee to objectively see what areas he/she needs to improve on and also gives praise in areas where the employee excels.

A. Provisional Period Employees

Throughout the provisional period, an employee's supervisor or department director shall observe the employee's job performance and shall discuss these observations with the employee on an informal basis as needed.

At least twenty (20) calendar days prior to the completion of an employee's provisional period, the supervisor or department director shall complete an evaluation report of the employee's job performance. The evaluation report shall state in writing whether or not the employee has performed satisfactorily during the provisional period.

The supervisor or department director shall schedule a meeting with the employee to discuss the report and to give the employee an opportunity to read and comment on the report. A copy of the completed evaluation report shall be given to the employee and shall be placed in the employee's personnel file.

If the employee is on *introductory* provisional period status and he /she successfully completes the provisional period and obtains regular status as a full-time employee, the employee's appointment date shall be established. The employee's performance evaluation shall be conducted at least annually thereafter on the schedule established by the city.

B. Regular (Full – time) Employees

Performance evaluations for regular full-time employees shall be conducted by their immediate supervisors on at least an annual basis. A performance evaluation is a written appraisal of an individual employee's job performance for the latest work period. The evaluation report shall state in writing whether or not the employee has performed fully satisfactorily during the evaluation period.

Performance ratings shall be given as part of the written performance evaluation report. These ratings shall have a direct bearing on the salary or merit increases all employees involved in this process receive for the year. Merit increases are therefore given based on satisfactory job performance and are not automatic.

C. Conducting Evaluations

The City's evaluations report form shall be used for all evaluations. When an employee's immediate supervisor completes the evaluation form, it must be reviewed and signed by the Department Director before it can be presented to the employee. The immediate supervisor or department director shall schedule a private meeting with the employee to discuss the report and to give him/her an opportunity to read and comment on it.

The employee shall sign the evaluation form indicating that the evaluation and rating have been explained. The signature does not necessarily indicate that the employee agrees with the evaluation or rating. A copy of the completed evaluation report shall be given to the employee and to the Personnel Officer for insertion in the employee's active personnel file. An employee shall not be eligible for a pay raise until the performance evaluation form has been processed.

4.1 WORKDAY HOURS

The City Manager shall establish the hours of work, which insofar as practicable, shall be uniform within occupational groups, and shall be determined in accordance with the needs of the City services. These workday hours shall also take into account the reasonable needs of the public who may be required to do business with the City departments.

4.1.1 TELECOMMUTING

The City Manager has the discretion to allow employees to telecommute. Employees will be considered on an individual basis for their telecommute eligibility. A primary consideration for administering telecommuting in the city is that it does not interfere with auxiliary services provided to the public during work hours. An employee's work must be of a nature that face-to-face interaction with other employees, external customers, or project workgroups is minimal, and the employee's tasks can be performed successfully away from the office. It is important that consistent communications be maintained by telecommuting employees.

Telecommuting employees shall be available at their remote locations by telephone and/or e-mail to management and other City staff during regular work hours. They shall not hold meetings at their alternate workplace where the physical presence of others is required. They shall not conduct any unauthorized external (non-City) work during their telecommuting work schedule.

4.2 HOLIDAYS

All regular full-time employees of the Classified Service will receive 10 hours of paid leave (holiday pay) on official holidays. The City of Snellville observes nine (9) official holidays.

<u>Date</u>	<u>Holiday</u>
January 1	New Year's Day
3 rd Monday in January	Martin Luther King Day
Last Monday in May	National Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
Fourth Thursday in November	Thanksgiving Day
Fourth Friday in November	Friday following Thanksgiving
December 24	Christmas Eve
December 25	Christmas Day
*Employee Choice	Floating Holiday

*Must have advance approval of Supervisor.

The Mayor and Council may designate other days as holidays at their discretion.

In the event a designated holiday falls on a Saturday, it shall be observed on the Friday immediately preceding, and if any such holiday falls on a Sunday, it shall be observed on the Monday immediately following the holiday.

To be eligible for holiday pay, it is required that regular full-time employees work or be on approved compensated annual or sick leave the last scheduled day before the holiday and the next scheduled day after the holiday when those days fall within the same pay period as the holiday.

When a holiday falls on an employee's regular workday, and that employee is on authorized annual or sick leave, the employee will receive holiday pay and will not have that workday charged against his/her leave record. When a holiday falls or is scheduled to be observed on an employee's normal day off, other than a Saturday or Sunday, that employee's shall observe the next closest scheduled work day as the holiday or they may be granted another day off at a future date in lieu of the holiday. The department director must approve the rescheduling of that day off.

In addition to the amount to which they are entitled as holiday pay, eligible employees who are required to be on duty on officially designated holidays shall be paid for the hours worked on the holiday at their regular rate of pay. Eligible employees may be given another day off during the same pay period or work cycle in lieu of the additional compensation described above upon approval by the Department Director. This does not include any actual hours worked over forty hours, which may qualify non-exempt employees for overtime compensation.

Eligible employees will be compensated for work on a holiday without regard to approved paid leave that they take during the same pay period.

Permanent part time employees or seasonal part-time employees may be paid for holidays.

4.3 ATTENDANCE, ABSENTEEISM, AND TARDINESS

Department Directors shall be responsible for the attendance of all persons in their departments. Complete attendance records shall be maintained on forms and in accordance with procedures issued by the Personnel Officer.

Being on the job is crucial to the successful operation of the City. Employees who have over three (3) periods of absence, without medical documentation, or a total of 40 hours absence without medical documentation within a 6-month period may face disciplinary action up to and including termination. A period of absence is defined as any unapproved time away from the job due to sickness or unscheduled personal business. Sick leave utilized in compliance with the provision of the Family and Medical Leave

Act will not be counted toward a period of absence.

Employees who have over three (3) tardy occurrences in a 6-month period may face disciplinary action up to and including termination. An employee is tardy when he/she:

- Fails to report for work at the assigned/scheduled work time without prior approval.
- Leaves work prior to the end of an assigned/scheduled work time without prior approval.
- Takes an extended meal or break period without approval.

4.4 USE OF CITY VEHICLES AND EQUIPMENT

The City's vehicles, equipment, and supplies shall be used only for official City business and not for personal purposes. An employee shall return all equipment, tools, supplies, vehicles, and other property of the City in good condition to their supervisor prior to termination.

City officials and all employees operating City vehicles shall comply with the following guidelines at all times:

1. Be at least 18 years of age.
2. Possess and maintain a valid Georgia driver's license for the class of vehicle to be driven.
3. Abide by the Georgia Safety Belt Law and other departmental restrictions as specified by the Department Director
4. Understand that all traffic violations received while operating a City vehicle are the responsibility of the driver and not the City.
5. Understand that City vehicles are to be used for official City business only; personal errands are not allowed while operating a City vehicle.
6. Lock the vehicle at all times when it is not in use.
7. Ensure records of maintenance and service are properly completed and maintained.
8. Do not alter, repair, or in any way change, add to, or remove any parts or accessories of any City-owned or leased vehicles without the permission of the Department Director.
9. Notify the City as soon as possible if a City vehicle is involved in an accident either on a public street or on private property.
10. Keep the vehicle well maintained, as stipulated in the vehicle maintenance schedule.

11. Ensure that only authorized personnel operate and/or ride in such vehicles.
12. Do not use tobacco products of any kind, including, but not limited to, cigarettes, e-cigarettes, cigars, or pipes inside a City-Owned vehicle.
13. The use of alcohol or illegal drugs is strictly prohibited while operating city vehicles or equipment.
14. The use of a personal or city-supplied cell phone or electronic device is strictly prohibited while operating city vehicles or equipment, except in accordance with State laws regarding hands-free use of such devices

4.5 TRAVEL AND PERSONAL MILEAGE REIMBURSEMENT

The city is responsible for fostering and promoting in-service training for elected and appointed officials, and employees for the purpose of improving the city's quality of service. The provisions below provide an overview of the city's travel policy. Public officials and employees should consult the city's Travel Policy for additional information on the administrative requirements and procedures for work-related travel.

1. Advance registrations and accommodations shall be paid by the city, directly to the hotel/ motel vendor by the City Financial Officer.
2. All valid expenses (hotel/motel balance, gas, tourist class air travel, conference fees and registrations, parking, and per diem meals) incurred by Mayor and City Council, city employees, or other designated persons only while traveling on city-approved business shall be reimbursed upon presentment of the receipt(s) and/or bill(s) to the City Financial Officer within 10 days of return.
3. City employees and other designated persons shall be reimbursed for official/City use of personal vehicles at the per mile rate established by the United States Internal Revenue Code, as amended.
4. Per Diem meal allowance shall not exceed the amount listed in the federal rate schedule as determined by the Government Services Administration.

4.6 INTERNET USAGE POLICY

The City of Snellville provides access to the vast information resources of the Internet to help you do your job and stay well informed. The facilities that provide access represent a considerable commitment of resources for telecommunications, networking, software, storage and technology. This Internet Usage Policy is designed to help you understand our expectations for the use of those resources in the particular conditions of the Internet, and to help you use those resources wisely.

While the City has set forth explicit requirements for Internet usage below, the following describes our Internet usage philosophy.

First and foremost, the Internet is a business tool, provided to you at significant cost. That means the City expects you to use your Internet access for business-related purposes, i.e., to communicate with customers and suppliers, to research relevant topics and obtain useful business information (except as outlined below). The City insists that you conduct yourself honestly and appropriately on the Internet, and respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others, just as you would in any other dealings with the citizens of this City. To be absolutely clear on this point, all existing City of Snellville policies apply to your conduct on the Internet, especially (but not exclusively) those that deal with intellectual property protection, privacy, misuse of City of Snellville resources, sexual harassment, information and data security, and confidentiality.

Unnecessary or unauthorized Internet usage causes network and server congestion. It slows other users, takes away from work time, consumes supplies, and ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for the City of Snellville and expose the City to significant legal liabilities. Electronic media such as chat rooms, newsgroups and e-mail on the Internet give each individual Internet user an immense and unprecedented ability to propagate messages. Because of that power, one must take special care to maintain the clarity, consistency and integrity of the City of Snellville's image and posture. Anything any one employee writes in the course of acting for the City of Snellville could be taken as representing the City of Snellville.

While the direct connection to the Internet offers a wealth of potential benefits, it can also open the door to some significant risks to City data and systems if one does not follow appropriate security discipline. As presented in greater detail below, that may mean preventing machines with sensitive data or applications from connecting to the Internet entirely, or it may mean that certain users must be prevented from using certain Internet features like file transfers. The overriding principle is that security is to be everyone's first concern. Individual employees will be held accountable for any breaches of security or confidentiality. Certain terms in this policy should be understood expansively to include related concepts.

"City of Snellville" includes all departments our affiliates, subsidiaries, and branches.

"Document" covers just about any kind of file that can be read on a computer screen as if it were a printed page, including the so-called HTML files read in an Internet browser, any file meant to be accessed by a word processing or desk-top publishing program or its viewer, or the files prepared for the Adobe Acrobat reader and other electronic publishing tools.

"Graphics" includes photographs, pictures, animations, movies or drawings.

"Display" includes monitors, flat-panel active or passive matrix displays, monochrome LCDs, projectors, televisions and virtual-reality tools.

DETAILED INTERNET POLICY PROVISIONS

A) General

1. The City of Snellville has software and systems in place that monitor and record all Internet usage. Our security systems are capable of recording (for each and every user) each World Wide Web site visit, each chat, newsgroup or e-mail message, and each file transfer into and out of our internal networks. The City reserves the right to monitor usage at any time. No employee should have any expectation of privacy as to his or her Internet usage. Our designated supervisors will review Internet activity and analyze usage patterns, and they may choose to publicize this data to assure that City of Snellville Internet resources are devoted to maintaining the highest levels of productivity.
2. The City of Snellville reserves the right to inspect any and all files stored in private areas of the City network in order to assure compliance with policy.
3. The display of any kind of sexually explicit image or document on any City of Snellville system is a direct violation of our policy on sexual harassment. In addition, sexually explicit material shall not be archived, stored, distributed, edited or recorded using our network or computing resources.
4. The City of Snellville uses independently supplied software and data to identify inappropriate or sexually explicit Internet sites. The City will block access from within its networks to all such sites that are known. If you find yourself connected accidentally to a site that contains sexually explicit or offensive material, you must disconnect from that site immediately, regardless of whether that site had been previously deemed acceptable by any screening or rating program. It is imperative that you immediately document the accidental connection to an inappropriate website and submit that documentation to your immediate supervisor. Failure to do so could result in adverse action taken against you.
5. The City of Snellville Internet facilities and computing resources must not be used to violate the laws and regulations of the United States or any other nation, or the laws and regulations of the State of Georgia, or any state, city, province or other local jurisdiction in any material way. Use of any City of Snellville resources for illegal activity is grounds for immediate dismissal, and we will cooperate with any legitimate law enforcement agencies in the investigation and prosecution of criminal activity.
6. Any software or files downloaded via the Internet into the City of Snellville network become the property of the City of Snellville. Any such files or software may be used only in ways that are consistent with their licenses or copyrights and for legitimate business related purposes.
7. No employee may use City of Snellville Internet facilities or computer resources to download or distribute illegally copied or pirated software or data.
8. No employee may use the City of Snellville Internet facilities or computer resources to create or propagate any computer virus, worm, Trojan horse, or trapdoor program code.
9. No employee may use the City of Snellville Internet facilities or computer resources to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

10. Each employee using the City of Snellville Internet facilities or computer resources shall identify himself or herself honestly, accurately and completely (including their affiliation with the City of Snellville and their position title and function where requested) in any form of online communication or when setting up accounts on outside computer systems.
11. Only those employees or officials who are authorized to speak to the media, to analysts or at public gatherings on behalf of the City of Snellville may speak/write in the name of the City of Snellville in any public online forum. Other employees may participate in online communication in the course of business when relevant to their duties, but they do so as individuals speaking only for themselves. Where an individual participant is identified as an employee or agent of the City of Snellville, the employee must refrain from any political advocacy and must refrain from the unauthorized endorsement or appearance of endorsement by the City of Snellville of any commercial product or service not sold or serviced by the City of Snellville. Only those managers and City of Snellville officials who are authorized to speak to the media, to analysts or in public gatherings on behalf of the City of Snellville may grant such authority to public online forum participants.
12. The City of Snellville retains the copyright to any material posted to any forum, World Wide Web page by any employee in the course of his or her duties.
13. Employees are reminded that all forms of online communication are public forums where it is inappropriate to reveal confidential City of Snellville information, customer data, trade secrets, and any other material covered by existing City of Snellville confidentiality policies and procedures. Employees releasing such confidential information via any online communication — whether or not the release is inadvertent — will be subject to the penalties provided in existing City of Snellville Personnel Policies and Procedures, as well as any applicable Federal, State or local laws.
14. Use of City of Snellville Internet access facilities or computer resources to commit infractions such as misuse of City of Snellville assets or resources, sexual harassment, unauthorized public speaking and misappropriation of intellectual property are also prohibited by general City policy and will be sanctioned under the relevant provisions of the City of Snellville Personnel Policies and Procedures handbook.
15. Because a wide variety of materials may be considered offensive by colleagues, customers or suppliers, it is a violation of City of Snellville policy to store, view, print or redistribute any document or graphic file that is not directly related to the user's job or the City of Snellville's business activities.
16. Employees personal use of the City of Snellville Internet access and other City provided or owned computer facilities for non-business related research or informational browsing shall only be permitted during meal times or other breaks, provided that all other usage policies are followed.
17. Employees with Internet access must take particular care to understand the copyright, trademark, libel, slander and public speech control laws of all jurisdiction in which the City of Snellville

maintains a business presence, so that use of the Internet does not inadvertently violate any laws which might be enforceable against us.

18. Employees granted Internet access shall not download or install any software that does not have a direct business use. Employees wishing to download appropriate software must obtain prior written authorization from their Department Director and must arrange to have such software properly licensed and registered. Downloaded software must be used only under the terms of its license.
19. Employees with Internet access may not use City of Snellville Internet facilities to download images or videos unless there is an express business-related use for the material.
20. Employees with Internet access may not upload any software licensed to the City of Snellville or data owned or licensed by the City of Snellville without the express written authorization of the manager responsible for the software or data.

B) Technical

1. User IDs and passwords help maintain individual accountability for Internet resource usage. Any employee who obtains a password or ID for an Internet resource from the City of Snellville must keep that password confidential. The City of Snellville policy prohibits the sharing of user IDs or passwords obtained for access to Internet sites.
2. Employees should schedule communications-intensive operations such as large file transfers, video downloads, mass e-mailings and the like, for off-peak times.
3. Any file that is downloaded must be scanned for viruses before it is run or accessed.

C) Security

1. The City of Snellville has installed an Internet firewall to assure the safety and security of the City of Snellville's networks. Any employee who attempts to disable, defeat or circumvent any City of Snellville security facility will be subject to immediate dismissal.
2. Files containing sensitive City of Snellville data, as defined by existing corporate data security policy, that are transferred in any way across the Internet must be encrypted.
3. Only those Internet services and functions with documented business purposes for the City of Snellville will be enabled at the Internet firewall.

D) Policy for the Use of Electronic Mail ("E-mail")

1. Purpose:

The City of Snellville ("City") provides electronic mail to its employees for their use in performing their duties for the City. This material sets forth the City's policy for proper use of electronic mail ("e-mail") and

addresses circumstances under which e-mail messages directed to one person may be accessed by other people within the City. This policy also states when e-mail messages may be disclosed to persons outside of the City.

Electronic mail is a local government record, and the purpose of this policy is to provide guidelines for the generation, access, and inspection of the public records generated and received by the City

2. Background:

Benefits of E-mail. E-mail provides the immediate and direct ability for individuals to communicate with each other and is therefore of great benefit to the City. The City provides E-mail to its employees and elected officials for the following purposes: (1) to improve the communication and overall relationship between the different departments within the City, thereby improving the effectiveness and efficiency of these departments and the services that they provide; (2) to improve the communication among and between the elected officials, the City administration, Department Heads, and City employees authorized to utilize the E-mail system; and (3) to facilitate effective and economical communication among and between the general public, residents of the City and the representatives of City.

3. Definitions:

Archive: To copy files into a long-term storage medium in order to retain for utilization backup.

Copyright Infringement: "Copyright," is the exclusive right of a person or a legal entity to reproduce, publish or sell a work (e.g., a picture, written article or a computer program) that it has created. Copyright infringement may occur if, for example, an individual copies a computer program or other work without the author's permission. E-mail messages that have computer programs or artwork attached to them should be carefully analyzed to insure that no copyrights are violated by the use or other reproduction of the program or artwork.

Distribution List: A list of intended recipients of an e-mail communication.

Electronic Mail ("e-mail"): Communications within and among Microsoft Exchange, the City of Snellville Home Page, Windows Internet Mail, Microsoft Internet Explorer, etc.

E-mail Records Master Copy: The archived e-mail records maintained by the City of Snellville.

Encryption: The translation of data into a secret code.

LAN: A network (or group) of personal computers and related devices (e.g., printers) in a small area (such as an office) that are linked together by cable; that can directly communicate with other devices in the network, and that can share resources (e.g., directories and files). LAN Administrators are those individual(s) in charge of insuring that the LAN works properly.

Network Server: A computer that is dedicated to managing network traffic. Individual desktop computers rely on network servers for files, printers and software.

WAN: "WAN" is the acronym for Wide Area Network, which is a network (or group) of LAN's.

4. Responsibilities:

Records Manager. The designated records custodian for all standard public records generated by the City is the designated records custodian for public records generated by e-mail as well. It is the responsibility of the Records Manager to accommodate members of the public who request access to e-mail by scheduling a time for access and by providing instruction regarding the operation of the e-mail program. The public will be able to access and inspect public records generated through the e-mail system at a designated public access terminal. The Records Manager will create and maintain a record of those members of the public who access the system. The Records Manager will establish standards and procedures to ensure the integrity of the e-mail Records Master Copy. The Records Manager will also levy and collect charges for providing copies of records generated through the e-mail system to the public; however, the charges will not exceed that allowed by Georgia law.

Data Management Administrator. The Data Management Administrator will provide technical support for the Records Manager as needed and will update data from all departments on a weekly basis in order to keep the e-mail public access database current. The Data Management Administrator will also provide any licensure or updates to the program as needed.

Departments Not on Networks. All departments within the City Administration which are not on Wide Area Networks but generate information through e-mail shall provide updated data to the Data Management Administrator on a weekly basis.

LAN Administrators. LAN administrators shall assure their e-mail accounts are properly set up to archive e-mail. LAN administrators shall also install and maintain a warning notice on the Wide Area Network programmed to appear when users login; this notice will advise users that e-mail is a public record and that it should be used for official purposes only. This message shall be included in the login script, along with a built in pause and instructions for the user to hit any key to go into the e-mail program.

Individuals Requesting Access to E-mail. All searches will be made by the requestor. Any requestor claiming a qualified disability will be accommodated by the City in accordance with the requirements of the Americans with Disabilities Act.

Mayor & Council Members. The City's elected officials are prohibited from the following: a) using e-mail in such a manner that would result in a quorum of the Council contemporaneously reading and responding to e-mail messages from other council members; and b) using e-mail in any manner that would constitute a "meeting" under Georgia's Open Meetings law (O.C.G.A. 50-14-1(a)(2)).

5. Ownership:

E-mail messages generated and received at the City of Snellville are City property and may be retrieved from storage even though both the sender and receiver deleted them. These messages may be used in

disciplinary proceedings. E-mail messages that are sent to or received from the City of Snellville but are stored on computer equipment that is not owned by the City are subject to retrieval and production via subpoena.

Department Directors/Supervisors have the authority to inspect the contents of any equipment, files, calendars or electronic mail of their subordinates in the normal course of their supervisory responsibilities. The Data Management Administrator shall have the authority to extract stored e-mail messages when requested to do so by authorized City personnel. Reasons for review and inspection include, but are not limited to, the following: system hardware or software problems; general system failure; regular system maintenance; a lawsuit threatened or asserted against the City; suspicion of a violation of City policies; suspicion of widespread or individualized inappropriate use of the e-mail system; receipt of a public records request; and/or a need to carry out task(s) or to provide service(s) when the responsible employee is otherwise unavailable.

6. Statement of Policy:

General. It is City policy that the e-mail system, like other City assets, is to be used exclusively for the benefit of the City. Use of the e-mail system to violate other City policies is prohibited and may lead to disciplinary action. All employees who use e-mail shall certify in writing that they have read and fully understand the content of this policy. Any and all opinions communicated using the e-mail system, whether express or implied, are those of the individual and do not necessarily express the opinions of the City or its administration and elected officials.

Privacy. City employees should be aware that others for a variety of valid reasons might read e-mail messages. Although this statement is true of many types of City correspondence, the nature of e-mail can lead one to forget or disregard the fact that e-mail is not the private property of the sender or recipient even though passwords or encryption codes are used for security reasons.

Personal Use. City employees should be aware that if they use the e-mail system to transmit personal messages, such messages will be treated no differently than other transmissions and may be accessed, reviewed, copied, deleted, or disclosed by the City. Employees should not expect that a personal message will never be disclosed to or read by someone other than the intended recipient(s).

Internet Access. The City provides Internet access as a part of its E-mail system; however, City employees may only access the Internet for work-related purposes in the furtherance of their responsibilities on behalf of the City.

Authorized Uses. Supervisors or Department Heads may authorize the use of e-mail to send and receive messages and to subscribe to and obtain the services of recognized professional organizations and entities relating to the official duties of the City. All employees are authorized to use e-mail as they would any other official City communication tool. Communication by e-mail is encouraged when it is the most efficient and effective means of communication. The sender of e-mail messages retains the primary responsibility for ensuring that the intended receiver receives his or her communication.

Uses Subject to Authorization. The following uses require the written approval of the employee's Department Head and/or other members of the City administration:

- Use of hardware, software, and related computer equipment for the transmission and receipt of e-mail messages if such equipment is not the property of the City.
- Reading the electronic mail of another employee. However, the contents of an e-mail message may be inspected pursuant to section IV of this Policy.
- Encrypting any e-mail message unless specifically authorized to do so without depositing the encryption key with the LAN administrator or one's immediate supervisor prior to encrypting the message. If an employee is allowed to encrypt an e-mail message, this does not mean that the message is intended for personal communication, nor does it suggest that encrypted e-mail messages are the private property of the employee.

Prohibited Uses. The following actions are prohibited:

- Intercepting, eavesdropping, recording, or altering another person's e-mail message.
- Forwarding a message that you receive to another without the permission of the originator of the message.
- Adopting the identity of another person on any e-mail message, attempting to send electronic mail anonymously, or using another person's password.
- Composing an e-mail message which contains racial or sexual slurs or jokes or otherwise contains patently harassing, intimidating, abusive, or offensive material to or about others.
- E-mail messages are subject to all City policies governing sexual harassment and other forms of harassment as well as discrimination based on race, sex, or national origin.
- Using e-mail for any commercial, promotional, or business purpose, including the transmittal of personal messages offering to buy or sell goods or services.
- Using e-mail to create a personal social media account.
- Using e-mail to conduct unauthorized employee organization or association business.
- Using e-mail to conduct union business.
- Sending or receiving software in violation of copyright law.
- Using e-mail to communicate any message of a political, religious, obscene or derogatory nature.
- Using e-mail to conduct any type of illegal activity.

Confidential Information. Georgia law requires that all employees protect the integrity of any confidential information generated by or on behalf of the City as well as confidential information concerning others. Employees must exercise a greater degree of caution in transmitting confidential information through the e-mail system than with other modes of communication because of the ease and simplicity with which this information can be redistributed. Confidential information should never be transmitted or forwarded to other City employees who do not have a "need to know" the information. To reduce the chance that confidential information may inadvertently be sent to the wrong person, avoid the misuse of distribution lists by ensuring that any lists used are current prior to the transmission of information. Review each name on any list of recipients before transmission to ensure that all recipients have a need to know the information.

City employees should consult the appropriate Department Head, Supervisor, or, if necessary, legal counsel to answer any questions regarding the confidentiality of information. Types of information often considered confidential include, but are not limited to, the following:

- Information from an individual's personnel file
- Personal/family information about City employees, including home addresses and phone numbers
- Information relating to potential litigation, existing litigation, claims against the City, administrative hearings of a criminal or civil nature, or any judicial proceeding
- Information that, if released, would give a competitive advantage to one competitor or bidder over another
- Drafts or working papers involved in the preparation of proposed legislation
- Private correspondence of elected officials
- Trade secrets
- Commercial or financial information of outside businesses
- Information related to the regulation of financial institutions or securities
- Social Security numbers
- Photographs of police officers or other law enforcement officers
- Information the City obtains from businesses pertaining to environmental audits.

E-mail messages that contain confidential information should have a confidentiality legend in all capital letters at the top of the message in a form similar to the following:

"THIS MESSAGE CONTAINS CONFIDENTIAL INFORMATION OF THE CITY OF SNELLVILLE. UNAUTHORIZED USE OR DISCLOSURE IS PROHIBITED."

Since copies of e-mail messages may be placed on back-up or other systems out of the control of the City employee generating the message and/or may be accessed by information system personnel or others who do not need to know the information, all employees should remember that it may be inappropriate to communicate certain types of confidential information through the e-mail system.

In addition, to minimize the inadvertent disclosure of confidential information, employees should not access their e-mail messages in the presence of others unless such messages have been reviewed to ensure that the information contained therein is not confidential. Messages should not remain visible on the monitor when a user is away from his or her computer. E-mail passwords should be routinely changed; however, all passwords must be reported to the City employee's immediate supervisor or the appropriate Department Head.

Copyright Infringement. The ability to attach a document to an e-mail message for distribution to others greatly enhances the risk of copyright infringement. A system user can be liable for the unauthorized copying and distribution of copyrighted material through the e-mail system.

Accordingly, City employees and elected officials should not copy and distribute copyrighted material of a third party (such as software, database files, documentation, articles, graphics files and down-loaded information) without advance confirmation that the City has the right to copy or distribute such material. Any questions concerning copyrighted information should be directed to the City Administrator or, if necessary, the City Attorney.

Messages to Legal Counsel. All messages to and from the City Attorney or other legal counsel seeking or providing legal advice or otherwise pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions should be marked with the following legend in all capital letters at the top of the message:

"CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED INFORMATION"

In addition, in order to preserve the attorney-client privilege, messages to and from the City Attorney should never be sent to others via distribution lists, should never be forwarded to anyone else, and should never be retained on a network e-mail system. If it is necessary to retain a copy of an attorney-client privileged communication, it should be printed and placed in the appropriate file. Confidential communications between the City and its legal counsel should not be archived for disclosure to the public.

Deletion of Messages. The City strongly discourages the local storage of large numbers of e-mail messages. Retention of such messages utilizes a large amount of storage space within the network server and may also slow down performance of the system. In addition, because e-mail messages can contain confidential information, it is advisable to limit the number, distribution, and availability of such messages. If the message generated or received is a public record and should therefore be retained, employees should archive the message within a week of its receipt or generation. Once a month, the Data Management Administrator will determine which e-mail messages retained on the system may be deleted and will delete these messages.

Reporting of Suspected Unauthorized Access. All suspected intrusions into the e-mail system by unauthorized persons or City employees must be reported immediately to the appropriate Department Head Supervisor, who will then ensure that information systems management is notified along with any other necessary persons.

Miscellaneous Considerations. E-mail is a valuable mode of communication and is provided by the City in order to improve its quality of service. However, employees should consider the following when determining whether a message is appropriate for e-mail transmission:

- Avoid generating an e-mail message about someone if you would not verbally make the same statement to this person or write a formal memo containing this statement.
- Avoid generating an e-mail message that may be perceived as ill considered, uninformed, or offensive.
- Avoid using the e-mail system if a more time or cost-effective communication tool is available (for instance, when a telephone conversation would be quicker and/or more efficient).
- Avoid using the e-mail system as a substitute for manager-subordinate face-to-face communications.
- Avoid using the e-mail system for personnel performance-related communications.

7. Modification of this Policy:

The City reserves the right to change this, e-mail policy at any time and will notify its employees of any material changes. City employees are responsible for reviewing and abiding by this policy and any modifications thereto.

8. Violations of this policy:

Violations of this policy will be evaluated on a case-by-case basis and may result in disciplinary action. All e-mail messages are subject to all state and federal laws and rules applicable to the use of the e-mail system. In addition, violations of this policy or misuse of the e-mail system that are of a criminal nature will be referred to the appropriate authorities for criminal prosecution.

E) Social Media Policy

1. Purpose:

The purpose and intent of this policy is to establish guidelines for employees who engage in social media activity as defined herein. This policy is not intended to prohibit any employee's personal expression in general or through social media activity in particular; however, because such activity can adversely affect the efficiency and effectiveness of City of Snellville operations, as well as undermine public trust and confidence, a certain amount of regulation is necessary and appropriate. This policy therefore attempts to strike a reasonable balance between the employees' interest in engaging in social media activity and the City of Snellville's interest in preventing unnecessary disruption to or interference with its operations and relationship to the public it serves.

2. Definitions:

a) For purposes of this policy, the term "social media" is defined as the online technologies through which employees and other individuals engage in "social media activity" as defined below. In most cases, the term refers to internet-based websites such as MySpace®, Facebook®, Twitter®, LinkedIn®, Google+®, YouTube®, Tumblr®, Snapchat®, TikTok®, and Blogger®. Online social media technologies covered by this policy also include, but are not limited to, such applications as web logs/blogs, video logs/vlogs, message boards, podcasts, and wikis.

b) For purposes of this policy, the term, "social media activity" is defined as the act of sharing information or otherwise communicating through social media, including, but not limited to, the posting, uploading, reviewing, downloading, and/or forwarding of text, audio recordings, video recordings, photographs/images, symbols, or hyperlinks.

3. Scope of Policy:

a) This policy applies to all employees of the City of Snellville without regard to whether their social media activity is conducted in or outside the workplace, while on or off-duty, or anonymously or through the use of pseudonyms.

b) This policy applies to all employees of the City of Snellville without regard to job title, position or rank. However, with the approval of the Chief of Police, the Police Department and any other department or affiliated agency of the City of Snellville having special or unique concerns pertaining to its employees' social media activity may adopt and implement more restrictive SOP's or other internal rules narrowly designed to address such concerns.

4. Prohibitions on Social Media Policy:

a) All employees of the City of Snellville should remain mindful that, as public servants, they are generally held to higher standards than the general public with regard to their on-duty and off-duty conduct, professionalism, and ethics. As a result, certain social media activity that may be tolerated or even acceptable in the private sector may nevertheless constitute a violation of this policy.

b) Each employee of the City of Snellville who engages in social media activity must take personal responsibility for ensuring that such activity is consistent with all policies of the City of Snellville, including, but not limited to, those pertaining to making false or misleading statements, promoting or endorsing violence or illegal activity, promoting or endorsing the abuse of alcohol or drugs, disparaging individuals or groups based on race, ethnicity, national origin, gender, sexual orientation, religion, disability, or other characteristics protected by law, or otherwise engaging in conduct unbecoming an employee of the City of Snellville, bringing discredit to the City of Snellville, or interfering with or detrimental to the mission or function of the City of Snellville.

c) Employees must refrain from engaging in any social media activity which disqualifies them from performing, or in any way reasonably calls into question their ability to objectively perform, any essential function of their jobs. Examples of such functions include, but are not limited to, testifying, making hiring or promotion decisions or recommendations, conducting performance evaluations, and determining eligibility for City of Snellville programs.

d) While any employee, at his/her discretion, may engage in social media activity with any other employee(s) consistent with the prohibitions, limitations and restrictions, and guidelines of this policy, no employee may be required or otherwise compelled to engage in such activity with another employee.

e) No employee, whether for purposes of engaging in social media activity or otherwise, may disclose or otherwise reveal any privileged or confidential information of the City of Snellville, any other current or former employee of the City of Snellville, or any applicant for employment with the City of Snellville.

5. Limitations and Restrictions on Social Media Activity:

a) Employees are strongly discouraged from disclosing or otherwise revealing their status as employees of the City of Snellville through social media and, except as otherwise authorized in advance by the City Manager, are strictly prohibited from directly or indirectly representing themselves to be speaking on behalf of the City of Snellville. Similarly, in the absence of prior approval by the City Manager, employees' social media activity should not reveal or depict the City of Snellville's adopted logos, seals, symbols, uniforms, patches, badges, or similar items identified with the City of Snellville.

b) Except as otherwise authorized in advance by the City Manager, if an employee's status as an employee of the City of Snellville is disclosed, revealed, or otherwise made apparent in connection with his/her social media activity, his/her social media activity must include a prominently displayed disclaimer to the effect that the activity reflects only the employee's personal views or opinions and not those of the City of Snellville; provided, however, that no disclaimer will shield an employee from the imposition of appropriate corrective and/or disciplinary action for social media activity which otherwise violates this policy. Employees should recognize that social media activity is generally more likely to violate this policy and other policies of the City of Snellville if their status as City of Snellville employees is disclosed or revealed in connection therewith.

c) Except as otherwise authorized in advance by the City Manager, no employee may utilize City of Snellville computers or equipment for purposes of engaging in social media activity.

d) Except as otherwise authorized in advance by the City Manager, no employee, whether for purposes of engaging in social media activity or otherwise, may post or upload any information, audio recordings, video recordings, photographs/images, etc. from City of Snellville computers or equipment.

e) To preserve the continuity of the City of Snellville's message, ensure accuracy, and avoid unnecessary confusion in the community, except as otherwise authorized in advance by the City Manager, employees should refrain from engaging in any social media activity that purports or serves to announce or explain the details of City of Snellville programs, projects, activities, initiatives, or events.

f) Exceptions to the above-stated limitations and restrictions may be authorized by the City Manager; provided, however, that any request for such an exception represents a promise by the employee that, if approved, the disclosure of information, photographs, audio, video, etc. via social media activity will be fully consistent with the letter and spirit of this and all other policies of the City, any internal SOP's or rules adopted by his/her department director, as well as any laws pertaining to copyrights, trademarks, trade secrets, patents, and privacy and reputational rights.

g) The City of Snellville reserves the right to require any employee to remove immediately any posted or uploaded text, audio recordings, video recordings, photographs/images, etc. (even if previously approved) if such posted material constitutes a violation of this policy or other City of Snellville policies.

6. Application to Other Policies:

All personnel policies of the City of Snellville relating to employee conduct apply equally to conduct that occurs through social media.

7. Duty to Report:

All employees have an ongoing duty to report any violations of this policy by any other employee. The City of Snellville considers this duty to report to be a critical component of its efforts to enforce this policy, and thereby ensure the safety, well-being, morale, and efficiency of its employees, preserve its reputation and goodwill in the community, and avoid or minimize unnecessary disruptions to or interference with its operations and service to the public.

8. No expectation of Privacy in Social Media Activity:

a) City of Snellville employees should be aware that social media activity is not secure or private, even if active steps are taken to restrict access. Once information has been posted or exchanged via social media, it is generally trackable, traceable, and accessible indefinitely. For this reason, and consistent with the City of Snellville's current Internet Usage Policy, employees should have no expectation of privacy in any social media activity conducted in the workplace and/or on-duty or in any social media activity which otherwise directly or indirectly relates to or affects the City of Snellville, any of its departments, or its employees.

b) The City of Snellville reserves the right to inspect or monitor any social media activity engaged in by its employees using City of Snellville owned computers or other electronic equipment or devices. In accordance with state law, employees may be required to provide access to any social media websites or other applications in which they participate upon a determination by the City that there is reasonable suspicion to believe that such access will reveal evidence of a violation of this policy or any other City of Snellville policy.

9. Workplace and/or On-Duty Usage:

Because it recognizes that social media is an emerging form of communication, the City of Snellville permits employees to engage in limited social media activity in the workplace and/or while on duty, similar to receiving a personal text message or a telephone call of limited duration. Employees choosing to do so, however, are expected and required to use proper judgment and discretion, recognizing that even very brief periods of social media activity can collectively amount to significant periods of time. Supervisors are authorized to restrict or prohibit workplace/on-duty social media activity, as appropriate.

10. Corrective and/or Disciplinary Action; Other Potential Consequences:

- a) Employees engaging in social media activity in violation of this policy will be held accountable, and corrective and/or disciplinary action, up to and including termination of employment, may be taken in accordance with the City of Snellville's disciplinary policies procedures.
- b) If an employee is sued in part due to his/her social media activity under circumstances where the City of Snellville would ordinarily provide a defense and/or indemnify the employee, the City of Snellville reserves the right to withhold or withdraw such defense or indemnification in the event any such activity is found to violate this policy or any other policy of the City of Snellville.

11. Interpretation and Application:

- a) Nothing in this policy is intended to or will be applied in a manner that violates any employee's constitutional rights, including rights to freedom of speech, expression, and association, or federal or state rights to engage in any statutorily-protected activity.
- b) Any employee unsure about the application of this policy to any particular social media activity should seek guidance from the Director for their respective Department before engaging in such activity.
- c) This policy is intended for internal use of the City of Snellville only and should not be construed as establishing a higher duty or standard of care for purposes of any third party civil claims against the City of Snellville and/or its employees. A violation of this policy by an employee provides only a basis for corrective and/or disciplinary action against such employee by the City of Snellville.

12. Records Retention:

Employees that engage in social media activities on the City's behalf and all City-sanctioned social media accounts shall adhere to applicable federal, state and local laws, regulations and policies, including the Georgia Open Records Act and the records retention schedules issued by the Georgia Archives. All content must be managed, stored and retrieved to comply with these laws. Any content removed from a City social media site will be maintained in accordance with the Georgia Open Records Act.

4.8 DRUG AND ALCOHOL FREE WORKPLACE

The City of Snellville abides by the practices of the "Drug and Alcohol Free Workplace Act of 1988" that all employees of the City must adhere to. It is the City's intent to provide a working environment as free from the use of non-prescribed drugs and alcohol as reasonably possible. Given the potential risk of harm to employees and others if they are attempting to perform their duties while using drugs or alcohol, the City has adopted the following policy. Any employee who feels he or she has developed an addiction to, dependence upon, or problem with alcohol or drugs is encouraged to seek assistance. Further, this policy is to provide compliance with the mandates of Federal Law including but not limited to the Omnibus Transportation Employee Testing Act of 1991. The following terms and phrases are defined below to help an employee recognize terms and conditions of the policy:

Applicant: defined as any person who makes application for public employment with the City of Snellville.

Recognized Drug Test: the collection and testing of bodily fluids administered in the same manner or the equivalent to that required by the "Mandatory Guidelines for Federal Workplace Drug Testing Program" (HHS Regulations 53 Fed. Regulations 11979 et. seq., as amended) or other valid professional procedures approved by the State of Georgia or the Federal Government.

Covered Substances: defined as alcoholic beverages of any kind, controlled and/or illegal drugs which include: marijuana as designated in O.C.G.A. 16-13-21 as amended; any controlled substance as defined in §(4) of O.C.G.A. 16-13-21 as amended; any dangerous drug as defined in O.C.G.A. 16-13-71, as amended; or any other controlled or dangerous substance that persons are prohibited from by law. Said term shall not include any drug when used pursuant to a lawful prescription or when used as otherwise authorized by state or federal law.

Prohibited Activities:

1. The manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of any controlled substances or illegal drug;
2. Being under the influence of alcohol, illegal drugs, or substances in any manner when on duty; whether or not consumed on City premises and whether or not consumed outside of or during working hours; this includes being impaired by lawfully prescribed drugs that have been abused; and any arrest(s) relating to such use;
3. ** An employee convicted of felony drug statute or driving under the influence of drugs and/or alcohol under Section 40-6-391 of the official Code of Georgia, or a conviction under a similar law in Georgia or of another state, must notify the City no later than five days after such conviction. For the purposes of this policy, a plea of nolo contendere or a sentence under a first offender statute shall constitute a conviction. Such a conviction may subject the employee to disciplinary action, up to and including dismissal; **
4. Performing duties while under the influence of alcohol or controlled and/or illegal substances or drugs regardless of whether the employee is on or off City premises;
5. An employee who engages in such conduct while on the City's premises, in City vehicles, while on duty, or in uniform, is engaged in misconduct and subject to disciplinary action, up to and including immediate dismissal.

A. General Testing

The City reserves the right to test any employee at any time:

1. In conjunction with a scheduled physical examination or during pre-employment screening;

2. When there is reason to believe, in the opinion of the City, that an employee is under the influence of or impaired by alcohol or drugs (prescribed or non-prescribed) while on workplace premises, during working hours, or while on duty, or has reported to work under the influence of an illegal controlled substance.

It is an employee's responsibility when using legally (prescription) obtained drugs to notify his or her immediate supervisor of any and all symptoms, which may render him or her "unfit for duty". Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall be cause for disciplinary action.

B. Testing for Commercial Motor Vehicle Operators

In accordance with the Omnibus Transportation Employee Testing Act of 1991, the City of Snellville has developed an addendum to its Drug and Alcohol policy covering all City employees who operate a commercial motor vehicle. (In the event that the above Act is amended, the policy is automatically amended to be consistent with any changes to the Act of federal regulations.) A commercial motor vehicle, as the term used in this policy, is a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

1. Has a gross combination weight of 26,000 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
2. Has a gross vehicle weight rating of 26,001 or more pounds;
3. Is designed to transport sixteen (16) or more passengers, including the driver;
4. Is of any size and is used in the transportation of materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act and which requires the motor vehicle to be placarded under the Hazardous Materials Regulation.

To the extent an employee is an operator of a motor vehicle, the federal government has developed regulations for controlled substances and alcohol use and testing, as codified in the Code of Federal Regulations 49 C.F.R.382, et seq. and the appendices thereto, for such employees. For any City employees shall be tested for pre-employment testing, and follow-up testing in accordance with the methods and procedures described in the Code of Federal Regulations.

As to any other provision in this policy which conflicts with the Code of Federal Regulations in regards to the testing of an operator of a commercial motor vehicle; the provisions of the federal regulations will be adopted in place of any conflicting language as contained in this policy.

C. Termination and Disqualification from Employment

The City recognizes that illegal drug and alcohol use and addiction are an unfortunate part of our society. The City therefore encourages any employee who believes he/she has a problem with drugs/alcohol to contact the City Personnel Officer or Designee to report the problem and the Personnel Director will keep on file resources that can help the employee.

Any employee with a drug or alcohol problem who voluntarily enters into a drug and/or alcohol treatment program will not automatically be terminated provided the employee meets and adheres to the conditions and terms of treatment outlined in the City's expanded Drug and Alcohol Policy (available upon request through the City's Personnel Director). However, the City of Snellville still reserves the right to terminate the employee, suspend without pay, or modify the employee's position based on the facts and circumstances of the case.

Any applicant for City employment who refuses to submit to an established test for the use of illegal drugs or who shows a positive result from such a test shall be disqualified from employment by the City. Such disqualification shall not be removed for a period of two years from the date that such test was administered or offered, whichever is later. The results of such test as to the person deemed disqualified as a result shall be confidential and shall not be a public record. (Code 1981, Section 45-20-111, enacted by Ga. L. 1990, p. 2046, Section 1.)

Nothing in this policy shall require the City to pay for any drug or alcohol abuse treatment program. Additionally, nothing in this policy will guarantee nor should be construed as a contract that the employee will be given the opportunity to participate in a treatment program and/or continue to be employed by or be reinstated as an employee of the City.

4.9 TOBACCO FREE WORKPLACE

Employees are prohibited from using tobacco products or smoking materials in any form during work hours, when representing the City and within City property.

For purposes of this policy, "City Property" shall include all city-owned vehicles, buildings owned, leased, rented and areas maintained by the City, any grounds, parking lots, and construction of worksites under City of Snellville control.

The use of "tobacco products or smoking materials" refers to the lighting and smoking of cigarettes, cigars, pipes, and or other similar items such as electronic cigarettes and "vaping" devices, as well as the use of smokeless tobacco products.

4.10 STANDARDS OF ETHICAL CONDUCT

It is policy of the City to expect all employees to comply with all Rules and Regulations, state statutes and federal regulations in the performance of their job duties. An employee who violates any of the Rules and Regulations shall be subject to disciplinary action.

Employees who may be in a position to influence actions and decisions regarding City administration shall refrain from relationships, which may adversely affect the exercise of their independent judgment in dealing with businesses, organizations and individuals conducting business with the City.

A. Nepotism

No relative of the mayor, any council member, or the city manager, shall be employed in any position with the city.

In addition, it shall be the policy of the City of Snellville to prohibit two (2) or more relatives to be employed within the same department.

For the purpose of this policy, the term "relative" shall mean wife, husband, mother, father, brother, sister, son, daughter, grandmother, grandfather, grandson, granddaughter, aunt, uncle, nephew, niece, or cousins of the first generation. Also included are the step, half and in-law relationships as appropriate based on the above listing. Also included are others living within the same household or otherwise so closely identified with each other as to suggest a family unit.

In the event of a marriage between two employees of the same department during employment, one employee is required to make arrangements for a transfer or submit his or her resignation within 30 calendar days of such event. If no prior arrangements are made with the Personnel Officer, the employee hired last will forfeit their position.

Any person who is a relative of the mayor, city council member, or the city manager, who is employed by the city at the time such mayor, council member, or city manager is elected or appointed to office or hired may continue in his employment with the city.

B. Non-Fraternization

Romantic or sexual relationships between a manager/supervisor and a direct report employee can cause real or perceived conflicts of interest. In order to prevent these conflicts, the City prohibits such relationships or any conduct that is intended or may reasonably be expected to lead to the formation of a romantic or sexual relationship between a manager/supervisor and an employee in a direct reporting relationship. This policy applies regardless of whether or not both parties freely consent to such relationships. Should a manager desire to date or become involved with a direct report employee, the manager should first resign from their position with the City.

Should two employees within the same department but not in a direct reporting relationship desire to become involved in a romantic relationship, they should disclose the relationship to the Department Director who shall then make a decision regarding the effect of the relationship on work product and work flow within the department. If in the judgment of the department director, the relationship between two employees within the department creates a negative effect on departmental operations, then one of the two will be asked to transfer or resign their position with the City.

By its prohibition of romantic and sexual relationships, the City does not intend to inhibit the social interaction (such as lunches, dinners, or attendance at entertainment events) that are or should be an important part or extension of the working environment.

C. Gifts and Gratuities

Employees shall not accept gifts, gratuities or loans from organizations, businesses, or individuals that conduct business with the City in which the employee may be involved. This policy does not apply to the acceptance of articles of negligible value, which are distributed generally to the public. This policy does not apply to an employee's personal business transactions such as obtaining personal loans from regular lending institutions.

4.11 OUTSIDE EMPLOYMENT

Regular Full Time Employment with the City shall have precedence over other occupational interests of employees. All outside employment for wages, or commissions and all self-employment must be reported to and approved by an employee's department director and the Personnel Officer. This policy applies to all City employees and conflicting outside employment shall be grounds for dismissal.

City employees must adhere to the following concerning outside employment:

1. Such employment shall not interfere with the efficient performance of the employee's duties;
2. Such employment shall not involve a conflict of interest or conflict with the employee's duties;
3. Such employment shall not involve the performance of duties that the employee should perform as part of their employment with the City;
4. Such employment shall not occur during the employee's regular or assigned working hours unless the employee is on either paid vacation leave, compensatory leave, or leave without pay.
5. Such employment shall not be conducted on City property at any time.

In order to assure that no employee will have a conflict of interest because of outside employment the City will require that the employee submit to his or her Department Director the following information about any outside employment.

- a) Name of Employer.
- b) Address of Employer.
- c) Normal hours worked.

- d) Expected length of employment.

The department director has the responsibility for assuring that the outside employment falls within the guidelines above. Copies of the outside employer information should be forwarded to the Personnel Officer for inclusion in the employee's personnel file.

4.12 RECORDS

A. Open Records

It is the policy to the City to comply with the Georgia Public Records Law (O.C.G.A. § 50-18-70 et seq.). The City's Personnel Rules and Regulations, Classification and Pay Plans and City employee rosters shall be considered public records.

B. Personnel Records

A City employee may submit a written request to the Personnel Officer to examine his/her active and inactive personnel records. The Personnel Officer must honor that request within a reasonable period of time. Review of personnel records must be made during regular working hours in the presence of staff assigned to monitor such activity.

C. Personnel Actions

All personnel actions described in these Rules and Regulations shall be made on official city forms as designated by the Personnel Officer. All personnel forms and records shall be retained in the City's central personnel files and in individual employees' files. All personnel actions must be documented on the appropriate personnel forms and must be retained in the files cited above in order to be considered official city action. The retention of duplicative personnel files in each department is up to the discretion of each department director.

D. Preservation

The Personnel Officer shall be the official custodian of all personnel records and shall be responsible for their safekeeping and retention prescribed by law.

Personnel records and files of persons appointed to positions in the City's Classified Service shall be kept as outlined in the Records Retention Policy. All such information shall be part of the permanent personnel file of persons appointed.

Personnel files for employees appointed to regular and temporary positions shall be separated into active and inactive files. An employee's active file shall contain all personnel records related to his/her employment status and job performance. An employee's inactive files shall contain records, which are designated by law to be confidential such as medical information and worker's compensation records. These

records must be maintained separately from active files. The Personnel Officer shall be responsible for monitoring the usage and access of all records to ensure compliance with laws regarding record confidentiality.

Records pertaining to persons not appointed shall be retained for at least one (1) year after the position to which the applicant applied has been filled.

4.13 POLITICAL ACTIVITY POLICY

No employee of the Classified Service of the City of Snellville shall be a candidate for or an officer of a political office with the City of Snellville during his/her employment with the City. City employees may not engage in any political campaign activities while on duty, while in the work place, while in uniform, or while using a City vehicle. This prohibited activity includes, but is not limited to, distributing information or soliciting contributions or services for any political party, political candidate or organization while on duty. City employees may not use City funds, supplies or equipment for such purposes.

Nothing herein contained shall be construed to restrict the right of employees in Classified Service to hold membership in and support a political party, to vote as he/she chooses, to express personal opinions on political subjects and candidates, to maintain political neutrality, or to attend political meetings during non-working hours. However, City employees should not express their personal opinions, regarding City of Snellville elections while engaged in official city business.

5.1 WORKER'S COMPENSATION

An employee who becomes injured while performing his/her job shall be covered by the provisions of the Georgia Worker's Compensation Act (O.C.G.A. §34-9-81). These provisions apply to both regular and temporary employees.

A. Filing a Claim

If possible, an employee who becomes injured while performing his/her job must seek treatment or care from a doctor on the City's approved list of physicians for worker's compensation cases. The accident must be reported immediately, or as soon thereafter as possible, to the employee's immediate supervisor.

Failure to report the incident within thirty (30) days of injury may result in the loss of future benefits under the Georgia Worker's Compensation Act. The City shall file a worker's compensation claim on behalf of the employee to the State Board of Worker's Compensation.

B. First Seven (7) Days of Injury

For claim-related absences during the first seven workdays after the incident, the employee must use available sick leave (or annual leave if sick leave balances are depleted) in order to be compensated by the

City for those lost days. If the employee does not have accrued leave balances, then those days must be taken as leave without pay. A portion of that time may be paid later by the State if the claim meets certain conditions as determined by the State Board of Worker's Compensation. If the claim-related absence exceeds seven days then the employee may receive wage replacement benefits under the Georgia Worker's Compensation Act.

C. Wage Replacement Benefits

If the claim results in absences over seven (7) workdays, the employee may be eligible to receive wage replacement benefits, which shall be determined by the State Board of Worker's Compensation. If worker's compensation payments are approved by the State Board, the employee may use accrued sick leave to receive income from the City to supplement the worker's compensation payments. Accrued annual leave may be used when sick leave hours have been depleted.

If adequate sick and annual leave has been accrued, the income that the employee will receive from the City, when added to the worker's compensation payments, shall total the regular net pay that the employee was receiving prior to the injury. The City's portion of these payments shall continue until the dollar value of the employee's accrued sick and annual leave is depleted or until the employee returns to work, whichever comes first. The employee will also continue to accrue sick leave and annual leave during this period in which the City is supplementing worker's compensation payments.

If the employee's leave balances are depleted prior to the employee returning to work, the City's portion of the wage payments will be discontinued. The employee may then request to be placed on a leave of absence without pay for temporary disability as prescribed in section 5.4.

D. Returning to Work

The employee is required to notify the City and the Workers' Compensation insurance carrier when he/she is able to return to work either on a full-time or part-time basis based on the recommendation of the treating doctor.

Upon returning to work, the City shall assign the employee to the same job or to a comparable job if allowed by the treating doctor. The City shall transfer the employee to another position, if necessary, when the treating doctor recommends light duty assignment, if such assignment is available. The Department Director shall determine the appropriate job assignment for the employee.

The employee may be entitled to reduced benefits from the State Board of Worker's Compensation if the employee's work schedule has been reduced or his/her job assignment has been changed if the injury results in a partial disability; such determination will be made by the State Board. Upon being released from partial disability, the City shall set the employee's pay rate at his/her rate prior to the injury.

5.2 SICK LEAVE

Sick leave, unlike annual leave, is not owned by the employee. Sick leave with pay shall be granted to eligible employees for the following reasons:

- 1) Personal illness or injury;
- 2) Illness or injury of an employee's spouse, parent, son or daughter, including those of an in-law, step, adoptive or foster relationship;
- 3) Temporary disability for reasons such as maternity leave; convalescence from serious illness, injury or surgery;
- 4) Appointments of the employee or their immediate family with physicians, dentists, or other medical practitioners.

All regular and provisional full-time employees shall accrue paid sick leave. Temporary full-time; permanent part-time; and seasonal part time employees shall not be eligible to accrue sick leave. Sick leave shall be accrued while regular full-time employees are in a paid leave status. No employee on leave without pay shall be eligible to accrue paid sick leave.

A. Sick leave Accrual Rates (Regular and provisional full-time employees)

<u>Accrual Rate</u>	<u>Maximum Accumulation</u>
3.69 hours/ pay period (96 hours/year)	720 hours

An employee shall notify the supervisor or Department Director of his/her intention to use sick leave immediately if on duty or as soon thereafter as possible. Failure to do so may be cause for denial of sick leave with pay for the period of the absence. Sick leave shall not be charged in increments of less than one-quarter (1/4) hour or 15 minutes. When an employee's available balance of sick leave hours has been depleted, any accrued annual leave will be used in place of sick leave.

B. Unused Sick Leave

At retirement or approved separation from the city, employees will be eligible to receive payment for twenty-five percent (25%) of their accrued sick leave to a maximum of one-hundred sixty (160) hours. Approved separation shall consist of a minimum of two (2) weeks' notice in writing, with the employee working throughout those two weeks. With written approval from the Department Director an employee may substitute accrued annual leave for a portion of their two (2) week notice.

C. Doctor's Certificate

Any sick leave granted in accordance with the reasons cited in this section may require the submittal of medical certification signed by a doctor substantiating that the employee is unable to report to work. A signed medical certification may be required if sick leave is taken for more than three (3) consecutive days,

on a day immediately before or after a vacation day, holiday, or weekend day. Prior to returning to work, such certification may be required to verify that the employee is able to return to work. The Department Director shall determine when the certification is necessary.

D. Sick Leave Donation

City of Snellville recognizes that employees may have a family or a personal medical crisis that causes a severe impact to them resulting in a need for additional time off in excess of their available sick/personal time. To address this need all eligible employees will be allowed to donate sick time from their unused balance to their co-workers in need in accordance with the policy outlined below. This policy is strictly voluntary.

1. Eligibility

Employees who donate sick time must be employed with City of Snellville for a minimum of one (1) year.

2. Guidelines

Employees who would like to make a request to receive donated sick time from their co-workers must have a situation that meets the following criteria:

- Family Health Related Emergency- Critical or catastrophic illness or injury of the employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. Immediate family member is defined as spouse, domestic partner, child, parent or other relationship in which the employee is the legal guardian or sole caretaker.

Employees will be required to request and be approved for FMLA in order to receive donated sick time.

Employees who donate sick time from their unused balance must adhere to the following requirements:

Donation minimum – 8 hours

Donation maximum – 16 hours

Note: Employees who donate time must have sufficient time in their balance and will not be permitted to exhaust their balances due to the fact that they may experience their own personal need for time off. Employees cannot borrow against future sick time to donate.

Employees who receive donated sick time may receive no more than 480 hours (12 weeks) within a rolling 12 month period.

Employees who are currently on an approved leave of absence cannot donate sick/personal time.

Employees whose pay is supplemented with donated sick leave will still be considered on leave of absence without pay. The employee will not accrue annual or sick leave and will not receive paid leave

on holidays.

3. Procedure

Employees who would like to make a request to receive donated sick time are required to complete a Request for Donation of Sick Time form which includes authorization to present their request to the employees of City of Snellville for the sole purpose of soliciting donations.

Employees who wish to donate sick time to a co-worker in need must complete a Request to Donated Sick Time form.

Requests for donations of sick time must be approved by Human Resources, the employee's immediate Supervisor and/or Department Director, and the City Manager.

All forms should be signed and approved by the Department Director and then returned to the Personnel Officer. The Personnel Officer will send the employee's donation request to all city employees.

If the recipient employee has available sick/personal time in their balance, this time will be used prior to any donated sick time.

Donated sick time may only be used for time off related to the approved request. Sick time donated that is in excess of the time off needed will be returned to the last donor on record.

5.3 FAMILY MEDICAL LEAVE ACT POLICY (FMLA)

A leave of absence of up to twelve (12) weeks without pay during any twelve (12) month period will be granted to qualified employees for the following reasons:

- 1) Birth and care of child;
- 2) Placement of a child for adoption or foster care;
- 3) Care for the employee's spouse, child or parent with a serious health condition; and
- 4) The employee's own serious health condition, making the employee unable to work.

For purposes of determining the twelve (12) month period the City has designated a "rolling" twelve (12) month period measured backward *from* the date an employee uses any FMLA Leave.

The City will require proof that the employee's request for FMLA Leave qualifies under the act. Additionally, in the case of FMLA Leave due to the employee's own health condition the City will require a written release from the employee's doctor certifying that the employee is able to return to work.

To be qualified to request a FMLA Leave a regular full time employee must have worked for the City of Snellville for at least twelve (12) months and for at least 1,250 hours during the year preceding the start of the leave. Employees should provide thirty (30) days' notice to the City of the need for FMLA Leave if the event is foreseeable and as soon as practicable if the event is unforeseen.

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. FMLA Leave cannot be taken in increments of less than one (1) hour when leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the City agrees.

The City will require that employees substitute paid leave in the form of accrued sick or vacation for qualified FMLA leave. The paid leave time will run concurrently with the FMLA time. While an employee is on FMLA leave their benefits and service accrual will continue as if they were still working. An employee who returns to work at or before the end of the twelve (12) week FMLA leave period will be reinstated to their previous position or an equivalent position with equivalent pay, benefits and working conditions.

Should a regular full-time employee require more than the twelve weeks of unpaid leave they may request a Leave of Absence without pay under section 5.3. Any leave of absence without pay (if approved) shall run concurrently with the FMLA Leave and will not exceed six (6) consecutive months without the approval of the City Manager. After FMLA Leave is exhausted the employee will be required to pay for all benefits that they have under any City plan, if they desire to continue coverage for the remainder of the Leave without Pay. Sick Leave and Annual Leave shall not accrue while on Leave of Absence without Pay.

Should an employee fail to return to work from an approved FMLA Leave period, they will be required to reimburse the City for the cost of the benefits provided during the FMLA Leave time. If they are unable to return to work because of the continuation, recurrence or onset of their own or a family member's serious health condition then the City will require medical certification of this condition.

5.4 CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City of Snellville's health plan for a certain period of time provided by law when a qualifying event would normally result in the loss of eligibility.

Under COBRA, the employee or qualified beneficiary pays the full cost of coverage at the City of Snellville's group rates, plus an administrative fee established by the City. Certain deadlines and application requirements will apply. Employees may consult the Personnel Officer if they wish to apply for COBRA benefits.

5.5 LEAVE OF ABSENCE WITHOUT PAY

A leave of absence without pay may be granted by the Department Director with the approval of the City Manager to any regular full-time employee requesting such a leave for a period not to exceed six (6) consecutive months. A leave of absence for a period in excess of six (6) consecutive months must be approved by the City Manager and the City Council.

Approval of a leave of absence shall be determined by giving due consideration to the length of the requested leave of absence, the impact of such leave on the organization and the Department's plans to continue the work performed by that employee in his/her absence.

An employee on leave without pay shall not accrue annual leave or sick leave and shall not receive paid leave on holidays. Upon returning to work, the anniversary date of the employee on leave without pay shall be adjusted such that the time away from work shall not be credited as service time.

An employee whose pay is supplemented with donated sick leave will still be considered on a leave of absence without pay. The employee will not accrue annual or sick leave and will not receive paid leave on holidays.

At the end of the approved leave of absence, the employee shall return to the same position or to another position in the same or comparable classification with the same pay rate held prior to the leave of absence.

5.6 ADMINISTRATIVE LEAVE

An employee may be placed on administrative leave with pay at the discretion of the Department Director and approval of the City Manager when such action is deemed to be in the best interest of the City. In some cases, the purposes of Administrative Leave are to provide an investigatory opportunity or to relieve an employee of his/her duties. It may be with pay for a maximum of one pay period.

5.7 ANNUAL LEAVE

Paid annual leave is provided for the purpose of allowing regular full-time employees time off from their work for vacation purposes or for necessary time to attend to personal business, which cannot be conducted during off-duty hours.

A. Eligibility and Accrual

All regular full-time employees in the City's Classified Service shall be eligible to accrue paid annual leave. Temporary full-time, permanent part-time and seasonal part time employees shall not be entitled to accrue paid annual leave. Annual leave shall not be accrued while regular full-time employees are on leave without pay.

A new or reappointed employee is not eligible to accrue or use annual leave during the first six months of his/her provisional period. Upon the successful completion of the first six months of the provisional period, annual leave shall be credited in a "lump sum" amount to his/her leave record as described below. The employee may utilize that annual leave balance after it has been credited to his/her account upon approval of the department director.

Annual leave with pay shall accrue in lump-sum amounts to regular full-time employees on their employment anniversary date in the following rates based on completion of service for the specified time periods shown below:

<u>Length of Service From Hire Date</u>	<u>Annual Leave Awarded</u>
6 months	40 hours (cannot be carried over)
1 - 5 Years	80 hours
6 - 12 Years	120 hours
13-18 Years	160 hours
18+ Years	200 hours

A maximum of 40 hours of accrued annual leave may be rolled over from one twelve (12) month period to the next. Any accrued annual leave in excess of 40 hours will be forfeited at the end of that twelve (12) month period.

Employees shall be responsible for submitting in writing on the prescribed form their requests to use annual leave to their supervisors or department directors. Such requests must be approved prior to annual leave being used.

Annual leave may be used only to the extent of an employee's available accumulation. Annual leave shall not be used in increments of less than one-quarter hour (15 minutes). Additionally, a regular full-time employee shall be paid for all unused accumulated annual leave to their credit at their current rate of pay as of the effective date of separation (up to the maximum allowed).

5.8 FUNERAL LEAVE

A maximum of three (3) work days of paid funeral leave may be taken in the event of a death in an employee's immediate family. The Department Director may approve a longer absence for extenuating circumstances but additional time, over three (3) work days, must be charged to the employee's accrued

sick leave, annual leave or leave without pay. Immediate family includes the spouse, parent, son, daughter, sister, brother, grandchild, and grandparent of an employee. It also includes any of these persons of a step, in-law, and foster or adoptive relationship to the employee. Employees will be required to furnish proof; such as an obituary, that the deceased is a member of his/her immediate family.

5.9 COURT LEAVE

Any regular or provisional employee who is subpoenaed by any federal, state or local court to serve as a juror or witness on a workday shall be entitled to paid leave, without loss of time and without effect of performance rating during this time. Such leave shall be granted only for court cases which neither the employee nor his/her family has a personal interest. The employee must endorse juror pay or other fees over to the City that they receive from the Court. Temporary full-time, permanent part time and seasonal part-time employees shall be eligible for leave of absence without pay for court leave.

Leave for court attendance when the case involves personal litigation or matters of interest to the employee or his/her family, shall be charged to annual leave or leave of absence without pay.

5.10 MILITARY LEAVE

A. Required Training

Any regular or provisional full-time employee who is a member of the National Guard or an organized military reserve corps of the United States, and who may be called for required training, will be allowed a leave of absence, with pay, for up to eighteen (18) days in one calendar year. Leave extending beyond this time will be paid according to federal and/or state law; unless granted by the recommendation of the Department Director and the approval of the City Manager.

B. Reemployment Rights

Regular or provisional full-time employees who leave employment with the City to perform active duty for military service with the United States are entitled to reemployment rights with the City in accordance with USERRA laws governing reemployment rights. Such employees are entitled to reinstatement if:

- a) They ensure that the City receives advance written or verbal notice of their service;
- b) They have five years or less of cumulative service in the uniformed services while with the City;
- c) They return to work or apply for reemployment in a timely manner after completion of service; and
- d) They have not been separated from service with a disqualifying discharge or under other than honorable conditions.

Upon return, they are eligible for appointment to the same position or to a similar position, which was held prior to the active duty assignment. They are protected from discharge, except for cause, for one year after reemployment and are reinstated with the same seniority, status and pay they would have received if they had not been inducted into military service.

Military leave-Declared Emergency

In the event that an employee is called to active military duty due to a state or national emergency, regular or provisional full-time employees shall be placed on leave of absence for a period of up to thirty (30) workdays in any one continuous period of active duty service. The city will pay the difference between the employee's regular weekly salary and their military pay if the military pay is less than their current salary received during this 30 day period. If grant funds are appropriated from the federal or state government to offset the salary expense, the City may extend this benefit for a period greater than 30 days, so long as such funds are available.

5.11 RETIREMENT BENEFITS

The City of Snellville provides a 401a Defined Contribution Plan for regular full time employees. Employees become eligible on the first of the month following the completion of one (1) full year of employment. The city will contribute six percent (6%) of participant's base pay every pay period to their account. The vesting schedule is as follows:

<u>Length of Service</u>	<u>Vested Benefit</u>
3 years employment	50%
5 years employment	100%

Employees have the ability to pick investment options from an array of mutual funds and also have the ability to make changes and view their retirement account balance through the Internet.

6.1 SEPARATIONS

For the purpose of these Personnel Rules and Regulations, separations from positions in the City's Classified Service shall be designated as: a *resignation*, a *constructive resignation*, a *reduction in force* or a *dismissal*.

Upon separation of an employee from a position, the employee's Department Director shall submit documentation regarding the employee's work performance during the last period of employment with the City. The information regarding the separation of the employee and all other required documents shall be submitted to the Personnel Officer to complete the employee's records. The Personnel Officer will conduct an exit interview with all employees separated from the City's service.

An employee shall be separated with prejudice if the evaluation report indicates that the employee

performed unsatisfactorily in the position from which he/she is separating.

A. Resignations

A resignation is a voluntary separation of an employee from employment with the City. Two weeks (14 calendar days) shall be the standard period of notification that an employee shall provide the City regarding their resignation. The Department Director shall immediately notify the City Manager and the Personnel Officer of the employee's resignation.

B. Constructive Resignation

Any employee, without valid reason, who fails to report to work for three (3) consecutive workdays without authorized leave, may be separated from the City's service and shall be reported as a constructive resignation.

C. Reduction in Force

The City Manager may effectuate a reduction in force due to a budgetary crisis or other material change in duties or organization on the basis of seniority, performance ratings, and individual qualifications.

D. Dismissals

A dismissal is an involuntary separation of an employee from the City's Classified Service. An employee may be dismissed for disciplinary reasons when disciplinary measures culminating up to the dismissal that were taken against the employee have been ineffective. In other circumstances, an employee may also be dismissed immediately from the work place for serious offenses and violations of City policy that warrants the most severe disciplinary measure, dismissal. A dismissal must be made in accordance with procedures in Section 6.3.

E. Retirement

Employees applying for regular or early retirement must apply no more than six (6) months prior to their expected effective date of retirement.

6.2 DISCIPLINARY ACTION

A Department Director is responsible for the proper and efficient operation of his/her department and for enforcing City policies and regulations. It is the responsibility of all employees to observe adopted policies and regulations. All employees who violate adopted policies and regulations will be subject to disciplinary action.

The Department Director is authorized to take disciplinary action against employees who violate established policies. Any adverse action taken must be based on cause supported by sufficient evidence and must be

consistent with City policies and regulations.

A. Reasons for Disciplinary Action

Employees may be disciplined for the violation of the City's standard of ethical conduct found in section 4.8 of these Rules and Regulations or for violation of any of the specific actions listed below. Any of these infractions are sufficient grounds for disciplinary action up to and including dismissal.

These violations serve as guidelines for employees although they are not necessarily exclusive. The City retains the right to administer disciplinary action for offenses not specifically reflected in these Personnel Rules and Regulations.

Employee actions that may warrant disciplinary action include:

1. Willful neglect to perform at an acceptable level of competence as determined by the Department Director;
2. Disregard for violations of City ordinances, departmental policies and regulations, including safety rules;
3. Willful misuse, misappropriation, negligence or destruction of any City property, vehicle or equipment including the use of such items for personal use or gain;
4. Excessive tardiness or absence from duty without prior approval;
5. Violation of any reasonable or official order, refusal to carry out lawful and reasonable directions given by a supervisor, or any other acts of insubordination;
6. The unauthorized consumption of alcoholic beverages on City property, in a City vehicle, while in City uniform, or on City time;
7. The abuse or misuse of prescription or nonprescription drugs, other forms of medication, or any mind-altering substance;
8. The unlawful manufacture, dispensation, distribution, possession or use of controlled substances;
9. Any violation of the City's Drug-Free or Tobacco Free Workplace policies;
10. Willfully giving false information to City officials, City employees or the general public;
11. Falsification of a job application or other City records;
12. Violation of privileged information or its use for private gain;

13. Any conduct, on or off duty, that reflects unfavorably on the City as an employer;
14. Refusal to be examined by a City-authorized and licensed doctor when so directed in accordance with these Personnel Rules and Regulations;
15. Falsification or destruction of official records or documents or use of official position for personal benefit, profit, or advantage, or for other improper reasons;
16. Discourteous behavior to the general public or to other City employees;
17. Conviction of a crime;
18. Any commission of any act which would constitute a crime had the individual been convicted of committing said act by a competent court of jurisdiction;
19. Failure to answer any questions before any local, state or federal judicial or administrative tribunal, or appeals board;
20. Possession of firearms or other dangerous weapons or articles by non-police personnel while on duty;
21. Harassment of other City employees or the general public;
22. Organization and/or participation in prohibited political activity or in a work strike against the City;
23. Sleeping while on duty;
24. Allowing one's self to be in a position or circumstance which inhibits one's ability to properly and professionally perform one's job duties;
25. Inefficiency in the performance of one's duties;
26. Any action that is detrimental to the City or its operations.

B. Types of Disciplinary Action

Disciplinary action can be taken against an employee in the form of a written reprimand and/or an adverse action. The four types of adverse actions are suspension without pay, disciplinary salary reduction, disciplinary demotion, and dismissal.

These types of disciplinary action are defined as follows:

1. Written Reprimand

The written reprimand is a formal means of communicating in writing to an employee a violation of

City policy and/or procedures. The supervisor or Department Director shall prepare the written reprimand. It shall be presented to the employee in a private meeting.

The employee shall sign the written reprimand. It shall be included in the employee's personnel file. The employee shall have the opportunity to submit a response in writing for inclusion in his/her personnel file.

2. Adverse Action

This is disciplinary action taken by a Department Director, for cause, that results in a suspension without pay, a disciplinary salary reduction, a disciplinary demotion or a dismissal.

The decision regarding the adverse action to be taken shall be based on the nature of the violation committed by the employee and other related issues as determined by the Department Director. The four types of adverse action are defined as follows:

a) Suspension without Pay

An employee may be suspended without pay for violating these Personnel Rules and Regulations. An employee may be suspended for up to thirty (30) workdays in one (1) calendar year. The duration of a suspension shall depend upon the nature of the offense.

b) Disciplinary Salary Reduction

An employee's salary may be reduced up to five percent (5%), for disciplinary purposes. This does not constitute a reduction in salary range.

c) Disciplinary Demotion

An employee may be demoted to a vacant position of a lower classification for disciplinary reasons if the employee is qualified to perform the work of the lower position. This shall entail a reduction in salary as outlined in section 3.2.

d) Dismissal

An employee may be involuntarily separated from employment with the City for disciplinary reasons. Dismissal procedures outlined in section 6.3 shall be followed for dismissals.

6.3 ADVERSE ACTION PROCEDURE – REGULAR FULL TIME EMPLOYEES

A. All Adverse Actions (Except Dismissals) Regular Full time Employees

Step One: Written Notification

The Department Director shall provide the employee with a written notification of the adverse action to be taken at least five (5) workdays prior to the proposed effective date of the action. The notification will contain the following information:

1. The reason(s) for the proposed adverse action;
2. Information outlining the dates and nature of the problem or behavior that precipitated the adverse action decision;
3. The effective date of the proposed adverse action;
4. The date the employee should return to work (if applicable);
5. A statement informing the employee that he/she may submit a written response to the City within three (3) workdays of receiving the notification of the adverse action; and
6. A warning informing the employee that failure to respond to the City will result in a waiver of all further appeal rights associated with this adverse action.

Step Two: Employee Response

The employee may submit a written response to the City Personnel Officer within three (3) workdays of receiving the notice of adverse action. An interpreter may accompany an employee who is disabled if necessary.

Step Three: Notice of Final Action

After considering the employee's response, the Personnel Officer shall give the employee a written notice of the final action on the adverse action to be taken. The notice shall contain a statement informing the employee of his/her right to appeal the action. This notice must be presented to the employee within two (2) workdays prior to the effective date of the final action.

1. Postponing Notice of Final Action

The City may postpone the deadline for providing a notice of final action to the employee if he/she responded to the initial written notification and the City decides that further investigation is needed. If this is to occur, the effective date of the final decision on the adverse action will be postponed for the same number of days.

B. Emergency Action

A Department Director may take immediate disciplinary action against a regular employee under

emergency situations. The immediate action will be to place the employee on leave without pay until an investigation of the incident can be conducted. Such leave beyond ten (10) work days shall require the approval of the Personnel Officer.

If it is determined that disciplinary action is warranted, the disciplinary action procedures in section 6.2 shall be followed. If the employee is unable to communicate or respond, the employee will be placed on leave without pay until it is determined that the employee cannot return to work or until the employee can respond. Examples of emergency situations include but are not limited to: *commission of a crime, injurious or dangerous behavior, or damage to or destruction of public property.*

C. Adverse Action Procedures-Dismissal Regular Full Time Employees

Step One: Notification

The Department Director shall provide the employee with a written notification of the decision of dismissal. The notification shall contain the following information:

1. The reason(s) for the action;
2. The effective date of the dismissal; and
3. A statement informing the employee of the opportunity for a name-clearing hearing in person with the Personnel Officer before the dismissal is effective.

Step Two: Employee Response

The employee may respond in writing or in person to the proposed dismissal decision to the Personnel Officer in a name-clearing hearing before the dismissal is effective. An interpreter may accompany an employee if necessary.

Step Three: Name-Clearing Hearing

The name-clearing hearing is an opportunity for the employee's name to be cleared and for the employee to refute the proposed dismissal to the Personnel Officer.

The name-clearing hearing must take place before the dismissal is effective.

Step Four: Notice of Final Action

The Personnel Officer shall make a determination as to whether the employee has successfully refuted the proposed dismissal and will notify the employee of that decision within two (2) workdays after the hearing.

6.4 ADVERSE ACTION PROCEDURES – PROVISIONAL EMPLOYEES

Step One: Notification

The Department Director shall give the employee written notification of the proposed adverse action. The notification shall contain the following information:

1. The reason(s) for the proposed adverse action;
2. The effective date of the proposed action;
3. A statement informing the employee of the opportunity to request a name-clearing hearing in person with the Personnel Officer within 24 hours before or after the adverse action is effective.

Step Two: Employee Response

The provisional employee may respond to the proposed adverse action by requesting a name-clearing hearing before the Personnel Officer

Step Three: Name-Clearing Hearing

The name-clearing hearing is an opportunity for the provisional employee's name to be cleared and for the employee to refute the charges and proposed adverse action to the Personnel Officer. The name-clearing hearing must be held before the adverse action is effective.

Step Four: Notice of Final Action

The Personnel Officer shall make a determination as to whether the provisional employee has successfully refuted the charges and the proposed adverse action and will notify the employee of the decision within two (2) workdays after the hearing. In the case of dismissal, there will be no obligation to reinstate the employee if all charges are successfully refuted.

7.1 GRIEVANCE PROCEDURE

The grievance procedure is a formal communications process for hearing a grievable complaint or dispute by an employee regarding his/her employment. The purpose of the employee grievance procedure is to provide an orderly and just process for hearing grievable claims.

Grievance claims may only be submitted by regular and provisional full time employees; except for those relating to unlawful discrimination as defined in Section 2.3 that may be submitted by any employee of the City.

The objective of the grievance process is to reach a fair and equitable decision as early as possible. It is

therefore important for the employee and the immediate supervisor to strive to resolve a grievance quickly so that the employee does not have to continue with the grievance process and take his/her grievance further.

A. Grievable Claims

A grievance may be filed that relates to the following employment issues:

1. Complaints that the employee's employment or productivity has been adversely affected by unfair treatment;
2. Complaints of unsafe or unhealthy working conditions;
3. Erroneous or capricious application or interpretation of Personnel Rules and Regulations and other City policies; or,
4. Complaints of unlawful discrimination.

B. Non-Grievable Issues

The following issues or areas are not grievable:

1. Issues that are pending or have been concluded by other administrative or judicial procedures.
2. Work assignments, which do not result in a demotion or salary reduction (such as reclassifications or transfers).
3. Changes in work assignment and staffing to comply with:
 - i. operating budget allocations;
 - ii. legislative mandates by the State or Federal Governments;
 - iii. court orders or other legal requirements; and
 - iv. restructuring of city department(s) and function(s)
4. The content or rating of a performance evaluation except when the employee can show that he/she suffered disparate adverse affect from the evaluation.
5. The selection of an individual to fill a position through appointment, promotion, or transfer except when the employee can show adverse affect because of unlawful discrimination.
6. Disciplinary actions involving reprimands or adverse actions.
7. Any matter, which is not within the jurisdiction or control of the City.
8. Internal security practices established by the Department Director, Personnel Officer or City Manager.

9. Decisions and practices or adopted resolutions and policies which are not job or work related and which do not violate these Personnel Rules and Regulations.

C. Filing a Claim

An employee may file a written grievance with his/her immediate supervisor within five (5) workdays after the occurrence of the event being grieved, or within five (5) workdays after becoming aware of the event. The written grievance must specifically state the issue being grieved and the employee's desired resolution to that grievance.

There are three (3) steps to the grievance procedure. In filing a grievance, the employee must start at the first step and file the grievance at each sequential step in the order shown below, if the grievance has not been resolved in the previous step. If the employee's immediate supervisor is the Department Director, then the grievance process will start at Step 2. An interpreter may accompany an employee who is disabled when it is necessary at any step in the grievance process.

Step 1: Immediate Supervisor

If the claim is grievable according to these Personnel Rules and Regulations, then the immediate supervisor must hold the first hearing within ten (10) workdays after the grievance is filed. The immediate supervisor must notify the employee, in writing, of the decision regarding the grievance within five (5) workdays after the first hearing.

Step 2: Department Director

If the employee's immediate supervisor is the Department Director, the employee must initially file the grievance with the Department Director. The process outlined in Step 1 must be followed in this situation.

If the grievance was initially filed with the immediate supervisor in Step 1 and it was not resolved to the employee's satisfaction the employee may file the grievance with the Department Director. The grievance must be filed in writing to the Department Director within five (5) workdays after receiving the initial decision of the immediate supervisor. The Department Director must hold the second hearing within ten (10) days of receiving the employee's written grievance. The Department Director must notify the employee of the decision regarding the grievance within five (5) workdays after the second hearing.

Step 3: Hearing Officer

If the employee's grievance has not been resolved, then the employee can submit his/her written grievance to the City's designated hearing officer, usually the Personnel Officer and request a third hearing. This request must be made within five (5) workdays of receiving the decision from the Department Director.

The hearing officer is designated by the City Manager and is usually the Personnel Officer. The hearing officer must hold the third hearing within ten (10) workdays of receiving the written grievance from the employee.

The hearing officer will preside over the hearing and obtain pertinent facts about the grievance and hear information regarding the circumstances relevant to the grievance. The hearing officer shall allow the employee to make a presentation and shall ask questions of all parties present. The employee shall be self-represented, but may bring witnesses to testify at the hearing. Both the employee and the hearing officer may question the witnesses.

After the hearing, the hearing officer shall review the grievance, evidence and requested resolution and will make a determination regarding the claim. The hearing officer shall issue a written decision to the employee within five workdays of the third hearing. The decision of the hearing officer shall be the final decision in the grievance process.

Posting Requirement

Grievance procedures shall be available to all employees and easily accessible to each department.

8.1 APPEALS POLICY

An appeal is a request by a regular, full-time employee for a review of a final adverse action decision made by the City against that employee. The appeals process is the last review process for adverse action decisions. Provisional employees may not appeal adverse action decisions.

A. Appeals Board

The Personnel Advisory Board shall hear all employee appeals. The Personnel Advisory Board's decision shall be subject to ratification by the City Manager.

B. Eligibility

Only final adverse actions as defined in Section 6.3 that are taken against regular full-time employees are eligible to be appealed. An employee may not file an appeal for a grievance or any other action affecting the employee's position with the City.

The following actions may be appealed to the Personnel Advisory Board:

1. Suspension Without Pay;
2. Disciplinary Salary Reduction;

3. Disciplinary Demotion; and
4. Dismissal.

C. Filing

An employee must file an appeal in writing to the Personnel Officer within ten (10) calendar days of receiving the final notification of the adverse action. The Personnel Officer shall determine if the appeal is eligible and properly filed.

The appeal must contain:

1. A statement describing what is being appealed; and
2. A request for a hearing before the Personnel Advisory Board.

D. Appeal Hearing

The hearing process is intended to be less formal than a court hearing, but orderly. The hearing will be presided over by the Chairperson or in his/her absence, the Vice-Chairperson of the Personnel Advisory Board.

The duty of the Board is to:

1. Compile evidence based on verbal statements, records and other written documents provided at the hearing.
2. Make a decision based on the hearing evidence (the decision must be determined by a majority of the entire Board). If a majority of the Board is unable to agree, then the appeal is denied.
3. Issue a decision to the City Manager.

E. Scheduling of Hearing

If the appeal meets the criteria cited above, the Personnel Officer shall schedule the appeal hearing before the Personnel Advisory Board. The hearing must be held within ten (10) workdays of the date in which the appeal was filed.

F. Representation

Both the employee and the City shall have the right to represent themselves, or to be represented by an attorney or another representative at the appeal hearing.

G. The Decision

The Personnel Advisory Board shall submit its decision to the City Manager within five (5) workdays after the hearing. The City Manager shall consider that decision and shall issue a final decision to the employee within ten (10) workdays after receiving the Board's decision. The decision of the City Manager shall be final.

Agenda Item Summary



Date: November 10, 2021

Prepared by: Matthew Pepper

Agenda item: Consideration and Action on the Bid Award for the Grove Pavilion.

Background: The City's capital budget for the Grove improvements include the construction of a pavilion.

Financial Impact: \$658,720 – paid from our SPLOST collections. The flexbark trunk wrap is included in the total price.

Recommendation: Approval and award of the contract to the low bidder, Buildline General Contractors, in the above amount.

Action requested: **VOTE** to approve award of the contract for the pavilion construction.

Attachments: Engineer's Recommendation



Butch Sanders, City Manager
City of Snellville
2342 Oak Road SW
Snellville, GA 30078

November 8, 2022

RE: The Grove Pavilion – Bid Results

Dear Butch,

The City received three bids for The Grove Pavilion project. Root Design Studio has reviewed the bids and offers the following summary:

Buildline General Contractors

- Low Bid = \$642,000
- Bid is complete
- Included prices for both Alternates
- Bid Bond provided
- GC Contractor's license provided
- Experience is comparable and references were solid

Calm Water

- Second Bid = \$698,630
- Bid is complete
- Included prices for both Alternates
- Bid Bond provided
- GC Contractor's license – not provided
- Experience looks comparable

Barfield Holt Construction

- High Bid = \$750,000
- Bid is complete
- Did not price Alternat 1. Not sure they understood Alternate 2.
- Bid Bond provided
- GC Contractor's license - not provided
- Experience is not comparable to our scope

Based on this information and in our professional opinion, Root Design Studio recommends Buildline General Contractors as the responsive, responsible, and qualified low bidder for this project. If you have any additional questions about the bid, please contact me at your convenience.

Sincerely,

Michael Kidd, Principal
Root Design Studio, LLC

Agenda Item Summary



Date: November 14, 2022

Prepared by: Craig Barton, Director Public Works

Agenda item: Award of Bid for Annual Resurfacing & Paving FY 2022-2023 - RFP PW220922 to Pittman Construction Company.

Background: This item is the contracting of patching, milling and resurfacing of a possible 10 City streets. They are listed on the attached sheet. There were 3 total contractors that submitted bids.

Financial Impact: The estimated cost of the patching, milling and resurfacing will be \$1,408,826.50. Funds utilized will be taken from our LMIG allotment & Capital Paving Expense. The estimated unit priced cost includes estimated quantities and based on experience and previous years our budgeted amount will cover all projects.

Recommendation: We recommend awarding the contract to Pittman Construction Company based on the lowest submitted price and the quality of past work performed for multiple references.

Motion requested: Motion and affirmative vote for awarding of PW220922 to Pittman Construction Company.

Attachments: List of all contractors and their submitted bids - List of initial streets for current bid package

City of Snellville

Bid Registry / Summary

**Annual Paving
PW220922**

PW220922

Thursday October 27, 2022
Bid Closing 2:00 p.m.

Bid Closing 2:00 p.m.

[illegible]

I certify that this a true and accurate record of bids received, opened and read publicly on

10/27/22 at 2:05 pm

1. Craig Banta

2. Dan Mitchell

3. Felice Arnold

1.

2.

3.

CITY OF SNELLVILLE RFP PW220922

Pittman Construction Co.	\$ 1,408,826.50
Sunbelt Asphalt Inc.	\$ 1,494,183.15
E.R. Snell Contractor, Inc.	\$ 1,569,219.40

PROJECTED STREET LISTING

Old Hickory Subdivision

- Benchmark Dr.
- Gazebo Ln.
- Hickory Station Cir.
- Hickory Station Dr.
- Picket Fence Ln.
- Wicker Wood Way

Woodberry Subdivision

- Woodberry Run Dr.
- Glenwood Ln.
- Glenwood Way

- South Crestview Dr.

ORDINANCE NO. 2022-22

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SNELLVILLE, GEORGIA, TO PROVIDE FOR REGULATION OF STREET RACING AND RECKLESS DRIVING EXHIBITIONS

The Mayor and Council of the City of Snellville, Georgia hereby ordains that Chapter 38 of the Code of the City of Snellville, Georgia be amended by adding a new article to be designated as Article VII. Street Racing and Reckless Driving Exhibitions, which shall appear and read as follows:

CHAPTER 38

ARTICLE VII - STREET RACING AND RECKLESS DRIVING EXHIBITIONS

Sec. 38-160. Definitions.

As used herein, the following terms shall have the meanings ascribed to them below:

Illegal street racing or reckless driving exhibition shall mean a motor vehicle speed contest using public highways, streets, or rights-of-way in violation of applicable motor vehicle and traffic laws. Illegal street racing or reckless driving exhibition may include, but is not limited to, situations in which: (1) a group of motor vehicles or individuals has arrived at a location for the purpose of participating in the event; (2) a group of individuals has gathered on private property open to the general public without the consent of the owner, operator, or agent thereof for the purpose of participating in the event; (3) one or more individuals has impeded the free public use of a public street, sidewalk or highway by actions, words, or physical barriers for the purpose of conducting the event; (4) two or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed; (5) one or more drivers is revving his engine or spinning his tires in preparation for the event; or (6) an individual is stationed at or near one or more motor vehicles serving as a race starter.

Organizer shall mean any Individual who in any manner knowingly takes part in the planning, organization, coordination, facilitation, advertising or sharing of the location for any such illegal street race or collects moneys in connection with an illegal street racing or reckless driving exhibition, as defined herein.

Participant shall mean any individual who is knowingly present at an Illegal street racing or reckless driving exhibition for the purpose of actively taking part in the event, through conduct including, but not limited to: riding in a race vehicle as a passenger; assisting the organizers and/or drivers in carrying out or promoting the event; taking video or photographic images for purpose of promoting and/or profiting from the event (also known as a "spectator"); or exchanging money or anything of value with any driver, car owner, organizer or other participant in connection with the event. For the purpose of this definition, a person who is a mere bystander, passerby, or observer not aware of the illegal activity shall not be deemed a participant.

Sec. 3-161. Violations.

- (a) No person shall knowingly act as an organizer of an illegal street racing or reckless driving exhibition.
- (b) Except as provided elsewhere in this article, no person shall knowingly act as a participant in, or spectator of, an illegal street racing or reckless driving exhibition, as defined herein.
- (c) Nothing in this article prohibits law enforcement officers or their agents from being participants or spectators at an illegal street racing or reckless driving exhibition in the course of their official duties.
- (d) This article shall not apply to licensed or duly authorized racetracks, drag strips, or other designated areas set aside by proper authorities for such purposes.
- (e) In all cases of violations of this ordinance, the person charged shall appear in Gwinnett County Recorder's Court.

Sec. 38-162. Penalties.

Violations of this article shall be punished as follows:

- (a) Organizers and those driving motor vehicles shall be punished by a fine not to exceed \$1,000.00, imprisonment for a term not to exceed six months, or any combination thereof, subject to all limitations contained In applicable state law.
- (b) All other participants shall be punished by a fine not to exceed \$1,000.00, imprisonment for a term not to exceed six months, or any combination thereof, subject to all limitations contained in applicable state law.
- (c) Any motor vehicle used in illegal street racing *or* reckless driving exhibition as defined in this article may be removed and impounded by police to the extent authorized by applicable state law, or pursuant to a warrant issued by a court of competent jurisdiction. An Impounded vehicle may be held In Impound for not less than 30 days or final adjudication of the case, to the maximum extent allowed under state law.

Sec. 38-163. Proving a Violation.

Notwithstanding any other provision of law, to prove a violation of this article, admissible evidence may Include, but is not limited to, any of the following:

- (1) The time of day;
- (2) The nature and description of the scene;

- (3) The number of people at the scene;
- (4) The location of the individual charged In relation to any individual or group present at the scene;
- (5) The number and description of motor vehicles at the scene;
- (6) That the individual charged drove or was transported to the scene;
- (7) That the individual charged has previously participated in an illegal street racing or reckless driving exhibition;
- (8) That the individual charged has previously aided and abetted an illegal street racing or reckless driving exhibition;
- (9) That the individual charged has previously organized an illegal street racing or reckless driving exhibition; or
- (10) That the individual charged previously was present at a location where preparations were being made for an Illegal street racing or reckless driving exhibition or where an illegal street racing or reckless driving exhibition was in progress.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this ____ day of _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

Scenic Pointe LLC

City of Snellville

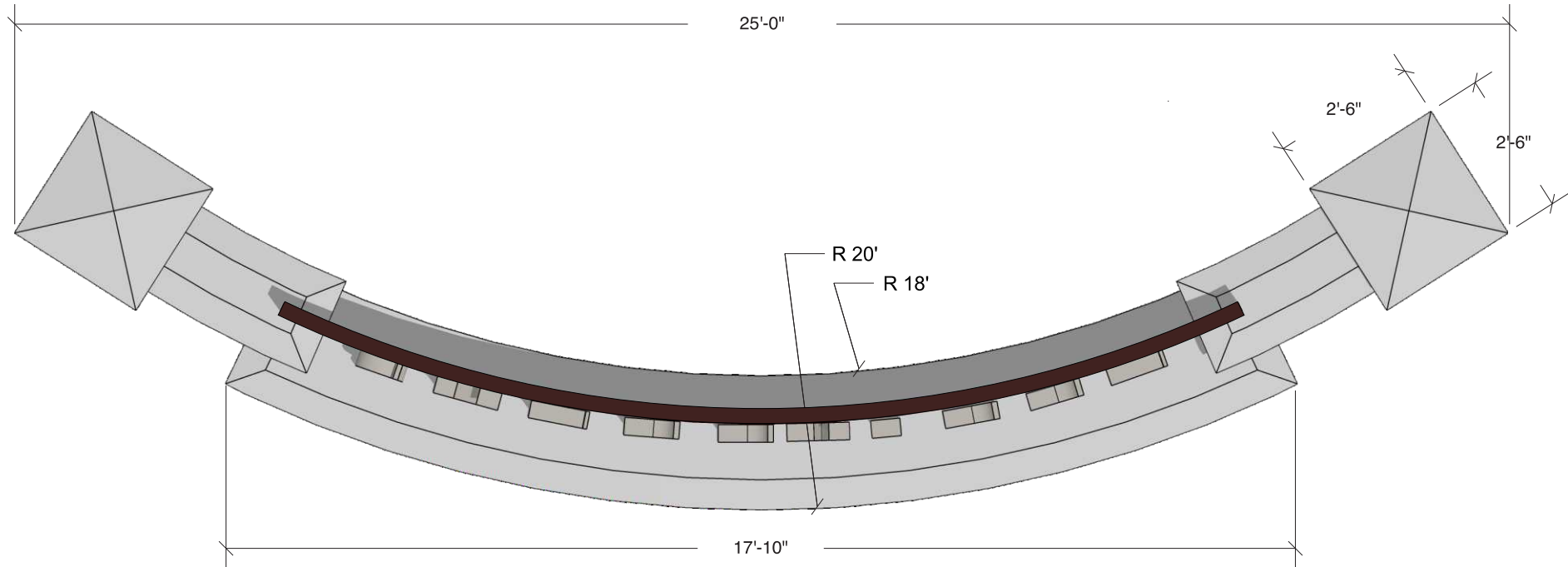
Snellville, GA

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City of Snellville
Monument Header



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QTY: 1



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2.0 PLAN VIEW - OVERALL
SCALE: 3/8" = 1'-0"



1
2.0 FRONT ELEVATION - OVERALL
SCALE: 3/8" = 1'-0"



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ST. PETERSBURG, FL 33712
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1498 SCENIC HWY
SNELLVILLE GA

PROJECT:
MONUMENT HEADER

ACCOUNT MANAGER:
PATTI HUXFORD

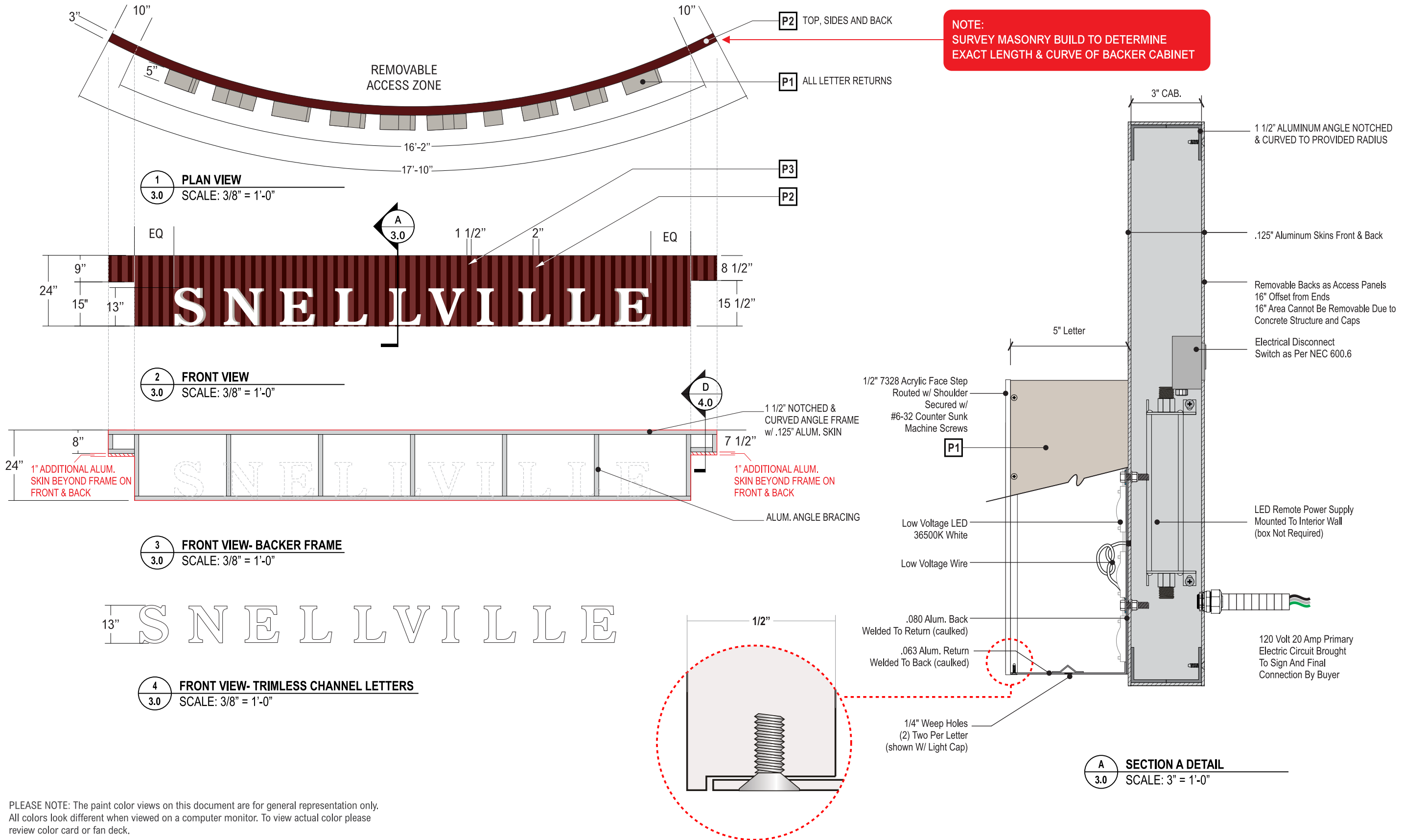
PROJECT MANAGER:
ADAM SLIGHT

DATE:
10/18/22




VERSION: SPEC 02		
HISTORY	DATE	DESIGNER
SPEC01	10/05/22	RB
SPEC02	10/18/22	RS

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|  | P1 | MATTHEWS PAINT - MP06390 CAMINO |
|  | P2 | AKZO NOBEL - MATCH SW CRABBY APPLE 7592 (SATIN) |
|  | P3 | MATTHEWS PAINT - BROWN BOMBER 13306 (GLOSS) |



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ACCOUNT MANAGER:
PATTI HUXFORD

PROJECT MANAGER:
ADAM SLIGHT

DATE:
10/18/22

VERSION:
SPEC 02

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PAGE **3 OF 4**

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PATTI HUXFORD

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ADAM SLIGHT

DATE:

10/18/22

VERSION:

SPEC 02

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SPEC01	10/05/22	RB
SPEC02	10/18/22	RS

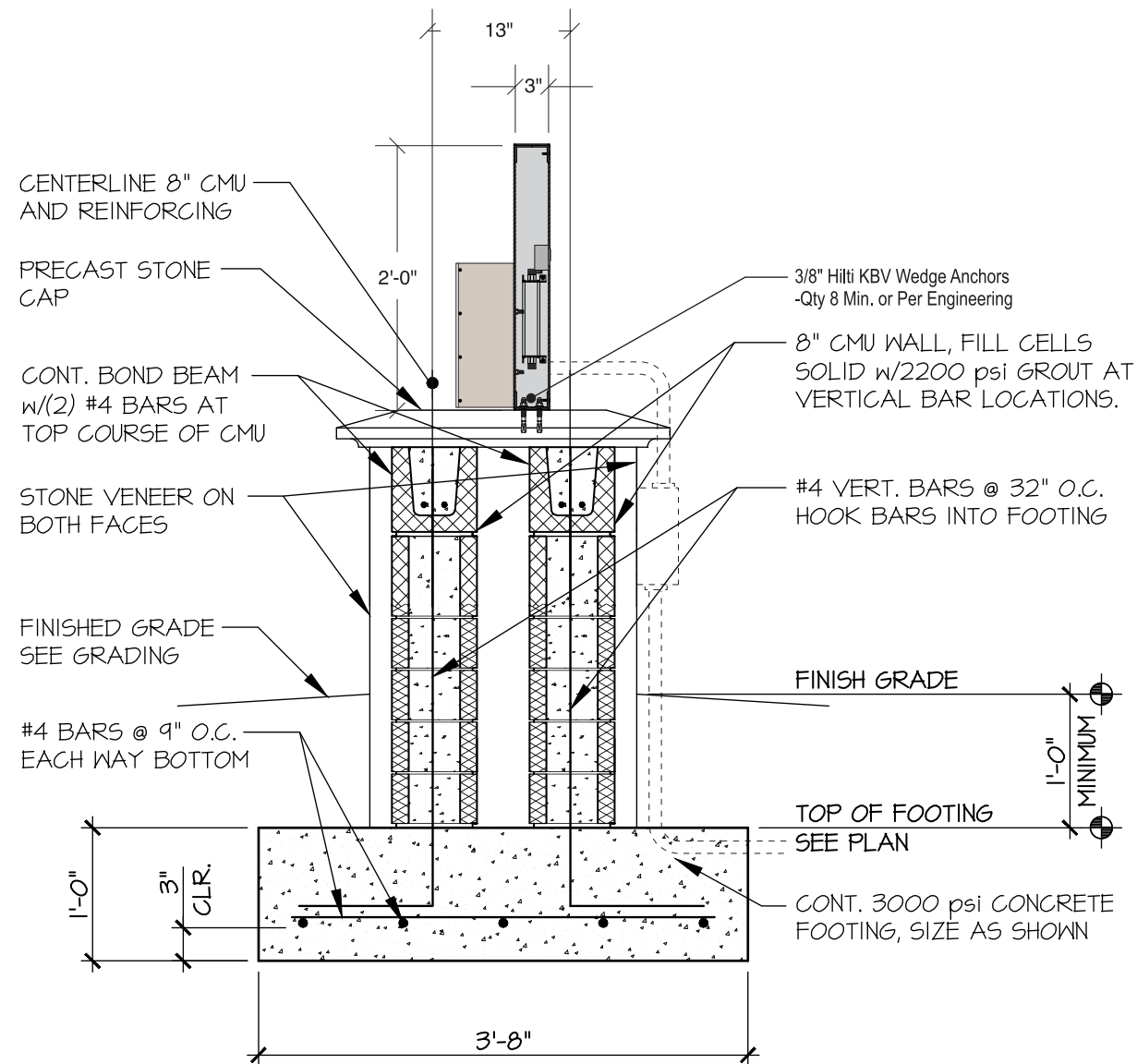
REVISION LOG:

PAGE

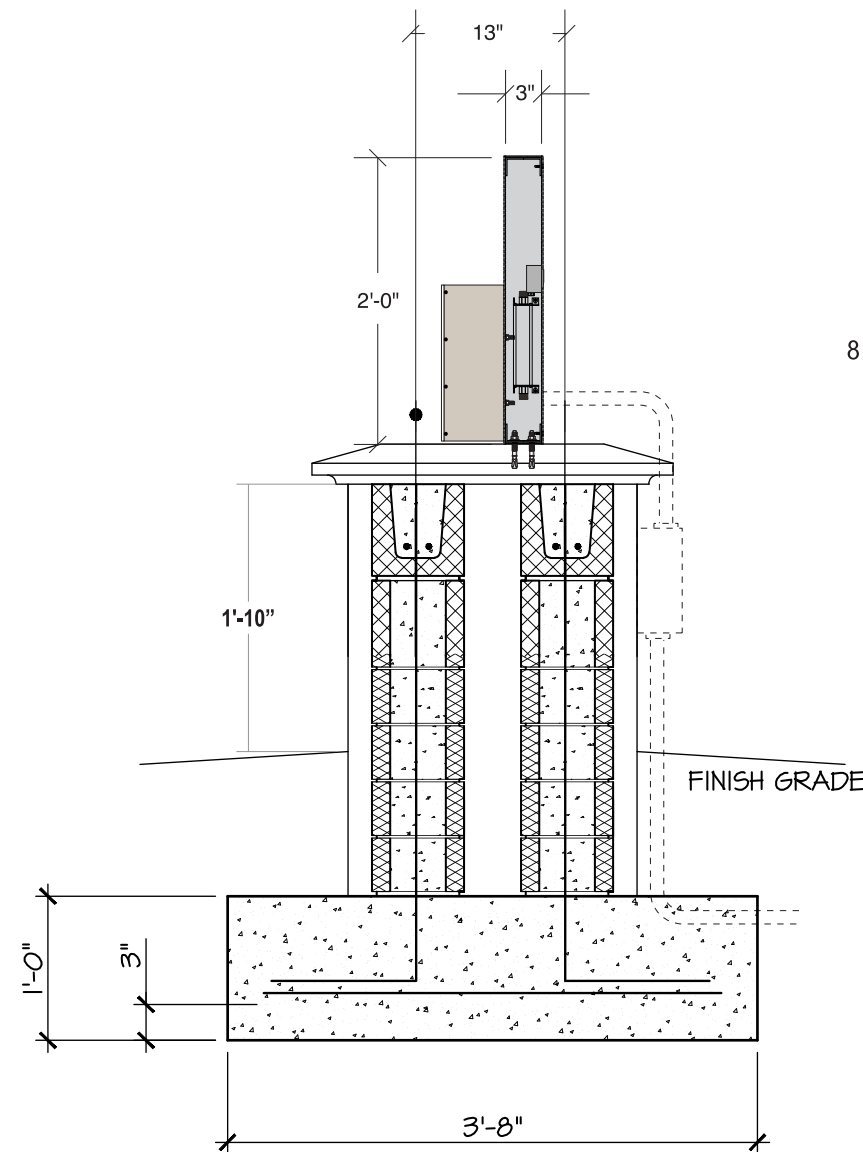
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PROJ 0

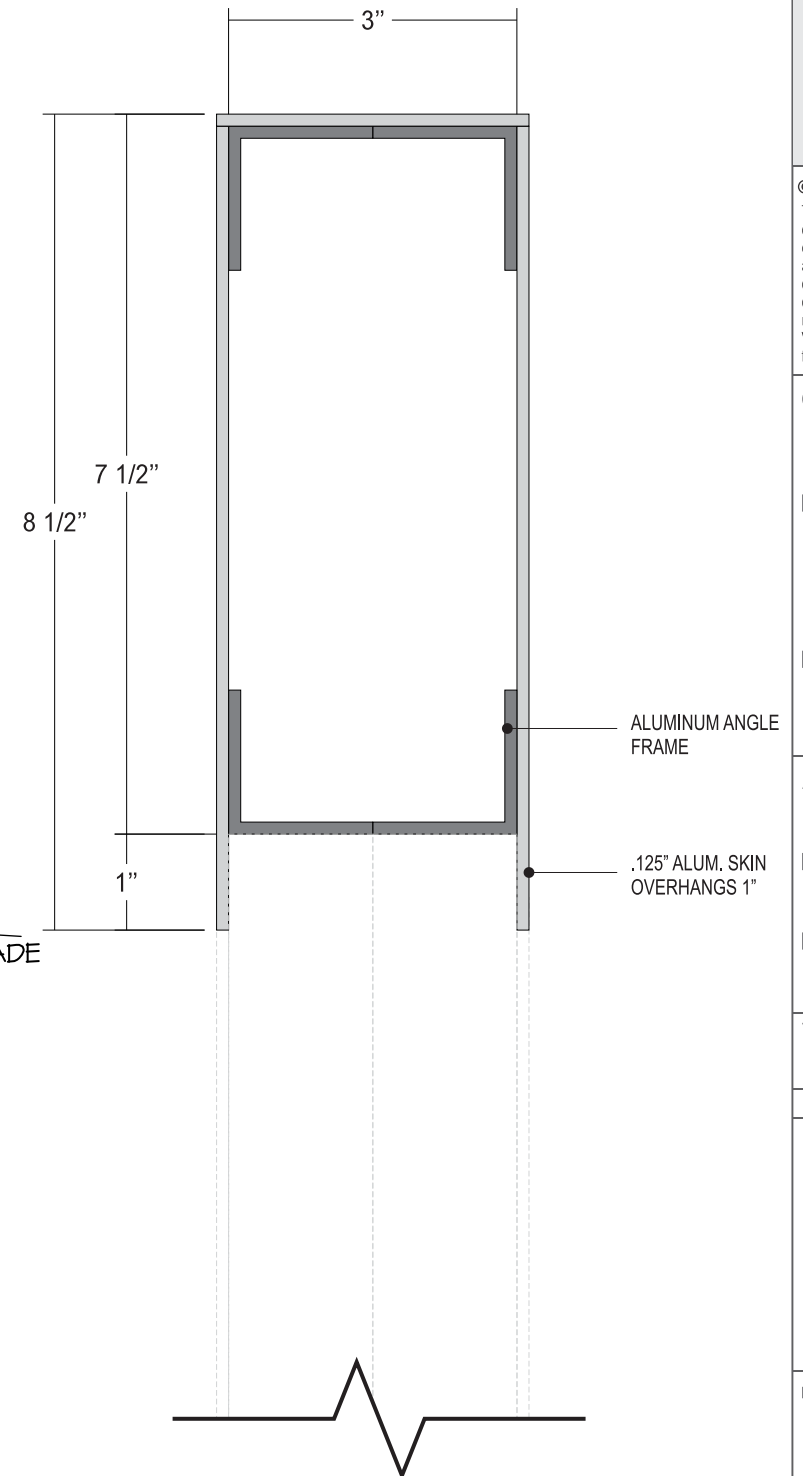
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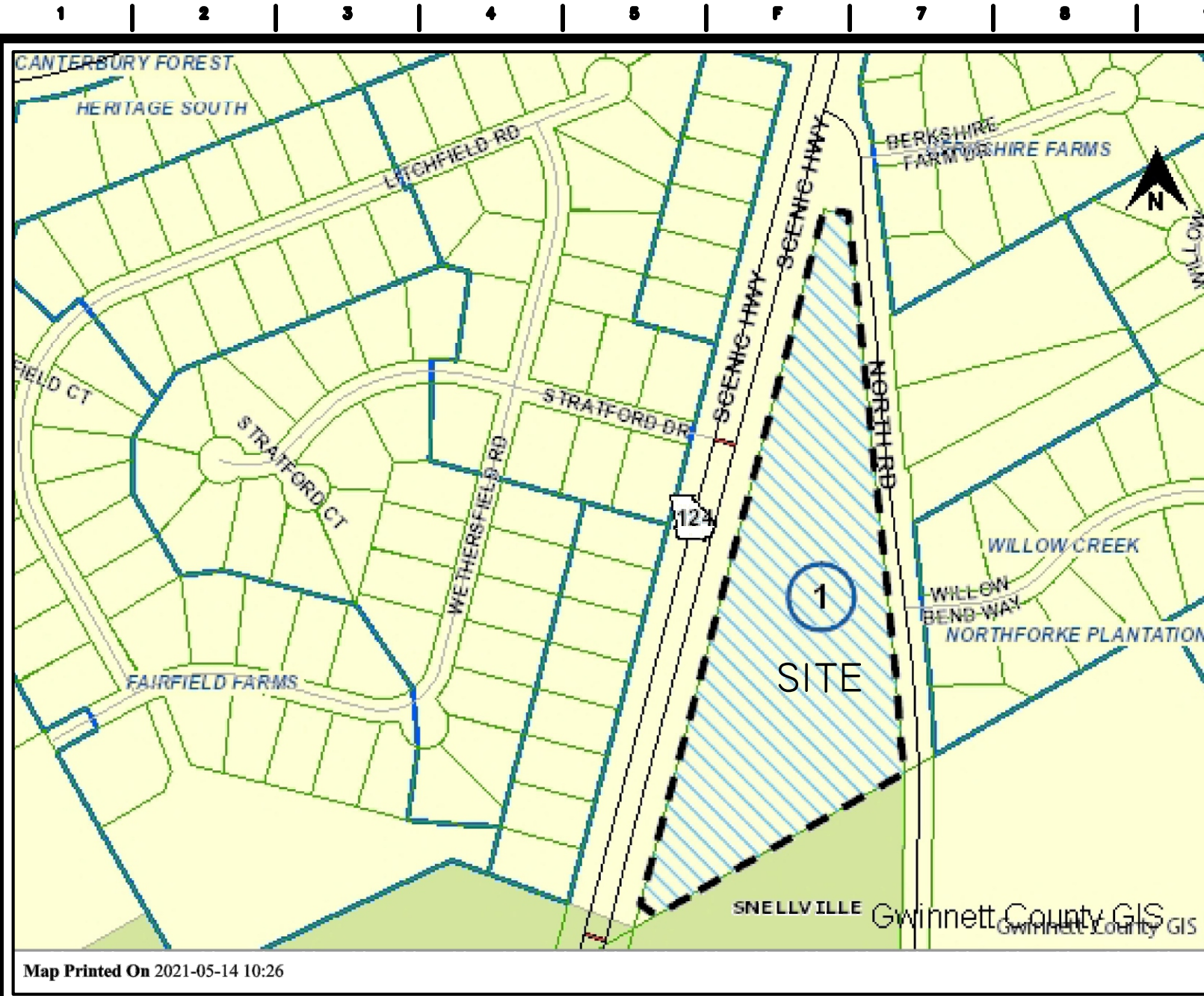
SECTION B DETAIL @ "S"
SCALE: 3/4" = 1'-0"



SECTION C DETAIL @ "L"
SCALE: 3/4" = 1'-0"



SECTION D DETAIL
SCALE: 1 : 2

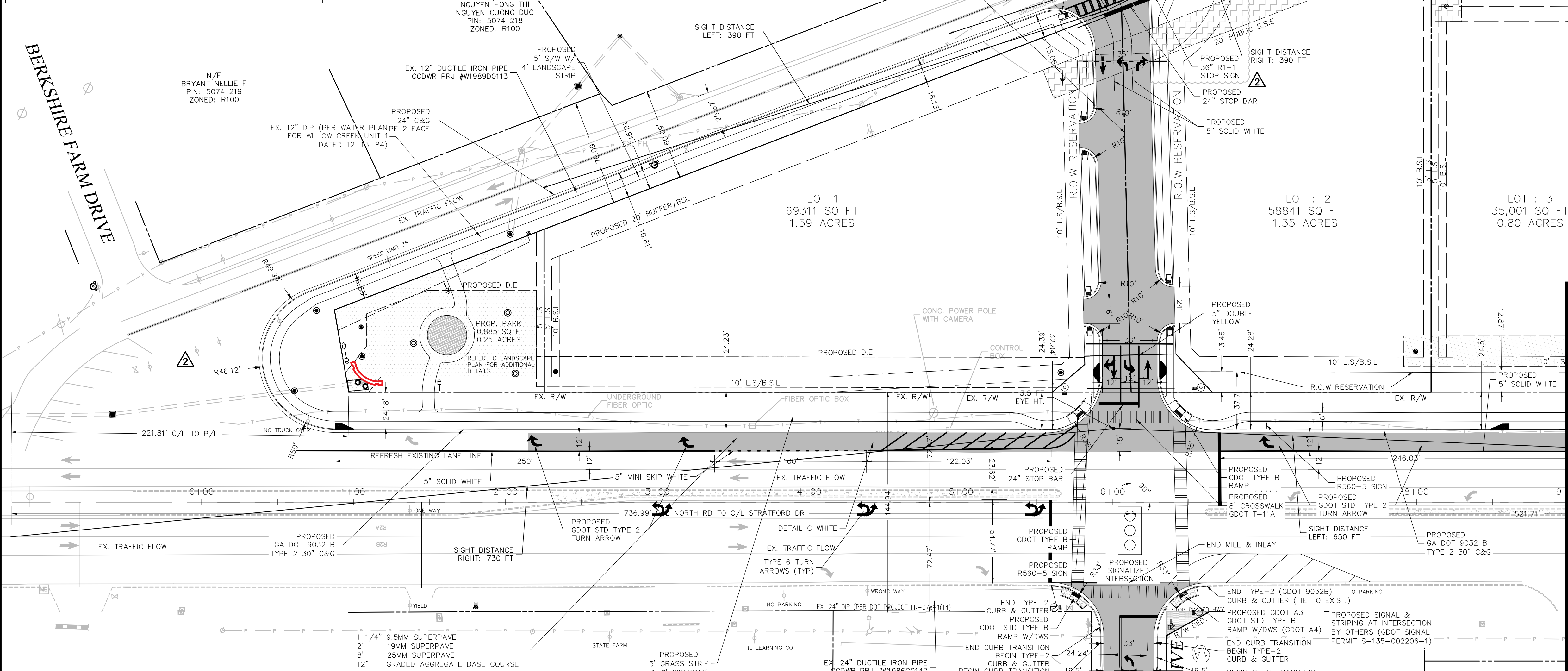


VICINITY MAP

SCALE: 1" = 5,000'

THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS SHOWN ON F.I.R.M. COMMUNITY PANEL NUMBER 13153C0117F DATED SEPTEMBER 29, 2006.

CONTRACTOR PLEASE NOTE THERE ARE NUMEROUS UNDERGROUND UTILITIES. ALL SHALL BE FIELD LOCATED PRIOR TO CONSTRUCTION OF DRIVEWAY AND PROPOSED UTILITY AND STORM DRAIN CROSSINGS. IMMEDIATELY BRING TO THE ATTENTION OF THE OWNER / ENGINEER AND / OR UTILITY PROVIDER OF EXPOSED CONFLICTS



LEGEND - PROPOSED

SETBACK LINE	SIDWALKS AND ARCHITECTURAL CONCRETE
PROPERTY LINE	COUNTY PAVING
PROPOSED CURB & GUTTER	GEORGIA D.O.T PAVING
	HEAVY DUTY CONCRETE
	STANDARD DUTY ASPHALT



CIVIL ENGINEER

CIVIL CONSULTING ENGINEERS, INC.
211 E. MAIN STREET
CANTON, GA 30114
ENGINEER: TERRY BOOMER
PHONE: 678.462.4072

OWNER

LILLIAN MARGENE MOULDER TRUST
1498 SCENIC HWY N
SNELLVILLE, GA 30078-2128

DEVELOPER

SCENIC POINTE, LLC
1505 LAKES PKWY
SUITE 190
LAWRENCEVILLE, GA 30043
CONTACT: RONNE DEBOWAS
PHONE: 678.584.9990

SITE AREA CALCULATIONS

TOTAL SITE AREA	388,821 SF	8.93 AC.
LOT 1	69,325 SF	1.59 AC.
LOT 2	58,841 SF	1.35 AC.
LOT 3	34,998 SF	0.80 AC.
LOT 4	30,778 SF	0.71 AC.
LOT 5	45,509 SF	1.04 AC.
LOT 6	97,530 SF	2.24 AC.
LOT 7	40,926 SF	0.94 AC.
FUTURE RIGHT OF WAY	16,061 SF	0.37 AC.
PROPOSED PARK AREA	10,896 SF	0.25 AC.
IMPERVIOUS AREA	204,767 SF	4.70 AC.
PERVIOUS AREA	184,054 SF	4.23 AC.

SITE DATA

PARCEL ID: (REFERENCE):	5074 007
FUTURE LAND USE:	RESIDENTIAL
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	COMMERCIAL
CURRENT ZONING CLASSIFICATION:	B6
OVERLAY DISTRICT CLASSIFICATION:	NONE
CURRENT LOCAL JURISDICTION:	CITY OF SNELLVILLE
FLOOD ZONE CLASSIFICATION:	'ZONE X'

DIRECTION	PROPERTY USE	ZONING
NORTH	RESIDENTIAL	R100
SOUTH	RETAIL	BG CITY OF SNELLVILLE
WEST	RESIDENTIAL	O/R100
EAST	RESIDENTIAL	R100

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT	10'	SEE PLAN
REAR	20'	SEE PLAN
SIDE	10'	SEE PLAN
SIDE	10'	SEE PLAN

BUILDING WILL COMPLY WITH ARCHITECTURAL DESIGN STANDARDS OF ARTICLE 7.7 OF THE SNELLVILLE ZONING ORDINANCE.

STREET ADDRESSES
PARK - 1406 SCENIC HWY
LOT 1 - 1416 SCENIC HWY
LOT 2 - 1436 SCENIC HWY
LOT 3 - 1446 SCENIC HWY
LOT 4 - 1461 SCENIC HWY
LOT 5 - 1466 SCENIC HWY
LOT 6 - 1486 SCENIC HWY
LOT 7 - 1496 SCENIC HWY

DIRECTION	PROPERTY USE	ZONING
NORTH	RESIDENTIAL	R100
SOUTH	RETAIL	BG CITY OF SNELLVILLE
WEST	RESIDENTIAL	O/R100
EAST	RESIDENTIAL	R100

DIRECTION	REQUIRED SETBACK	PROVIDED SETBACK
FRONT	10'	SEE PLAN
REAR	20'	SEE PLAN
SIDE	10'	SEE PLAN
SIDE	10'	SEE PLAN

NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY APPLICABLE FEDERAL, STATE AND LOCAL CODES.
- REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK DOCKS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
- ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
- ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
- ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION.
- ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
- SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES, FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
- SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
- ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
- ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
- ALL CONCRETE SHALL BE 4,000 PSI 28 DAY COMPRESSIVE STRENGTH.
- PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 24" UNLESS OTHERWISE NOTED.
- PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE FOR WORK. STRIPING WILL BE ACCORDING TO OWNER'S SPECIFICATIONS. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (M/P).
- LIGHT POLE BASES SHALL BE PAINTED PER SITE WORK SPECIFICATIONS.
- ALL STOP BARS, DIRECTIONAL ARROWS AND DOUBLE YELLOW STRIPING ARE TO BE THERMOPLASTIC, BOTH ON SITE AND WITHIN THE DOT RIGHT OF WAY. PARKING STALL STRIPING IS TO BE 6" WIDE WHITE PAINT.
- LOADING AND UNLOADING OF ANY TRUCKS MUST TAKE PLACE ONSITE. NO LOADING OR UNLOADING WILL BE ALLOWED IN THE COUNTY RIGHT OF WAY.
- SURVEY PROVIDED BY KEYSTONE LAND SURVEYING, INC DATED JUNE 8, 2021. REFERENCE DATUM NAVD88.
- 12% TO 15% STREET GRADES REQUIRE AN "AS GRADED" SURVEY BEFORE INSTALLATION OF THE CURB.
- DURING CONSTRUCTION AND FOR PERMANENT ACCESS, ROADWAYS CONSTRUCTED OF AN ALL WEATHER SURFACE CAPABLE OF SUPPORTING 75,000 POUNDS GROSS WEIGHT SHALL BE PROVIDED PER INTERNATIONAL FIRE CODE, CHAPTER 5, SECTION 503.2.3, APPENDIX D, 0102.1. 2018 EDITION.
- ALL FUTURE PAD DEVELOPMENTS SHALL PROVIDE AT LEAST ONE ACCESSIBLE ROUTE WITHIN SITE FROM ACCESSIBLE PARKING SPACES AND ACCESSIBLE PASSENGER LOADING ZONES; PUBLIC STREETS AND SIDEWALKS; AND PUBLIC TRANSPORTATION STOPS TO THE ACCESSIBLE BUILDING OR FACILITY ENTRANCE. THEY SHALL SERVE GEORGIA ACCESSIBILITY CODE 2010 ADA STANDARDS SECTION 206.2

CITY OF SNELLVILLE

- NOTIFY CITY OF SNELLVILLE INSPECTIONS 24 HOURS BEFORE BEGINNING OF EVERY PHASE OF CONSTRUCTION. (770-985-3513).
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
- NO OUTSIDE STORAGE PROPOSED. THIS INCLUDES SUPPLIES, EQUIPMENT, VEHICLES, PRODUCTS, ETC.
- SIGNS, LOCATION, NUMBER, AND SIZE ARE NOT APPROVED UNDER THIS BUILDING PERMIT. A SEPARATE SIGN AND BUILDING PERMIT IS REQUIRED FOR EACH SIGN.
- ALL CONSTRUCTION TO COMPLY WITH CITY OF SNELLVILLE & GWINNETT CO. IF APPLICABLE) STANDARDS.
- NO CERTIFICATE OF OCCUPANCY/COMPLETION WILL BE ISSUED UNTIL CONDITIONS OF ZONING, OR VARIANCES ARE COMPLETED.

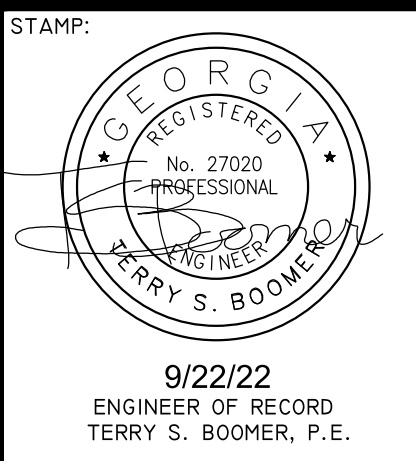
CORNER SIGHT DISTANCE FOR COMMERCIAL SITES UTILIZING THE UNIFIED DEVELOPMENT ORDINANCE SCENIC HWY

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE PROPOSED ENTRANCE(S) FOR THE PROPOSED PROJECT ARE DESIGNED WITH ADEQUATE CORNER SIGHT DISTANCE IN EACH DIRECTION. THE REGULATED SPEED LIMIT AT THE ENTRANCE IS 45 MILES PER HOUR. THE SIGHT DISTANCE PROVIDED AT THE ENTRANCE IS 500 FEET IN THE SOUTH DIRECTION. THE CORNER SIGHT DISTANCE PROVIDED FROM THE ENTRANCE IS EQUAL TO OR EXCEEDS THE 500 FEET OF SIGHT DISTANCE REQUIRED IN THE UNIFIED DEVELOPMENT ORDINANCE. SIGHT DISTANCE IS MEASURED WITH THE DRIVER'S EYE HEIGHT OF 3.5 FEET AT A DISTANCE OF 15 FEET FROM THE NEAREST THROUGH LANE TO THE CENTER OF EACH TRAVEL LANE.

SIGNED: *Terry Boomer* DATE: 9/22/22

GWINNETT COUNTY PROJECT NUMBER: 2021-03976

civil consulting engineers, inc.
211 EAST MAIN STREET
CANTON, GA 30114
678-462-4072
civilconsultingengineersinc.net



SCENIC POINTE
SNELLVILLE, GA 30078
1498 SCENIC HWY N
CLIENT NAME: SCENIC POINTE, LLC

CLIENT ADDRESS: 1505 LAKES PKWY SUITE 190
LAWRENCEVILLE, GA 30043

#	REV DATE	DESCRIPTION
1	12/14/21	GWINNETT COUNTY COMMENTS
2	3/11/22	CITY OF SNELLVILLE COMMENTS
3	09/22/2022	RECONFIGURED PARK AREA

OTHER PROJ. #:
CLIENT PROJ. #:
CCE PROJ. #:
ISSUE DATE:
SHEET NAME:
SITE PLAN
1 OF 2
SHEET NO:
C1.1

STATE OF GEORGIA
CITY OF SNELLVILLE

ORDINANCE NO. 2021-22

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 8.93± ACRE TRACT OF LAND LOCATED IN LAND LOT 74 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 21-05
PROPERTY OWNER(S):	Lillian Margene Moulder Trust Loganville, Georgia
LOCATION:	8.93± Acres 1498 Scenic Highway, Snellville, Georgia
PARCEL:	5074 007
DEVELOPMENT/PROJECT:	7-Lot Commercial/Retail Foodservice and Office Subdivision Development
APPLICANT/CONTACT:	Scenic Pointe, LLC C/O Robert Jack Wilson, Esquire 10 Lumpkin Street Lawrenceville, Georgia 30046 770-962-9780 jwilson@rjwpclaw.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 8.93± acre tract of land located AT 1498 Scenic Highway, Snellville, Georgia (Tax Parcel 5074 007) for a 7-Lot Commercial/Retail Foodservice and Office Subdivision Development; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant a variance from the No-Access Buffer Requirements of Section 207-2.C.5 Buffer; of the Unified Development Ordinance to allow for access through the buffer; and

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The 8.93± acre tract of land shown on the boundary survey Plat, entitled “ALTA/NSPS Land Title Survey for Scenic Pointe, LLC”, signed, sealed and dated 6-8-2021 described and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, is hereby zoned BG (General Business) District.

This action is subject to the attachment of the following approved variances (1-2) and conditions (1-14):

VARIANCES:

1. Variance from UDO Section 207-2.C.5 Buffer to allow for access through the no-access buffer.
2. Variance from UDO Table 201-1.7 to allow a solid waste dumpster and enclosure to be located in the front yard of Lot 1.

CONDITIONS:

1. The property shall be developed in general accordance with the conceptual zoning site plan entitled "Scenic Pointe Commercial Retail", sealed and dated 10-29-2021 (stamped received 11-1-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
2. A mandatory master association shall be formed for the property and shall have maintenance and architectural design regulations for the master-planned development which shall control items as construction materials, landscaping, common property maintenance, monuments, and such other usual and necessary covenants and restrictions to protect the quality and integrity of the master-planned development.
3. There shall be a mandatory master protective covenants for the property that will include all phases of the development; and concurrent therewith, a master association shall be formed which will include all component parts of the proposed master-planned development. The master association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, private drives, sidewalks, parking lot and pedestrian lighting, and tress and landscaping.
4. An inter-parcel access stub which connects to the adjoining Sam's Club property to the south (Parcel 5073 003) shall be provided as shown on the submitted site plan. Said connection and improvements shall be completed by the developer and/or Master Association and/or property owner once the adjoining property owner agrees to a shared access easement agreement.
5. The developer shall grant, at no cost, to the City of Snellville, a permanent public access easement for the 0.25± acre (10,896 sq. ft.) real property adjacent to and located to the North of Lot 1 and identified as 'Prop. Park'. on the zoning site plan. Prior to the release of the first Certificate of Occupancy, developer to be responsible for implementing and completing the proposed improvements as depicted on the pocket park conceptual plan attached hereto as Exhibit "B" and the recording of the easement.
6. The developer shall construct, at no cost to the City of Snellville, the 'Welcome to Snellville' gateway sign (conceptual sign drawing attached as Exhibit "C") located to the North of Lot 1 and identified as 'Prop. Park' on the zoning site plan, and as shown on the pocket park conceptual plan attached hereto as Exhibit "B". Prior to sign construction, the final sign design will be approved by the Mayor and Council. Any substantial deviation from the drawing attached as Exhibit "C" shall be approved by the Mayor and Council.

7. The developer shall grant, at no cost, to the City of Snellville, a permanent access and maintenance easement for the 'Welcome to Snellville' sign located to the North of Lot 1 and identified as 'Prop. Park' on the zoning site plan, as depicted on the pocket park conceptual plan attached hereto as Exhibit "B" and the recording of the easement.
8. The replanted buffer shall be installed as shown on sheet R-2 dated 10/26/2021 and attached hereto as Exhibit "D" and in addition to the plant material shown on the plan, an 8 foot opaque fence shall be constructed at the interior side of the required buffer, The fence shall be installed at the earliest possible time and approved by the Director of Planning and Development. The fence shall extend the length of the planted buffer along North Road and Stratford Drive. Required evergreen trees in the buffer shall be installed a minimum of 8 feet in height at the time of planting.
- ~~9. Applicant's request for a variance for plant material is approved to allow evergreens to be included in the replanted buffer along North Road. In areas where the existing ten (10) foot undisturbed buffer is sparsely vegetated, the developer shall be required to install and maintain supplemental plantings as determined by the Director of Planning and Development.~~
10. The approved zoning conditions and variances shall be referenced on any plat, including subdivision plat provided to any buyer or lessee.
11. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
12. Signs higher than 15 feet or larger than 225 square feet are prohibited.
13. Any deliveries and garbage pick-ups shall be at times as specified in the Snellville Noise Ordinance.
14. The development shall abide by all applicable standards of the Snellville Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
15. With the exception of traffic control signage and the 'Welcome to Snellville' sign, all ground and monument signage shall be prohibited where adjacent to North Road.

Section 2. The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning

Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or

otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. Penalties in effect for violations of the Zoning Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

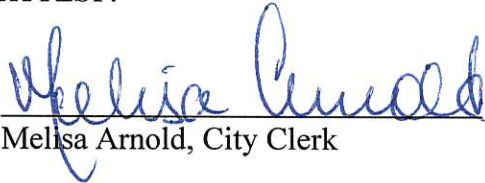
Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 7. This Ordinance was adopted on November 8, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.


[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

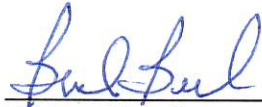
ORDAINED this 8 day of November, 2021.

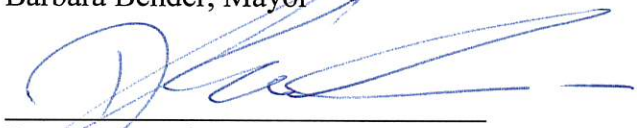
ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:


W. Charles Ross, City Attorney
Powell & Edwards, P.C.


Barbara Bender, Mayor


Dave Emanuel, Mayor Pro Tem


Solange Destang, Council Member


Cristy Lenski, Council Member


Gretchen Schulz, Council Member


Tod Warner, Council Member

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "B"

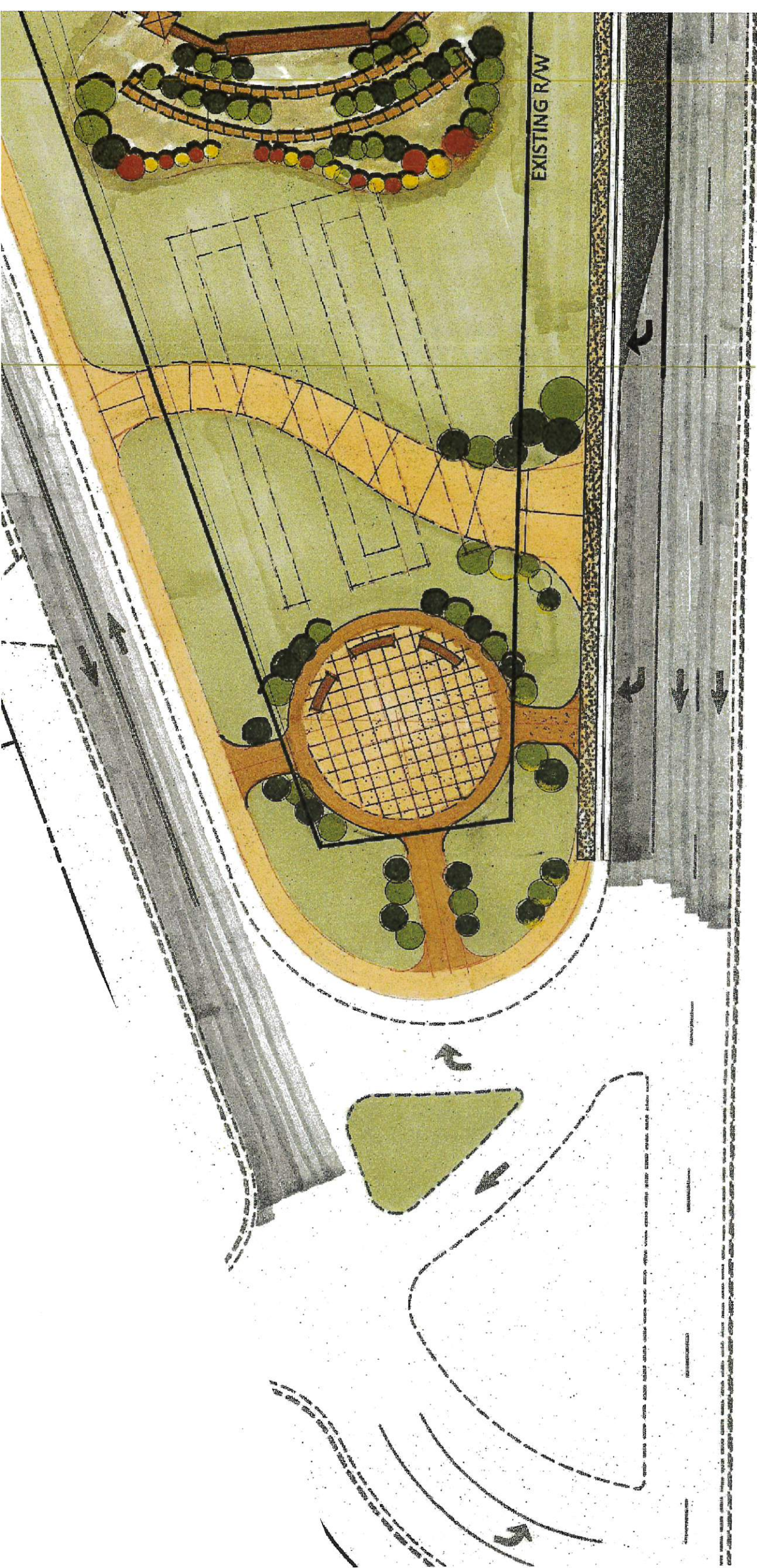


EXHIBIT "C"

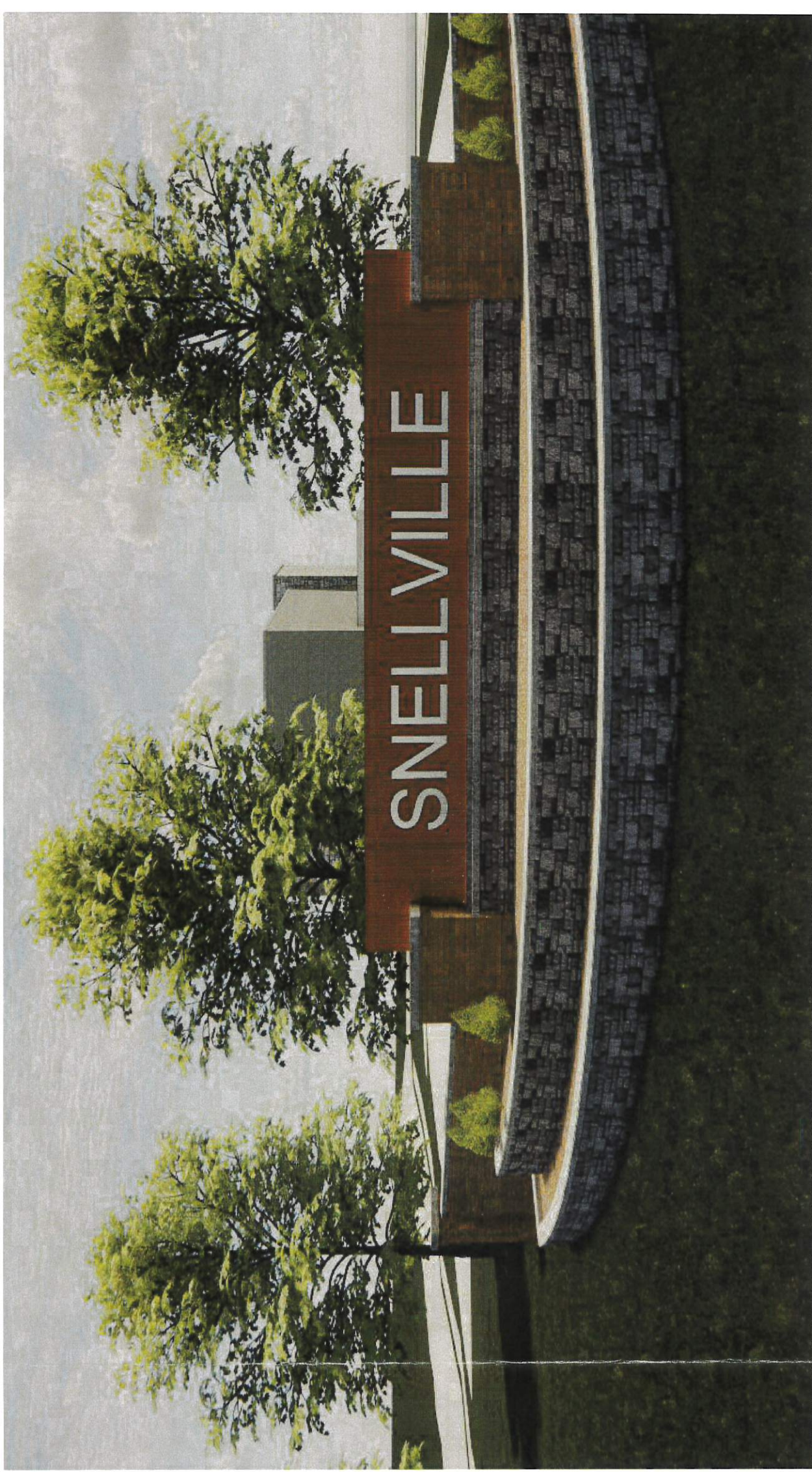
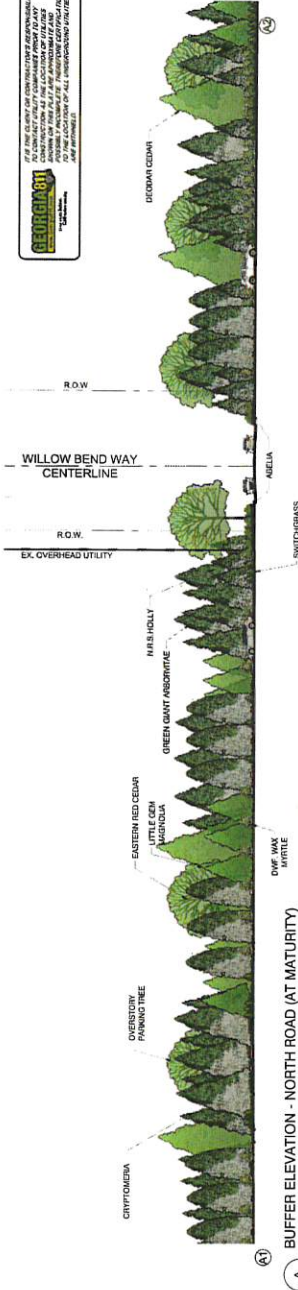


EXHIBIT "D"

REVISIONS:	DATE	#



(A) BUFFER ELEVATION - NORTH ROAD (AT MATURITY)
SCALE 1:20'



FRAWLEY ASSOCIATES, LLC
LANDSCAPE ARCHITECTS
ATLANTA, GA 30307 (404) 874-5081
675 S. MICHIGAN AVE. SUITE 101
ATLANTA, GA 30307

SCENIC POINTE

1498 SCENIC HWY N
SNELLVILLE, GA

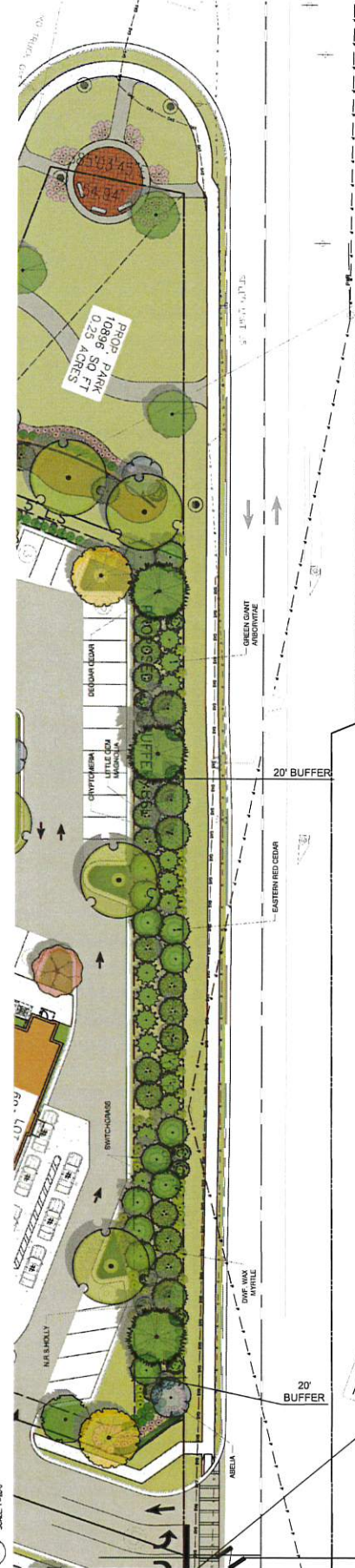
ZONING
NORTH RD. BUFFER

SCALE: AS SHOWN
DATE: 10/20/2021
PROJECT: FA-21052

SHEET
R-2
SHEET 3 OF 3



(B1) BUFFER DETAIL - NORTH ROAD (SOUTH END)
SCALE 1:20'



(B2) BUFFER DETAIL - NORTH ROAD (NORTH END)
SCALE 1:20'