



Where Georgia comes together.

REGULAR MEETING OF THE PERRY CITY COUNCIL

April 18, 2017

6:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor James E. Faircloth, Jr.
4. Recognition(s)/Presentation(s): Mayor James E. Faircloth, Jr.

* Presentation to Mayor and Council – Georgia Association of Water Professionals

5. Citizens with Input.
6. Public Hearing: Mayor James E. Faircloth, Jr.

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 (c).

- 6a. Petition for Special Exception Application No. SE-17-02. Applicant, Carlo (Carla) Hammock, requests a special exception to allow a residential business on the property. The property is located at 1303 Swift Street – Mr. B. Wood. ***(Note: Council can make a decision at the time of reading)***
7. Review of Minutes: Mayor James E. Faircloth, Jr.
 - 7a. Council's Consideration – Minutes of the April 3, 2017 work session, April 4, 2017 pre council meeting and April 4, 2017 council meeting.
8. Old Business: Mayor James E. Faircloth, Jr.
 - 8a. Ordinance(s) for Second Reading(s) and Adoption:
 1. **Second Reading** of an ordinance to amend the Perry Code by deleting Section 15-53 in its entirety and adding a new Section 15.53 – Collection of tax by lodging provider – Ms. B. King.
9. Any Other Old Business: Mayor James E. Faircloth, Jr.

- 9a. Mayor James E. Faircloth, Jr.
 - 9b. Council Members
 - 9c. City Manager Lee Gilmour
 - 9d. City Attorney
10. New Business: Mayor James E. Faircloth, Jr.
- 10a. Matters referred from April 17, 2017 work session and April 18, 2017 pre council meeting.
 - 10b. Ordinance(s) for First Reading(s) and Introduction:
 - 1. **First Reading** of an ordinance to amend the Perry Code by deleting Section 4-21 in its entirety and adding a new Section 4-21 Unified Animal Control – Definitions – Chief S. Lynn. *(No action required by Council)*
 - 10c. Special Events Application(s):
 - 1. The Perry Main Street Promotion Committee in partnership with the Perry Downtown Merchants Association is hosting its Fifth Annual Progressive Wine Tasting in downtown Perry on Friday, June 2, 2017, from 6 p.m. – 9 p.m.
 - a. Approval of street closures – Chief S. Lynn
 - b. Approval of special event alcohol permit license application – Chief S. Lynn
11. Council Members Items.
12. Department Heads Items:
13. General Public Items:
14. Mayor Items:
15. Adjourn.



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Department of Community Development

Public Hearing
April 18, 2017
Tuesday @ 6:00pm

March 29, 2017

The Honorable James E. Faircloth, Jr.
Perry City Council
Post Office Box 2030
Perry, Georgia 31069

Re: Special Exception Application #SE-17-02
1303 Swift Street, Perry #P9-5

Dear Mayor and Council:

On March 28, 2017 the Perry Planning Commission reviewed the above referenced petition for a special exception request as submitted by Ms. Carlo Hammock.

The special exception request was to allow a residential business at the property.

The Perry Planning Commission recommended approval of the application as submitted with the following conditions: 1). The Special Exception shall be limited to a Residential Business conducted as a tax-related office; 2). The Special Exception shall be limited to the applicant, Carlo Hammock only, for as long as she is a resident of the property, and is not transferrable; 3). The applicant shall comply with the provisions of Section 104 of the Perry Land Development Ordinance, all applicable local, state and federal laws and regulations; and 4). No sign advertising the business shall be posted or displayed on the property.

Sincerely,



Jacob W. Yoole, Chairman
Perry Planning Commission

JWP/cs

P.O. Box 2030 | Perry, Georgia 31069-6030
478-988-2720 | Facsimile 478-988-2725
<http://www.perry-ga.gov/community-development/>



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STAFF REPORT 1/31/17

CASE NUMBER: S-17-02
APPLICANT: Carlo (Carla) Hammock
REQUEST: A Special Exception to allow a 'Residential Business'
LOCATION: 1303 Swift Street; Tax Map No. P9-5

ADJACENT ZONING/LAND USES:

Subject Parcel: Zoned R-3; Single-Family Residential use
North: R-3; Single-Family Residential use
South: R-3; Single-family Residential use
East: R-3; Single-Family Residential use
West: R-3; Single-Family Residential use

REQUEST ANALYSIS: The applicant recently purchased the property and maintains it as her residence. She proposes to operate a tax-related 'Residential Business'. The business is conducted primarily via email, fax and mail. However, the applicant expects that clients will occasionally visit the property. Based on activity at her prior office space, clients will be seen by appointment only. She anticipates no more than five per day.

The property extends from Swift Street to Sunset Alley.

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Does the Special Exception follow the existing land use pattern?* The surrounding area consists of single-family residential uses. The conditions established for Home Occupations in general and Residential Businesses specifically are intended to maintain the residential use and character of the property.
2. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The Future Development Map of the 2007 Joint Comprehensive Plan identifies the property as 'Urban Residential'.
3. *Will adequate fire and police protection be available?* The additional use of the property for a residential business has no impact on existing fire and police protection.
4. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The conditions established in Section 104 of the Perry Land Development Ordinance (included below) for Home Occupations in general and Residential Businesses specifically are intended to maintain the residential use and character of the property.
5. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The applicant anticipates no more than five clients visiting the property per day. Ten additional trips to and from the property per day should not interfere with vehicular and pedestrian traffic.
6. *Will the use result in an increase in population density overtaxing public facilities?* The principal use of the property will remain residential. There will be no impact on public facilities.

7. *Will the use create a health hazard or public nuisance?* The conditions established in Section 104 of the Perry Land Development Ordinance for Home Occupations in general and Residential Businesses specifically are intended to maintain the residential use and character of the property.
8. *Will property values in adjacent areas be adversely affected?* Property values of adjacent areas should not be adversely impacted, provided the conditions of Section 104 of the Ordinance are adhered to.
9. *Are there substantial reasons a permitted use cannot be used at this property?* Residential use is permitted on the property.

STAFF CONCLUSIONS: Staff concludes the proposed use will have minimal, if any, impact on nearby residential uses. Staff recommends approval of the special exception, with the following conditions:

1. The Special Exception shall be limited to a Residential Business conducted as a tax-related office;
2. The Special Exception shall be limited to the applicant, Carlo (Carla) Hammock only, for as long as she is a resident of the property, and is not transferrable;
3. The applicant shall comply with the provisions of Section 104 of the Perry Land Development Ordinance, all applicable local, state and federal laws and regulations; and
4. No sign advertising the business shall be posted or displayed on the property.

Section 104. - Home occupations.

104.1. Intent. Regulations for home occupations are intended to provide categories of use such that permitted home occupations can be better matched to the character of the zoning district in which they are allowed. The term home occupation is understood to mean all categories of home occupations, both home offices and residential businesses.

- (1) Home occupations shall be subject to the conditions set forth below. The applicant for approval to conduct a home occupation shall bear the burden of providing conclusive evidence to the Planning Commission that these conditions have been met. The Planning Commission may modify the conditions listed below to be more restrictive, or place additional conditions, which are more restrictive than those listed below on any approval, granted the applicant.
- (2) If the home occupation is approved, the applicant is responsible for the operation of the said home occupation in conformance with these conditions. The applicant shall submit a written description of the proposed home occupation demonstrating that it will comply with each of the conditions applicable for the specific type of occupation.
- (3) The business must be owned by the owner of the property on which the home occupation is located, or the business owner must have written approval of the owner of the property if the applicant is a tenant.
- (4) The home occupation and dwelling unit shall comply with all applicable building and fire codes.
- (5) No more than one home occupation is allowed in a residence at one time.

104.2. Home Office. A home office is an office, business or profession conducted entirely within a dwelling which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes and which fully complies with the following standards:

- (1) A home office may be maintained for a business conducted away from the home, as long as the home office complies with all other requirements of this section.
- (2) Home offices shall not include the repair and/or maintenance of motor vehicles, large-scale manufacturing or any use which may endanger the health, safety or welfare of the neighborhood.
- (3) No use that creates noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit is permitted.
- (4) The home office shall not allow customers or clients to come to the premises.
- (5) Home offices shall be limited to no more than twenty-five (25) percent of the total heated floor area of the residence.
- (6) There will be no changes, which would alter the character of the dwelling or reveal from the exterior that the dwelling is being used in part for other than residential purposes.

- (7) No outside storage or display is permitted.
- (8) No one other than family members who reside on the premises may be employed in the office.
- (9) One (1) business vehicle used exclusively by the resident is permitted. The vehicle shall be no larger in size than a pick-up truck panel truck or van and is limited in size to one and one-half-ton carrying capacity.
- (10) Pickups and deliveries to the site related to the office shall be restricted to vehicles having no more than two (2) axles and shall be restricted to no more than two (2) pickups or deliveries per day.

104.3. Residential business. Residential businesses are small offices or small-scale retail or service businesses which are clearly incidental and secondary to the use of the dwelling for residential dwelling purposes, and which fully comply with the following standards:

- (1) Residential businesses may include but are not limited to beauty shops, barber shops, professional offices and minor repair shops.
- (2) Residential businesses shall not include the repair and/or maintenance of motor vehicles, large scale manufacturing or any use, which will create noise, noxious odors, or any hazard that may endanger the health, safety or welfare of the neighborhood.
- (3) The residential business shall not involve group instruction or group assembly of people on the premises.
- (4) The business or profession must be conducted entirely within the dwelling.
- (5) The dwelling must be the bona fide residence of the principal practitioner at the time of the application and, if approved, the residential business shall be valid only as long as the principal practitioner resides in the dwelling, is conducting business and has a current business certificate.
- (6) Residential businesses shall be limited to no more than thirty-five (35) percent of the total heated floor area of the residence.
- (7) There will be no changes, which would alter the character of the dwelling or reveal from the exterior that the dwelling is being used in part for other than residential purposes.
- (8) The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
- (9) No outside storage is allowed.
- (10) The Planning Commission may place any reasonable conditions on the application deemed necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.
- (11) Property on which the residential business is proposed must have frontage on a public road.
- (12) Parking for customers/clients must be provided on site as stipulated in Section 71 of this ordinance. The location of the parking shall be approved by the Planning Commission.
- (13) Days and hours of operation requiring access by the public, customers and/or clients shall be Monday through Saturday, between the hours of 7:00 a.m. and 9:00 p.m.
- (14) The principal practitioner shall be permitted to park one commercial vehicle in the approved parking area. The commercial vehicle is limited to a passenger car, van or light truck of up to one and one-half-ton carrying capacity.
- (15) Any utility trailer needed for the orderly operation of the business must be specifically requested and approved by the Planning Commission. The request must include the proposed use and size of the trailer.

Community Development

From: help@taxladyga.com
Sent: Friday, March 10, 2017 10:18 AM
To: comm.development@perry-ga.gov
Subject: 1303 Swift St - Special Exception Request

Hi Christine,

I wanted to give you more details about my history and business life.

I worked more than 20 years and retired from the Internal Revenue Service (IRS) in 2008. I moved back to Perry and open a small tax firm in Warner Robins in 2009.

I closed the tax office in 2013 when I realized the cost of the overhead to run a seasonal business was way too expensive for me, especially when I had to use money out of my retirement to maintain an unused office 8 months out of the year. In 2013, I started working for myself online. I started working for **Arise Virtual Solutions** in 2013. I do contract work through Arise Virtual Solutions for Intuit Turbo Tax and other companies under my corporate name **Tax Lady of Georgia, Inc.** With this, I have sub-contractors that work under the auspices of my company name but they work out of **their own homes** and only come to see for the initial contract set-up. In 2016 alone, I only had 3 visits to my home from these sub-contractors. Our contact is mainly through phone and email.

I also still use the **Magnolia Tax Service** to maintain a small client base (about 50) **many** of which live in Atlanta and other states and I only get their tax information via fax, email or mail and they have no need to see me physically. I have three sub-contractors (2 in Atlanta and 1 in Fort Valley) that have their own businesses that I charge service fees for the use of my expertise and tax software. Again, there is no need for us to physically meet and **none** of their clients come to Perry.

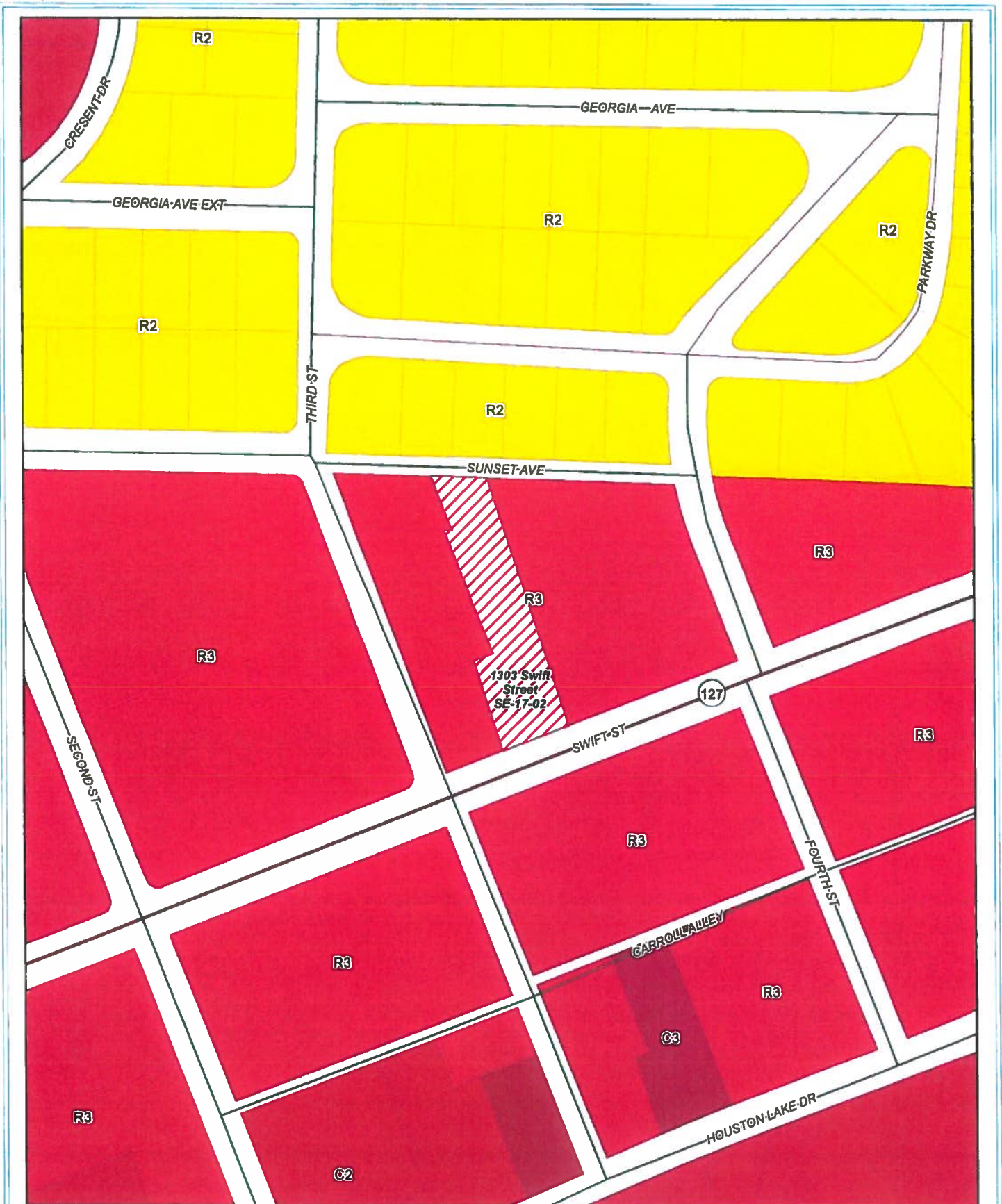
It is not my intent to increase the traffic on Swift St, just like when I had the tax office, I only saw clients by appointment, back then no more than 5 clients a day, as I still take my son to school every morning and pickup him up in the afternoon.

I moved back to Perry, my hometown because I love this quiet aesthetic town and will not intentionally do anything to disturb the peace here.

Let me know if you need anything else.

--

Carla Hammock
(478) 988-9535



Legend

	C3		OC		R3
	GU		PUD		RAG
	LC		M1		R1
	C1		M2		R2
	C2		R2A		RMH



1 inch = 200 feet



City of Perry Zoning Review

Case: SE-17-02



Where People Come Together.

MINUTES
WORK SESSION MEETING
OF THE PERRY CITY COUNCIL
April 3, 2017
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the work session meeting held April 3, 2017 at 5:05 p.m.

2. Roll:

Elected Officials Present: Mayor James E. Faircloth, Jr.; Mayor Pro-Tempore William Jackson, Council Members Randall Walker, Robert Jones, Riley Hunt, Phyllis Bynum-Grace and Willie King.

Elected Official(s) Absent: None

Staff: City Manager Lee Gilmour, Assistant City Attorney Matthew Hulbert and Recording Clerk Cyndi Houser.

City Departmental Staffing: Chief Steve Lynn – Police Department, Brenda King – Director of Administration, Robert Smith - Economic Development Director, Chief Lee Parker – Fire and Emergency Services, Kevin Dye – Director of Leisure Services, Bryan Wood – Director of Community Development, Ellen Palmer – Digital Communications Manager, and John Schell – Buildings and Grounds Maintenance Supervisor, and Chad McMurrin – Lead Engineering Technician.

Guest(s) / Speaker(s): Peggy Jerles, Bill O’Neal and Becky Powell – Perry Public Arts Commission, and Darlene McLendon – Perry Area Chamber of Commerce

Media: Kristin Moriarty - Houston Home Journal

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

3a. Administration

1. Request to place a marker in Evergreen Cemetery – Ms. A. Warren
Mr. Gilmour announced that the petitioner withdrew the request and will resubmit when Veterans Park is established.

3b. Fire and Emergency Services

1. Consider a resolution authorizing the Perry Fire and Emergency Services Department to join the Georgia Mutual Aid Group – Chief L. Parker.
Chief Parker explained this is a statewide agreement and there is no charge to the City to join, and it does not affect the current mutual aid document. It was the consensus of Council to place on the April 4, 2017

agenda.

3c. Leisure Services

1. Presentation of the Perry Public Arts survey data – Mr. K. Dye Mr. Dye provided a Power Point presentation regarding the results of the survey sent out to the citizens of Perry. The results will be “plugged into” the overall plan for the Perry Public Arts Commission. Council and Manager asked that the presentation be sent to the Digital Communications Manager to be placed on social media.

4. Council Member Items:

Council Member Jones asked everyone to remember those families who suffered property damage following the storms earlier in the day.

Council Member Hunt advised there were several trees down on Tucker Road.

Mayor Pro Tempore Jackson and Council Members King, Walker and Bynum-Grace had no reports

Mr. Gilmour requested a response from Mayor and Council regarding the proposed budget meetings and the hearing dates. It was a consensus to proceed with the proposed days and times. He also announced that Houston County and the three (3) cities were joining together for a tire collection April 21-23rd. Tires can be dropped off at the Public Works building on Kings Chapel Road.

Assistant City Attorney Hulbert had no report.

5. Department Head Items:

Mr. Wood and Ms. Palmer- no reports.

Mr. Smith reported the CDBG application was submitted. The request was increased due to a fire at one of the homes that was on the list. A Housing Fair will be held at Creekwood Pavilion and is open to all residents. It will be moved to the Worrall Center in case of inclement weather. The cleanup project will be held on April 29th in the Ochlahatchee neighborhood.

Ms. King announced that the bond closing had taken place.

Mr. Dye stated that the spring basketball signup will end April 7th; and, the fishing rodeo will be held April 22nd followed by a reptile show being put on by The Go Fish Center at noon.

Mr. Schell reported the following people had completed the 120 hour management course and presented their project at the Middle Georgia Regional Commission: John Schell, Susan Miles, Todd Ennis and Virgil Newberry. He also announced that the second floor HVAC in the Police Department had died, but it will take over \$5,000 to

repair. Mayor Faircloth requested that the item be placed on the April 4, 2017 agenda for consideration.

Chief Lynn provided an updated on the number of trees down, property damage, and Georgia Power is working on downed lines but there were no injuries reported.

Chief Parker noted there had been 30 EMS calls between 1:30 and 3:30.

Ms. McLendon, Perry Area Chamber of Commerce, provided details for the upcoming Dogwood Festival and gave out “swag” bags to Mayor and Council.

Mayor Faircloth:

- Cautioned all to watch the weather
- Budget meetings will begin in April as part of the work sessions with the actual budget hearing scheduled for the June 6th and adoption on June 20th. The public is welcome to attend any of these meetings.
- Will be presenting a state of the city address at Perry United Methodist seniors on April 6th at noon.
- A retirement luncheon for Detective Tom Daly will be tomorrow.

6. Adjournment: There being no further business to come before Council in the work session held April 3, 2017, Council Member Jones motioned to adjourn the meeting at 5:48 p.m. Council Member King seconded the motion and it carried unanimously.

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
April 4, 2017
5:00 P.M.

1. Call to Order: Mayor Pro Tempore William Jackson, Presiding Officer, called to order the pre council meeting of the Perry City Council held April 4, 2017 at 5:00 p.m.

2. Roll.

Elected Officials Present: Mayor Pro Tempore William Jackson; Council Members Bynum-Grace, Willie King, Robert Jones, and Riley Hunt.

Elected Official(s) Absent: Mayor James E. Faircloth, Jr. and Council Member Randall Walker.

Staff: City Manager Lee Gilmour, City Attorney Matthew Hulbert and Recording Clerk, Nancy Graham.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Kevin Dye – Director of Leisure Services, Robert Smith – Economic Development Director, Bryan Wood – Director of Community Development, Ellen Palmer – Digital Communications Manager, Chad McMurrian – Lead Engineering Technician, and John Schell – Buildings and Grounds Maintenance Supervisor.

Guest(s)/Speaker(s): Darrell Holder and Chad Bryant

Media: Kirstin Moriarty – Houston Home Journal

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

3a. Discussion of April 4, 2017 council meeting agenda.

6a. Amendment to Perry Land Development Ordinance, Section 92.11.1(2)(c), 131.5, and 148.2.5 as it relates to the standards for cul-de-sacs and dead-end street turnarounds – Mr. Wood. Mr. Wood reviewed the amendment and advised that the Planning Commission recommended approval.

8a(1). Second Reading of an ordinance for the rezoning of property from OC, Office Commercial to M-2, Industrial. The property is located at 702 and 704 Ball Street – Mr. B. Wood: Mr. Wood advised Council of a correction relative to the location of the property for rezoning. The location of the property is 704 and 708 Ball Street. As a follow up to the last meeting, Mr. Wood addressed Council's concerns relative to M-2 with limitations on use. Mr. Wood provided a handout of an email between him and the perspective buyer, Mr. Darrell Holder which outlined the uses allowable on the property. Additional

conditions for rezoning, Mr. Holder is proposing 4ft aluminum decorative fencing along the street frontage and 6ft wooden privacy fence along the rear and west side property adjacent to residential property.

8a(2) Second Reading of an ordinance amending the Perry Land Development Ordinance, Section 106 – Signs - Mr. Wood. Mr. Wood advised Council that said ordinance clears up an oversight relative to the absence of a reference to which sign requirements apply when the form based code was placed on Courtney Hodges. Mr. Wood advised that the Planning Commission recommends approval of amendment.

10a(1) Authorization to replace a part of the HVAC system in the Public Safety Building – Mr. L. Gilmour. Administration recommended award to the low bidder, Sullivan Heating and Cooling in the amount of \$5,181.00.

10b(2) First Reading of an ordinance to amend the Perry Code by deleting Section 15-53 in its entirety and adding a new Section 15.53 – Collection of tax by lodging provider – Ms. B. King. Ms. King advised that this is housekeeping to the Hotel/Motel tax ordinance to reflect the collection of tax at 7%.

10c(1) Resolution authorizing the Perry Fire and Emergency Services Department to join the Georgia Mutual Aid Group – Chief L. Parker. Chief Parker presented for Council's consideration a resolution authorizing the Perry Fire and Emergency Services Department to join the Georgia Mutual Aid Group. He advised there is no cost to the City to join.

10c(2) Selection of a voting delegate for the Municipal Gas Authority of Georgia Annual Election – Mr. L. Gilmour. Administration recommended Mayor Faircloth and Councilman Walker as voting delegates for the Municipal Gas Authority of Georgia Annual Election.

10d(1) Bid No. 2017-18 Two (2) 15' Flex Wing Mowers – Ms. B. King. Ms. King advised staff recommended award to the low bidder, Walker Rhodes Tractor Company in the amount of \$32,800.00.

10d(2) Bid No. 2017-19 One(1) 60" front deck mower – Ms. B. King. Ms. King advised department recommended award to Walker Rhodes Tractor Company in the amount of \$15,071.00.

10d(3) Engineering evaluation of sewer main and manholes on Ball, Jernigan and Washington Streets – Mr. C. McMurrian. Mr. McMurrian advised staff recommended award to low bidder, Georgia Water Environmental Services in the amount of \$28,295.00.

10d(4) Wrap for command post vehicle – Chief S. Lynn. Chief Lynn recommended award to the low bidder, Ibalz Marketing in the amount of \$6772.00.

10e. Approval of local LMIG contract – Mr. C. McMurrian: Mr. McMurrian recommended approval for the City's portion to the low bidder, Georgia Asphalt in the amount of \$100,696.75. Mr. Gilmour advised that the contract has been approved by the City's attorney office and funding will come from SPLOST.

11a. Declaration for keeping Creekwood Pool open for the summer of 2017 – Council Member Bynum-Grace: Council Member Bynum-Grace advised that the splash pad project would not begin until late summer or early fall; therefore, she would like the pool at Creekwood to be open this summer. Mr. Dye advised that the pool will be open as long as there are no catastrophe problems.

4. Department Heads Items:

Mr. Schell, Mr. Smith, Mr. Palmer, and Mr. McMurrian had no reports.

Mr. Dye advised that following Monday's storm, all parks were checked.

Mr. Wood asked for Council's consideration to waive permit fees for repairs associated with storm damage from April 3, 2017 and potential damage on April 5, 2017. Council concurred to waive the fees.

Chief Parker advised Council of the weather briefing he attended relative to the severe weather expected to arrive on Wednesday, April 5, 2017.

Chief Lynn advised he attended the same briefing and his department will be on standby mode.

Ms. King reported the bond closed today with no problems.

5. Council Member Items:

Council Members Hunt, Jones, Bynum-Grace, and King had no reports.

Assistant City Attorney Hulbert and Mr. Gilmour had no reports.

6. Adjourn: There being no further business to come before Council in the pre council meeting held April 4, 2017, Council Member Jones motioned to adjourn the meeting at 5:30 p.m.; Council Member Hunt seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
April 4, 2017
6:00 P.M.

1. Call to Order: Mayor Pro Tempore William Jackson, Presiding Officer, called to order the regular meeting of the Perry City Council held April 4, 2017 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor Pro Tempore William Jackson and Council Members Willie King, Robert Jones, Phyllis Bynum-Grace and Riley Hunt.

Elected Official(s) Absent: Mayor James E. Faircloth, Jr., and Council Member Randall Walker

Staff: City Manager Lee Gilmour, Assistant City Attorney Matthew Hulbert, and Recording Clerk, Cyndi Houser.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Robert Smith – Economic Development Director, Brenda King – Director of Administration, Kevin Dye – Director of Leisure Services, John Schell – Buildings and Grounds Maintenance Supervisor, Catherine Edgemon, Main Street Coordinator and Ellen Palmer – Digital Communications Manager.

Guest(s)/Speaker(s): Tom and Karen Daly and family, members of the Police Department, Darlene McLendon – Perry Chamber of Commerce, and Walt and Becky Wood.

Media: Kristin Moriarty - Houston Home Journal, and Marigrace Segó-ComSouth 100.

3. Invocation and Pledge of Allegiance to the Flag: Mayor Pro Tempore William Jackson
Council Member King rendered the invocation and Council Member Hunt led the pledge of allegiance to the flag.

4. Recognition(s)/Presentation(s): Mayor Pro Tempore William Jackson

* Recognition of Detective Tom Daly – Chief Lynn

Chief Lynn and Mayor Pro Tempore Jackson presented a certificate and other memorabilia Detective Daly and Ms. Daly upon his retirement from the Perry Police Department.

Mayor Pro Tempore Jackson deviated from the agenda to recognize a community partner update from Ms. Darlene McLendon, Perry Area Chamber of Commerce.

Ms. McLendon provided an update of events for the Dogwood Festival scheduled for April 8 & 9, 2017. She then presented Mayor Pro Tempore Jackson and Council with a print of the annual Dogwood Festival painting.

5. Citizens with Input. None

6. Public Hearing: Mayor Pro Tempore William Jackson

PUBLIC HEARING CALLED TO ORDER AT 6:13 P.M. Mayor Pro Tempore Jackson called to order a public hearing at 6:13 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 (c).

6a. Amendment to the Perry Land Development Ordinance, Section 92.1.1(2)(c), 131.5, and 148.2.5 as it relates to the standards for cul-de-sacs and dead end street turnarounds.

Staff report: Mr. Wood noted this amendment is to bring the current ordinance in alignment with the International Fire Code standards for streets over 500' in length. An informational meeting was held on March 3, 2017.

For: None

Opposed: Chad Bryant, Ocmulgee Engineering, expressed concern regarding the standards and the economic effect on subdivision development, traffic safety, and higher maintenance costs. He also noted all streets should be standardized.

PUBLIC HEARING CLOSED AT 6:20 P.M. Mayor Pro Tempore Jackson closed the public hearing at 6:20 p.m.

7. Review of Minutes: Mayor Pro Tempore William Jackson

7a. Council's Consideration – Minutes of the March 6, 2017 joint meeting of Council and the Perry Planning Commission, March 20, 2017 work session, March 21, 2017 pre council meeting and March 21, 2017 council meeting. Council Member Bynum-Grace moved to accept the minutes as submitted; Council Member Jones seconded and the motion carried with Council Member Jones abstaining for the March 6, 2017 meeting.

8. Old Business: Mayor Pro Tempore William Jackson

8a. Ordinance(s) for Second Reading(s) and Adoption:

1. Adopted Ordinance No. 2017-05 rezoning of property from OC, Office Commercial to M-2, Industrial. The property is located at 704 and 708 Ball Street. Mr. Wood explained the Planning Commission recommended approval with certain conditions which the prospective purchaser is

agreeable to. Council Member Jones moved to adopt the ordinance for rezoning of property located at 704 and 708 Ball Street from OC, Office Commercial to C2, General Commercial with following conditions recommended by the Planning Commission: 1) A 6' tall wood fence be installed along the north and east property lines adjacent to residentially zoned properties and 2) Any chain link fence on front property be black vinyl. Council Member King seconded the motion and it carried unanimously. (*Ordinance 2017-05 has been entered in the City's official book of record*).

2. Adopted Ordinance No. 2017-06 amending the Perry Land Development Ordinance, Section 106-Signs. Mr. Wood advised this was a correction for standards in the form based code. Council Member Bynum-Grace moved to adopt the amendment for the Perry Land Development, Section 106-Signs. Council Member King seconded and it carried unanimously. (*Ordinance 2017-06 has been entered in the City's official book of record*).

9. Any Other Old Business: Mayor Pro Tempore William Jackson

- 9a. Mayor Pro Tempore William Jackson - None
- 9b. Council Members - None
- 9c. City Manager Lee Gilmour - None
- 9d. Assistant City Attorney Matthew Hulbert - None

10. New Business: Mayor Pro Tempore William Jackson

10a. Matters referred from the April 3, 2017 work session and the April 4, 2017 pre council meeting.

1. Authorization to replace a part of the HVAC system in the Public Safety Building – Mr. Gilmour

Mr. Gilmour advised that two (2) estimates were obtained and Administration recommended the low bid of \$5,181 from Sullivan Heating and Cooling. Council Member Hunt moved to award the low bid of \$5,181 from Sullivan Heating and Cooling to repair part of the HVAC system in the Public Safety Building. Council Member Jones seconded and it carried unanimously.

10b. Ordinance(s) for First Reading(s) and Introduction:

1. First Reading of an ordinance amending the Perry Land Development Ordinance, Section 92.10.1(2)(c), 131.5, and 148.2.5 as it relates to the standards for cul-de-sacs and dead-end street turnarounds. – Mr. Wood noted this is a request to make the cul-de-sacs and dead-end street turnarounds standard. (*No action required by Council*)
2. First Reading of an ordinance to amend the Perry Code by deleting Section 15-53 in its entirety and adding a new Section 15-53 – Collection

of tax by lodging provider. Ms. King advised this amendment was done to correct conflicting rates and clean up the code to the current rate of 7%. *(No action required by Council)*

10c. Resolution(s) for Consideration and Adoption:

1. Adopted Resolution 2017-14 authorizing the Perry Fire and Emergency Services Department to join the Georgia Mutual Aid Group. Chief Parker advised there is no charge to join in this group and would provide easier access to mutual aid from across the state as well as provide training. Council Member Jones moved to approve joining the Georgia Mutual Aid Group. Council Member Hunt seconded and it carried unanimously.
2. Adopted Resolution 2017-15 appointing Mayor Faircloth a voting delegate for the Municipal Gas Authority of Georgia's Annual Election. Mr. Gilmour stated this is an annual election and the recommendation is Mayor Faircloth as the voting delegate and Council Member Walker as the alternate. Council Member Bynum-Grace moved to elect Mayor Faircloth as the voting delegate and Council Member Walker as the alternate to the Municipal Gas Authority of Georgia. Council Member Jones seconded and the motion carried unanimously.

10d. Award of Bid(s):

1. Approval of Bid 2017-18 Two (2) 15' Flex Wing Mowers – Ms. King

Ms. King presented for Council's consideration an award of bid for two (2) 15' Flex Wing Mowers for use by the Public Works Street Department. Staff recommended awarding the bid for both mowers to Walker-Rhodes Tractor Company for \$32,000. Council Member King moved to award the low bid to Walker-Rhodes Tractor for two (2) Flex Wing Mowers for \$32,000. Council Member Hunt seconded the motion and it carried unanimously.

2. Approval of Bid 2017-19 One (1) 60" front deck mower - Ms. King

Ms. King presented for Council's consideration an award of bid for use by the Public Works Street Department for one (1) 60" front deck mower. Staff recommended awarding the bid to Walker-Rhodes Tractor Company for \$15,071. Council Member Jones moved to award the low bid to Walker-Rhodes Tractor Company for \$15,071. Council Member King seconded and the motion carried unanimously.

3. Approval of awarding the contract to evaluate the sewer main and manholes on Ball, Jernigan and Washington Streets - Mr. McMurrian

Mr. McMurrian presented for Council's consideration an award of contract for evaluation of the sewer main and manholes on Ball, Jernigan and Washington Streets. Staff recommended awarding the contract to

low bidder Georgia Water and Environmental Services for \$28,295. It will be paid from the Water Revenue Fund. Council Member Bynum-Grace moved to award the contract as recommended to Georgia Water and Environmental Services for \$28,295. Council Member Jones seconded the motion and it carried unanimously.

4. Approval of a wrap for the command post vehicle – Chief Lynn

Chief Lynn presented for Council's consideration an award of bid for a wrap for the command post vehicle. Staff recommended awarding the low bid of \$6,772 to Ibalz of Warner Robins. Council Member Jones moved to award the low bid of \$6,772 to Ibalz of Warner Robins for the command post vehicle wrap. Council Member King seconded and it carried unanimously.

10e. Approval of local LMIG contract – Mr. C. McMurrian

Mr. McMurrian presented for Council's consideration an award of bid for the LMIG funds. Mr. McMurrian noted that the contract will be in done in conjunction with Houston County and staff recommended approval to award the contract to Georgia Asphalt. Council Member Jones moved to award the contract to Georgia Asphalt in conjunction with the Houston County Board of Commissions for the LMIG projects. Council Member King seconded the motion and it carried unanimously.

11. Supplemental Agenda

11a. Declaration for keeping Creekwood Pool open for the summer of 2017 – Council Member P. Bynum-Grace.

Council Member Bynum-Grace was concerned that because the splash pad has not been started, the pool at Creekwood Park would not be open this summer. Council Member Jones moved to declare the Council will keep the Creekwood Pool open this summer. Council Member King seconded the declaration and it carried unanimously.

12. Council Member Items

No reports from Council Members Bynum-Grace, King and Hunt

Council Member Jones cautioned everyone to be careful during the predicated severe weather for Wednesday.

13. Department Head Items.

Mr. Wood introduced Rosalind Jemison the new Code Compliance Specialist for Community Development. He also announced there were 77 new single home permits in the first quarter; new subdivisions are increasing; commercial permits included Starbucks and Tractor Supply and there are also a number in-house for review.

Mr. Smith reminded everyone of the housing fair to be held April 27th at Creekwood Pavilion and a neighborhood clean-up will be held on April 29th in the Ochlahatchee area.

Mr. Dye

- Registration for spring basketball ends April 7th.
- A fishing rodeo will be on April 22nd which includes a reptile display

Chief Lynn noted there is a plan in place for the anticipated severe weather.

Chief Parker:

- Provided details from the county-wide EMS meeting
- Monday's weather confirmed 30 calls in Perry and 140 county-wide along with 3 confirmed tornadoes
- There was reported structural damage from Monday's weather.

Ms. King, Ms. Palmer and Mr. Schell had no reports.

14. General Public Items: None
15. Mayor Items: None
16. Adjourn: There being no further business to come before Council in the regular meeting held April 4, 2017 Council Member Hunt motioned to adjourn the meeting at 6:45 p.m.; Council Member King seconded the motion and it carried unanimously.

City of Perry

Ordinance Review Check List for Second Reading

_____ City Attorney (Ordinance was prepared by Mr. Walker)

LS
_____ City Manager – Lee Gilmour

DB
_____ Department Head

Notes:

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended as follows:

1.

By deleting Sec. 15-53 in its entirety.

2.

By adding a new Sec. 15-53 as follows:

Sec. 15-53. Collection of tax by lodging provider.

Every lodging provider renting guest rooms in this city or premises in a campground in this city shall collect a tax of seven (7) percent on the amount of rent from the occupant unless an exemption is provided under Sec. 15-54. The lodging provider shall provide a receipt of each occupant, which receipt shall reflect both the amount of rent and the amounts of this and other tax(es) applicable. This tax shall be due from the occupant, and shall be collected by the lodging provider at the same time that the rent is collected.

SO ENACTED this ____ day of _____, 2017.

CITY OF PERRY, GEORGIA

By: _____
James E. Faircloth, Jr. - Mayor

Attest: _____
Annie Warren - City Clerk

1st Reading: _____

2nd Reading: _____

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended as follows:

1.

By deleting in Section 4-21 the definitions of abandonment, owner and restraint and adding new definitions for abandonment, owner and restraint as follows:

Abandonment means the intentional or complete forsaking of any animal by its owner, without making reasonable arrangements for the adequate care and custody of the animal to be assumed by another person or the failure to return and resume responsibility of an animal at the designated time as arranged with the caregiver. Abandonment also means the act of placing an animal on public property or within a public building, unattended or uncared for, or on or within the private property of another without the express permission of the owner, custodian or tenant of the private property. An animal shall also be considered abandoned when it has been unattended and without adequate and proper food and water for a period in excess of thirty-six (36) hours, regardless of where such animal may be found or kept.

Owner means any person, partnership or corporation owning, possessing, keeping or harboring one (1) or more animals. A person who continually feeds a stray cat shall be considered its owner. An animal shall be deemed to be harbored if it is fed or sheltered for seven (7) or more consecutive days; or, in the case of an animal owned by a minor, the term "owner" includes the parents or persons in loco parentis with custody of the minor.

Restraint means any animal which is:

- (a) on a hand-held leash; or
- (b) at heel or beside a competent person and obedient to that person's commands while on the owner's real property limits; or
- (c) within a vehicle being driven or parked on the streets and roads of the city; or
- (d) in a fenced area within the real property limits of the owner (if zoned R-1, R-2, R-3, R-4, RMH, C-1, C-2, M-1, M-2 or PUD); or
- (e) within the property limits of an R-Ag zone; or
- (f) within a designated off-leash area of the dog park; or
- (g) within an electronic animal confinement system and provided they are maintained in good working order and keep the animal contained; and
 - 1) Contain permanent and prominently displayed signs around the perimeter of the electronic animal confinement system. The signs shall be clearly visible prior to entering such premise and shall read: "Caution-Electronic Animal Confinement System."
- (h) It shall be the duty of every owner of an animal to ensure that the animal is kept under restraint, and that precautions are taken to prevent the animal from leaving, while unattended, the real property limits of its owner.
- (I) It shall be the duty of every owner to ensure that the enclosure must be securely locked at any time the animal is left unattended, after being issued a warning or a citation by the dog control officer.
- (j) It shall be the duty of every owner of a classified animal to ensure that the animal is securely and humanely enclosed within a proper enclosure as a means of restraint.

2.

By adding in Section 4-21 the following new definitions:

Altered means it shall be the duty of the owner of a dog or cat declared by an authority or court of

competent jurisdiction to be a potentially dangerous, dangerous or vicious animal, to have the animal surgically sterilized. Such sterilization must be performed by a licensed veterinarian within thirty (30) days of a final order of an authority or court of competent jurisdiction declaring the animal to be a potentially dangerous animal, dangerous animal, or vicious animal.

Cruelty means:

- (a) every act, omission, or neglect by which death, unnecessary or unjustifiable pain or suffering is caused, permitted, or allowed to continue to any animal when there is a reasonable remedy of relief.
- (b) also includes transporting an animal in an unrestrained open-air vehicle or transporting an unrestrained animal in the trunk of any vehicle or leaving an animal unattended in a closed vehicle without proper ventilation or temperature control, where the outside air temperature is eighty (80) degrees Fahrenheit or above.
- (c) also means allowing or causing any animal to participate in training for or engaging in an animal fight operated for sport, entertainment or gaming purposes. Routine medical procedures by a licensed veterinarian shall not be regarded as cruelty.

Electronic animal confinement system shall mean a commercially produced, functioning and professionally installed electronic fence which utilizes an invisible electrically generated perimeter, in which the animal within the perimeter wears an electronic collar that produces an electric shock when the animal approaches or exceeds the perimeter.

Fence means any structure of wire, being 16 gauge or higher, wood, stone or other material, which is of sufficient height and strength to act as a barrier against passage of the animal it is intended to enclose. A fence shall be sufficient to prevent the animal from being able to jump, dig, or escape from confinement; and shall have slats installed for chain link if it is the only barrier to contain a dangerous/vicious animal.

Open-air vehicle means the cargo area of any pickup truck that is not covered by a permanent attached utility cover or any convertible vehicle with its top down.

Pen means a padlocked, fenced area within a perimeter fenced area that has secure sides that are buried two (2) feet into the ground or sunken in concrete and a secure top.

Public nuisance. An animal shall be deemed to be a public nuisance if the animal:

- (1) Is permitted to go upon the property of another person other than its owner or keeper without the express consent of such other property owner or occupant;
- (2) Attacks or acts so as to menace pedestrians or other persons using public ways;
- (3) Is permitted to cause annoyance, alarm, or noise disturbance for more than fifteen (15) minutes at any time of the day or night, by repeated barking, whining, screeching, howling, braying or other like sounds which can be heard beyond the boundary of the owner's property, where said such owner has been given one (1) warning by law enforcement personnel to control the animal or animals.
- (4) Is repeatedly running at large.
- (5) Trespasses on school grounds.

3.

By deleting Sec. 4-26 in its entirety and adding a new Sec. 4-26 as follows:

Sec. 4-26. Authority to remove abused or neglected animals.

Animal control officers shall be authorized to remove or cause to have removed to a safe location any animal that appears to be abused or suffering undue pain from abuse or neglect, as may be necessary to prevent further suffering. The police chief, assistant police chief or their designee may use any force necessary to remove any animal locked in a closed vehicle when the ambient temperature is eighty (80) degrees Fahrenheit or above outside the vehicle. If the vehicle is damaged during such removal, the police chief, assistant police chief or their designee shall not be liable for any damage to the vehicle. The owner or possessor of the animal may be charged according to O.C.G.A. § 16-12-4 concerning cruelty to animals.

4.

By changing the title to Sec. 4-32 to read as follows:

Sec. 4-32. Animal neglect.

5.

By deleting Sec. 4-33 in its entirety and adding a new Sec. 4-33 as follows:

Sec. 4-33. Cruelty to Animals.

(a) It shall be unlawful for any person to commit acts of cruelty toward any animal; and
(b) It shall be unlawful for any person to beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal, or cause, instigate or permit any dogfight, cock fight, or other combat between animals or between animals and humans.

6.

By deleting Sec. 4-38 in its entirety and adding a new Sec. 4-38 as follows:

Sec. 4-38. Rabies inoculation for dogs, cats and ferrets.

It shall be unlawful for the owner of any dog, cat or ferret housed, kept or boarded past 3 months of age within the incorporated limits of the city to fail to have the animal(s) inoculated against rabies, and to have a rabies tag attached to animal's collar. The owner shall be liable for the inoculation of the animal. State law reference O.C.G.A. § 31-19 and the Georgia Rabies Control Manual.

7.

By adding a new Sec. 4-40 (e) as follows:

(e) The waiver shall be renewed on an annual basis. At the time of renewal of a waiver a dog control officer shall verify that the owner is continuing to comply with provisions of this section.

8.

By adding a new Sec. 4-41 as follows:

Sec. 4-41. Tethering.

It shall be unlawful to restrain an animal by tethering or any similar use of chain, cable, rope, runner or other stakeout or tie-out devise.

9.

By adding a new Sec. 4-42 as follows:

Sec. 4-42. Limiting Ownership.

Any person convicted of cruelty, neglect or abandonment of an animal shall not be allowed to adopt an animal from an animal shelter or rescue for at least three (3) years after the date of conviction, without written waiver from the city council; and any person who has been convicted of cruelty, neglect or abandonment of animal as provided in the code and has been required to or voluntarily relinquished ownership of said animal, shall not be allowed to own a pet in their household for at least three (3) years from the date of conviction; and, person who has been convicted of failure to keep an animal under restraint while on owner's property as provided in this

code and has been required to provide additional confinement requirements and has not complied with the court's order, shall not be allowed to own a pet in their household for three at least (3) years from the date of conviction.

10.

By adding a new Sec. 4-43 as follows:

Sec. 4-43. Aggressive dogs.

No person shall in any area zoned for residential use engage in the business of training dogs to attack humans or maintain dogs which are being trained to attack humans unless such use is expressly permitted under the applicable zoning regulations in effect for such residential area.

11.

By adding a new Sec. 4-44 as follows:

Sec. 4-44. Dead animals.

No person shall place any dead animal upon public property, their premises or upon the premises of any other person, or allow any dead animal to remain upon public property, their premises or any dead animal belonging to them to remain upon the premises of another without disposing of same or causing the same to be properly removed or disposed of within twenty-four (24) hours.

12.

By adding a new Sec. 4-45 as follows:

Sec. 4-45. Feeding of stray (feral) cats.

It shall be unlawful for any person to feed stray and/or feral cats, where such feeding causes a nuisance to neighbors or businesses, or creates a condition contrary to the health, safety and welfare of the community.

13.

By adding a new Sec. 4-46 as follows:

Sec. 4-46. Cats injuring or destroying property of others.

It shall be unlawful for any person to own, or allow to be in or upon any premises occupied by him or her or under his or her charge or control, any cat that in any manner injures or destroys any real or personal property of any description belonging to another.

14.

By deleting Sec. 4-101 in its entirety and adding a new Sec. 4-101 as follows:

Sec. 4-101. Definitions.

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

Altered means it shall be the duty of the owner of a dog or cat declared by an authority or court of competent jurisdiction to be a potentially dangerous, dangerous or vicious animal, to have the animal surgically sterilized. Such sterilization must be performed by a licensed veterinarian within thirty (30) days of a final order of an authority or court of competent jurisdiction declaring the animal to be a potentially dangerous animal, dangerous animal, or vicious animal.

Classified animal means any animal that has been classified as either dangerous or vicious animal

pursuant to this article. Classifications are permanent until the death of the animal.

Dangerous animal means any animal that:

1. Causes a substantial puncture of a person's skin by teeth without causing serious injury; or
2. Aggressively attacks in a manner that causes a person to reasonably believe that the animal posed an imminent threat of serious injury to such person or another person although no such injury occurs; or
3. While off the owner's property kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog; where certain conditions apply, see Sec. 40-102; or
4. Has previously been found to be a potentially dangerous animal and has repeated the same behavior under potentially dangerous animal sections 1, 2 or 3.

Fence means any structure of wire, being 16 gauge or lower, wood, stone or other material, which is of sufficient height and strength to act as a barrier against passage of the animal it is intended to enclose. A fence shall be sufficient to prevent the animal from being able to jump, dig, or escape from confinement; and shall have slats installed for chain link if it is the only barrier to contain a dangerous animal.

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

Pen means a padlocked, fenced area within a perimeter fenced area that has secure sides that are buried two (2) feet into the ground or sunken in concrete and a secure top.

Potentially dangerous animal means any animal that:

1. Without provocation, endangers the safety of humans; or
2. An animal that bites or attacks a person or pet animal without causing injury; or
3. Or an animal that has been found "running at large more than one time in a six month period; or
4. Which, because of temperament, conditions, or training, has a known propensity, tendency, or disposition to attack, bite, or injure humans or other animals without provocation.

Proper enclosure means an enclosure for keeping

1. A potentially dangerous animal, while on the owner's property, securely and locked confined indoors or in a securely enclosed padlocked fenced in area. Such enclosure shall be suitable to prevent the entry of young children and designed to prevent the animal from escaping. All sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the animal's escape from over or from under the fence. Any such enclosure shall also provide protection from the elements for the animal.
2. A dangerous animal, while on the owner's property, securely confined indoors or inside an enclosed and locked pen constructed with a fence of 16 gauge or lower, or inside a fence of 16 gauge or lower with slats inserted, if said fence is the only barrier to maintain said dangerous animal and maintained and suitable to prevent the entry of young children and designed to prevent the animal from escaping. Any such pen or structure shall have secure sides and a secure top. If the animal is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the animal's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the animal.
3. A vicious animal, while on the owner's property, securely confined and enclosed in a locked pen, with fence 16 gauge or higher, and shall be separate from the chain link fencing and it shall have slats, and such structure shall be suitable to prevent the entry of young children and designed to prevent the animal from escaping. Any such pen or structure shall have

secure sides and a secure top and a secure bottom. The pen shall be constructed or secured in such a manner as to prevent the animal's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the animal.

Residential Lot. The lot with a dwelling located thereon, exclusive of any vacant lots adjacent thereto under the same ownership.

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

Vicious animal means any animal that:

- 1) inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the animal's attack; or
- 2) in the opinion of a judge, presents a threat of serious harm to other animals or humans; or
- 3) has previously attacked or bitten a human or injured a pet animal and has attacked or bitten a human or pet animal for second time; or
- 4) has been previously classified as a dangerous animal and has attacked or bitten a human or pet animal for second time.

15.

By deleting Sec. 4-102 in its entirety and adding a new Sec. 4-102 as follows:

Sec. 4-102. Exemptions from article.

- (a) No dog shall be classified as a potentially dangerous dog, dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a potentially dangerous dog, dangerous dog or vicious dog if the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit a crime.
- (b) Training, hunting, herding exemption from dangerous dog restraint/leash requirement:
 - (a) In addition to the requirements otherwise specified by this Code section and O.C.G.A. § 4-8-29(a)(3), the person training the dog(s) must be the owner thereof, and must be in compliance with all Department of Natural Resources requirements including without limitation
 - 1) a valid hunting license on his/her persons; and
 - 2) has the consent of the property owner where he/she is hunting
 - 3) training, hunting, herding and/or predator control cannot take place off the property of the owner thereof, unless with the express written permission and acknowledgment of dangerousness of the dog granted by the owner of the land being used; and
 - 4) only with a dog that will instantly respond to the verbal commands of the dog's owner, including without limitation a command to immediately heel and/or return to the owner.

16.

By deleting Sec. 4-103 and adding a new Sec. 4-103 in its entirety as follows:

Sec. 4-103. Violation of article.

Except as otherwise specified in this article, any person who violates any provision of this article shall be guilty of a misdemeanor.

It shall be unlawful for an owner of a dangerous or vicious animal to leave said animal:

- (a) unattended with minors
- (b) A person who violates subsection (a) of this code section shall be guilty of a

misdemeanor of high and aggravated nature.

- (c) It shall be unlawful for an owner of a dangerous or vicious animal to leave said animal unattended with other pets.

Sec. 4-104. Animal control board.

- (a) The board of commissioners hereby establish an animal control board to hold hearings as provided by O.C.G.A. §4-8-23.
- (b) This board is created in conjunction with the cities of Warner Robins, Centerville, and Perry and shall be comprised of one representative each from the Houston County Board of Commissioners and the cities of Chesterville, Perry and Warner Robins.
- (c) No member of the animal control board may participate in a hearing on any matter in which such member previously participated in the classification of the animal at issue.

Sec. 4-105. Investigation; notice to owner.

A. For purposes of this section, the term:

- (1) "Authority" means a court of competent jurisdiction, an animal control board or local board of health, as determined by the governing authority of a local government; provided, however, that if an authority has not been established for the jurisdiction, the owner shall be informed of the right to request a hearing from the probate court for such jurisdiction where the dog was found or confiscated within five days after the date shown on the notice.
- (2) "Mail" means to send by certified parcel mail or statutory overnight delivery to the recipient's last known address.

B. Upon receiving a report of a animal believed to be subject to classification as a:

1. Potentially dangerous animal within a dog control officer's jurisdiction, the dog control officer shall make such investigations as necessary to determine whether such animal is subject to classification as a potentially dangerous animal.

- a. Dog control officer shall mail a dated notice within 72 hours.
- b. Notice shall include dog control officer's determination and shall state what qualifications/regulations the owner must be in accordance with.
- c. Shall have no appeal process under potentially dangerous classification
- d. if it is determined that the potentially dangerous animal shall be classified as dangerous animal, the owner shall comply with the requirements under section for Dangerous Animal

2. Dangerous animal or vicious animal within a dog control officer's jurisdiction, the dog control officer shall make such investigations as necessary to determine whether such animal is subject to classification as a dangerous animal or vicious animal.

- a. When a dog control officer determines that an animal is subject to classification as a dangerous animal or vicious animal, the dog control officer shall mail a dated notice to the animal's owner within 72 hours. Such notice shall include a summary of the dog control officer's determination and shall state that the owner has a right to request a hearing from the authority on the dog control officer's determination within 5 business days after the date shown on the notice. The notice shall provide a form for requesting the hearing and shall state that if a hearing is not requested within the allotted time, the dog control officer's determination shall become effective for all purposes under this article.
- b. When a hearing is requested by an animal owner in accordance with subsection a. of this section, such hearing shall be scheduled within 15 days after the request is received; provided, however, that such hearing may be continued by the authority or probate court for good cause shown. At least 5 days prior to the hearing, the authority or probate court conducting the hearing shall mail to the animal owner written notice of the date, time, and place of the hearing. At the hearing, the animal

owner shall be given the opportunity to testify and present evidence and the authority or probate court conducting the hearing shall receive other evidence and testimony as may be reasonably necessary to sustain, modify which only means to upgrade or downgrade classification, or overrule the dog control officer's determination.

- c. Within ten days after the hearing, the authority or probate court which conducted the hearing shall mail written notice to the animal owner of its determination on the matter. If the determination is that the animal is to be euthanized pursuant to Code Section 4-8-26, the notice shall specify the date by which the euthanasia shall occur.
- d. Judicial review of the authority's final decision may be had in accordance with Code Section 15-9-30.9. Judicial review of a probate court's final decision shall be in accordance with Code Section 5-3-2 and costs shall be paid as provided in Code Section 5-3-22.

Sec. 4-106. Duties of owner; registration fee.

- A. It shall be unlawful for an owner to have or possess within this state a potentially dangerous animal, or classified animal without a certificate of registration issued in accordance with the provisions of this code section. Certificates of registration shall be nontransferable and shall only be issued to a person 18 years of age or older. No more than one certificate of registration shall be issued per domicile.
- B. Unless otherwise specified by this section, a certificate of registration for a potentially dangerous animal shall be issued if the dog control officer determines that the following requirements have been met:
 - (1) The owner has maintained a proper enclosure for a potentially dangerous animal; and
 - (2) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the animal; and owner must provide verifiable proof of registration to the dog control officer within 5 business days and shall be kept up to date; and
 - (3) The animal has been altered and owner must provide verifiable proof to the dog control officer within thirty (30) days from date of classification; and
 - (4) The animal is current on rabies inoculations and the owner must provide proof and keep attached rabies tag to animal's collar at all times; and
 - (5) The owner nor any occupant of such residence, where said owner is residing, is already in possession of a potentially dangerous or classified animal; and no certificate of registration shall be issued to any person who has been convicted of two or more violations of this article; and no person shall be the owner of more than one potentially dangerous, or classified animal; and
 - (6) Owner or lessor of said property, where owner of animal resides, must give written consent granting approval and knowledge that the resident owns a potentially dangerous animal.
 - (7) The owner must notify dog control officer upon the animal being sold, transferred ownership, died or attacked a human or pet animal with 24 hours or owner has moved.
- C. Unless otherwise specified by this section, a certificate of registration for a dangerous animal shall be issued if the dog control officer determines that the following requirements have been met:
 - (1) The owner had maintained a proper enclosure designed for a dangerous animal; and
 - (2) Clearly visible warning signs have been posted at or on all entrances to the pen and posted at the entrance to the premises where the animal resides; and
 - (3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the animal; and owner must provide verifiable proof of registration to the dog control officer within 5 business days; and registration must be kept up to date; and
 - (4) The animal has been altered and owner must provide verifiable proof to the dog control officer within thirty (30) days from classification or date of hearing; and

- (5) The animal is current on rabies inoculations and the owner provides proof and keeps attached a rabies tag to animal's collar at all times; and
- (6) The owner nor any occupant of such residence, where said owner is residing, is already in possession of a potentially dangerous or classified animal, or any person who has been convicted of two or more violations of this section; and no person shall be the owner of more than one potentially dangerous, or classified animal; and
- (7) The owner shall maintain and can provide proof of general or specific liability insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in this state insuring the owner of the dangerous animal against liability for any bodily injury or property damage caused by the animal; and
- (8) No owner can keep/house a classified animal within 200 yards of any structure or manmade improvement that is an aquatic center, church, convenience store, daycare, grocery store, hospital, humane society, library, nursing home, park, playground, restaurant, school, skilled nursing unit, or walking trail, due in part to these areas being frequented by children and senior citizens, and in some cases having food present; and
- (9) Owner or lessor of said property, where owner of animal resides, must give written consent granting approval and knowledge that resident owns a potentially dangerous, dangerous, or vicious animal; and
- (10) Owner of a dangerous animal shall be charged an annual registration fee of \$300.00.

D. Unless otherwise specified by this section, a certificate of registration for a vicious animal shall be issued if the dog control officer determines that the following requirements have been met:

- (1) The owner has maintained an enclosure designed to securely confine the animal on the owner's property in a securely padlocked and enclosed pen; and
- (2) Clearly visible warning signs have been posted at or on all entrances to the pen and posted at the entrance to the premises where the animal resides; and
- (3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the animal; and owner must provide verifiable proof of registration to the dog control officer within 5 business days; and said registration shall be kept up to date; and
- (4) The animal has been altered and owner must provide verifiable proof to the dog control officer within thirty (30) days of classification or date of hearing; and
- (5) The animal is current on rabies inoculations and the owner must provide proof and keep attached a rabies tag to animal's collar at all times; and
- (6) The owner nor any occupant of such residence, where said owner is residing, is already in possession of a potentially dangerous or classified animal, or any person who has been convicted of two or more violations of this section; and no person shall be the owner of more than one potentially dangerous, dangerous or vicious animal; and
- (7) Owner or lessor of said property, where owner of animal resides, must give written consent granting approval and knowledge that resident owns a vicious animal.
- (8) The owner shall maintain and can provide proof of general or specific liability insurance in the amount of at least \$100,000.00 issued by an insurer authorized to transact business in this state insuring the owner of the vicious animal against liability for any bodily injury or property damage caused by the animal; and
- (9) No owner can keep/house a classified animal within 200 yards of any structure or manmade improvement that is an aquatic center, church, convenience store, daycare, grocer store, hospital, humane society, library, nursing home, park, playground, restaurant, school, skilled nursing unit, or walking trail, due in part to these areas being frequented by children and senior citizens, and in some cases having food present.
- (10) Owner of a vicious animal shall be charged an annual registration fee of \$300.00.

E. No certificate shall be issued to the owner of more than one potentially dangerous, dangerous or vicious animal nor any occupant of such residence, where said owner is residing is already in possession of a potentially dangerous or classified animal, or any person who has been convicted of two or more violations of this section.

- F. No person shall be the owner of more than one potentially dangerous, dangerous, or vicious animal.
- G. No certificate or registration for a vicious animal shall be issued to any person who has been convicted of:
 - (1) A serious violent felony as defined in Code Section 17-10-6-1;
 - (2) The felony of dog fighting as provided for in Code Section 16-12-37 or the felony of aggravated cruelty to animals as provided for in Code Section 16-12-4; or
 - (3) A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in Code Sections 16-13-31 and 16-13-31.1 from the time of conviction until two years after completion of his or her sentence, nor to any person residing with such person.
- H. Certificates of registration shall be renewed on an annual basis. At the time of renewal of a certificate of registration for a potentially dangerous, dangerous, or vicious animal, a dog control officer shall verify that the owner is continuing to comply with provisions of this article. Failure to renew a certificate of registration within ten days of the renewal date or initial classification date shall constitute a violation of this article.
- I. The owner of a classified animal shall notify the dog control officer within 24 hours if the animal is on the loose or has attacked a human or attacked a pet animal and shall notify the dog control officer within 24 hours if the animal has died or has been euthanized.
- J. A vicious animal shall not be transferred, sold, or donated to any other person unless it is relinquished to a governmental facility or veterinarian to be euthanized.
- K. The owner of a potentially dangerous animal or classified animal who moves from one jurisdiction to another within the State of Georgia shall register the potentially dangerous or classified animal in the new jurisdiction within ten (10) days of becoming a resident and notify the dog control officer of the jurisdiction from which he or she moved. The owner of a similarly classified animal who moves into this state shall register the animal as required in Code Section 4-8-27 within 30 days of becoming a resident.

Sec. 4-107. Confinement.

It shall be unlawful for an owner of a:

- A. Potentially dangerous animal to allow that animal outside of a proper enclosure unless that animal is
 - a. on a leash less than 4 feet; and
 - b. is under the immediate control of a person capable of preventing the animal from engaging any other human or animal when necessary; and
 - c. Flexi-leashes are not allowed.
- B. Dangerous animal or vicious animal to allow that animal outside of a proper enclosure unless that animal is:
 - a. on a leash less than 4 feet; and
 - b. is under the immediate physical control of a person capable of preventing the animal from engaging any other human or animal when necessary; and
 - c. shall have on a wire basket muzzle at all times; and
 - d. flexi-leashes are not allowed.

Sec. 4-108. Confiscation of dogs.

- (a) A potentially dangerous animal, dangerous animal or vicious animal shall be immediately confiscated by any dog control officer or by a law enforcement officer in the case of any violation of this article.

- (b) The owner of any animal that has been confiscated pursuant to this article may recover such animal upon payment of all reasonable confiscation and housing costs and proof of compliance with the provisions of this article, unless such confiscation is deemed to be in error by a dog control officer, an authority as defined in Code Section 4-8-23, or a probate court. All fines and all charges for services performed by a law enforcement or dog control officer shall be paid prior to owner recovery of the animal. Criminal prosecution shall not be stayed due to owner recovery or euthanasia of the animal.
- (c) In the event the owner has not complied with the provisions of this article within 14 days of the date the dog was confiscated, such animal shall be released to an animal shelter, as such term is defined in Code Section 4-14-2, or euthanized in an expeditious and humane manner. The owner may be required to pay the costs of housing and euthanasia.

Sec. 4-109. Liability.

Under no circumstances shall Houston County, the City of Perry or its employees or officials be held liable for any damages to any person who suffers an injury inflicted by an animal as a result of a failure to enforce the provisions of this article.

SO ENACTED THIS ____ day of _____, 2017.

CITY OF PERRY, GEORGIA

By: _____
James E. Faircloth, Jr.- Mayor

Attest: _____
Annie Warren - City Clerk

1st Reading: _____

2nd Reading: _____

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Where Georgia comes together.

Department of Economic Development

TO: Mayor and Council, City Manager Gilmour and Economic Development Director Smith

CC: City Clerk Annie Warren

FROM: Main Street Coordinator Catherine Edgemon

DATE: Apr. 11, 2017

RE: Annual progressive wine tasting

The Perry Main Street Promotion Committee has agreed to partner with the Perry Downtown Merchants Association for the fifth annual progressive wine tasting in downtown Perry on Friday, Jun. 2, from 6-9 p.m.

The event will be on the 800-900 blocks of Carroll Street and adjacent streets.

Ms. Jodi Daley is coordinating the event, and Main Street will notify business and property owners by letter in May.

The Perry Downtown Merchants Association is a nonprofit organization, which allows it to seek a special permit from the state Department of Revenue when hosting an event. Nonprofits are able to acquire this permit up to six times during the year. Upon approval of the event by Perry's mayor and council, the association will submit the required paperwork to the Department of Revenue.

The merchants request the closure of the 700 to 900 blocks of Carroll Street and Jernigan Street between Main and Carroll at 5 p.m.

Event organizers request the waiver of all fees associated with the event.



Where Georgia comes together.

City of Perry Special Events Application

Applicant and Sponsoring Organization Information

Name: PERRY DOWNTOWN MERCHANTS ASSOCIATION
Name of individual representing sponsor organization: CORY JONES, PDMA PRESIDENT
Street address: NINE HUNDRED TEN, 910 CARROLL STREET
City/State/Zip code: PERRY, GA 31069
Mailing address if different from above:
Cell phone: (478) 224-0559
Email address: caj8488@yahoo.com
* The individual's name and contact information stated above will also be distributed to answer public inquiries about the event.
If this event benefits a City of Perry non-profit organization, which one? PERRY DOWNTOWN MERCHANTS ASSOCIATION
Contact person on site for day of event: JODI DALEY
Cell phone: (478) 225-7626
Is this a first time event? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If held before, when and where? ANNUALLY IN DOWNTOWN PERRY SINCE 2013

Event Information

Type of event (Check all that apply): <input type="checkbox"/> Parade <input type="checkbox"/> Festival <input type="checkbox"/> Concert/Music <input checked="" type="checkbox"/> Other
* For parades, races and block parties, please, request the event applications specific to those events.
If other, specify: PROGRESSIVE WINE TASTING
Event title: FIFTH ANNUAL PROGRESSIVE WINE TASTING
Event date: FRIDAY, JUNE 2, 2017
Event hours: Start: 6 PM End: 9 PM
Set-up: Date: JUNE 2, 2017 Time: 5 PM
Break down: Date: JUNE 2, 2017 Time: 9 PM
Expected attendance: Participants: APPROX. 12 BUSINESSES Spectators: 300-400

Event Description

Briefly describe event and activities. Include the purpose of the event. Explain how it benefits the City of Perry and its residents. Attach any of the following that are applicable: site plan, including location of stage, restroom facilities, vendor booths, etc.

ATTENDEES WILL PURCHASE A TICKET/ARM BAND THAT WILL ALLOW THEM TO SAMPLE WINES AT PARTICIPATING BUSINESSES. PDMA IS PARTNERING WITH THE MAIN STREET PROMOTION COMMITTEE TO HOST THE EVENT.

I understand that only event activities outlined an approved in this application and approved by Perry City Council are permitted, and hosting additional activities that have not been approved may be grounds for the event permit to be revoked. Yes No

Event Details

Attach schedule or brochure for all activities associated with event.

Will items or services be sold at the event? Yes No

If yes, describe:

TICKETS WILL BE SOLD TO PARTICIPANTS, WHO WILL RECEIVE ARM BANDS; HOWEVER, THOSE WHO ARE NOT PURCHASING A TICKET TO THE WINE TASTING WILL BE FREE TO SHOP, ETC., DURING THE EVENT.

Will event have amplified sound? Yes No

If yes, describe:

Is the event free to the public? Yes No

Will vendors cook or heat food? Yes No

If yes, describe:

Will any areas be fenced off or barricaded? Yes No

If yes, describe: REQUEST THAT CITY CORDON OFF EVENT PERIMETER

If event is downtown, will downtown businesses be open during the event? Yes No

If event includes music, please, list names of bands and their websites or Facebook pages below:

Insurance

A certificate of insurance must be filed with the City of Perry City Clerk at least 30 days before the event on a standard ACORD form. The City of Perry must be listed as an additional insured with respect to general liability and alcohol liability if alcohol will be served. Check the policy document for required general liability and alcohol liability minimum coverage amounts.

Insurance form(s) attached

Alcohol Permit Information

* Serving beverages in glass bottles at events is prohibited. Event organizer will notify any participating restaurants not to allow glass bottles to leave their premises.

* Event organizer will stop alcohol service one hour before the scheduled end of the event.

Does your event involve the sale of alcoholic beverages? Yes No

If yes, describe:

EVENT IS A PROGRESSIVE WINE TASTING IN WHICH PARTICIPANTS SAMPLE WINES AT PARTICIPATING MERCHANTS ASSOCIATION MEMBERS. APPLICANT IS APPLYING FOR SPECIAL PERMIT THROUGH GEORGIA DEPARTMENT OF REVENUE.

* If alcoholic beverages are to be sold, a special event alcohol permit is required, and a copy of the state license must be sent to the City of Perry City Clerk at least 60 days before the event is to be held.

Name of business serving alcohol:

Street address of business serving alcohol:

City/State/Zip Code:

Mailing address if different from above:

Cell phone:

Email address:

Name of licensee:

License number:

Is a copy of the licensee's alcohol license attached? Yes No

Hours alcohol will be served at event: 5-8 PM

Is alcohol serving area open to public? Yes No

Is this an open container request? Yes No

Is current alcohol liability insurance policy naming City of Perry as additional insured attached? Yes No

Is a copy of the special event alcohol permit from the City of Perry Police Department attached? Yes No

Terms & Conditions:

I hereby agree that as a condition to the issuance of a Special Event Alcohol Permit, the business owner/sponsor of the event shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the event. I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Special Event Alcohol Permit are true, and no false or fraudulent statement or answer is made herein to procure the granting of such permit.

I hereby state and understand that should a complaint be filed against the owner/sponsor of the event for violation of any regulation associated with the application for the City of Perry Alcoholic Beverage Catering License, the permit issued for the event will immediately become void and will not be reissued for the same location.

Licensee's name:	Date:
Licensee's signature:	
Sworn and attested before me on this _____ day of _____, 20_____	
Signature of special event organizer/applicant:	
Name, signature and stamp of Notary Public:	
* The sale of alcohol/mixed drinks requires excise reporting.	

Street Closure Requests

Names of streets to be closed:		
Street: JERNIGAN ST	Between: MAIN	and: CARROLL
Street: CARROLL ST	Between: 700	and: 900 BLOCKS
Street:	Between:	and:
Street:	Between:	and:
Street:	Between:	and:
Street:	Between:	and:
Street:	Between:	and:
When are you requesting the street closure(s)? 4 PM		
Why are you requesting the street closure(s)? PEDESTRIAN SAFETY		
Type of street closure: <input checked="" type="checkbox"/> Complete <input type="checkbox"/> Rolling		
If event includes a parade, describe the parade route:		
Parade assembly area:		Parade disbanding area:
The event organizer is responsible for notifying affected businesses and residents of street closures. Describe your notification plan and attach a copy with this application:		

Restroom Facilities

Will event organizer provide portable restroom facilities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Tram/Shuttle Plan

Will event involve the use of a tram/shuttle plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
How many trams/shuttles will be required?
Please, describe or provide an attachment of your tram/shuttle plan and route:
Please, describe your parking plan:

Sanitation

Describe your clean-up plan for during and after the event:
REQUEST EXTRA TRASH CANS BE PLACED ALONG CARROLL STREET

Electricity and Water

Will your event require access to electricity? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If so, where?
What electrical load will you require?
Will your event require access to water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If so, where?
I understand that I may incur an additional charge for use of City electricity and/or water: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Police/Security

* If police/security is required for event, off-duty officers may be hired at the rate at a rate set by the Chief of Police per hour for the duration of the event, with a minimum of three hours.
* Based on the event, the Police Department will determine how many officers will be required.
* An officer is required to be on duty at any event where alcohol is served on City of Perry property.
Number of officers requested: DEFER TO CHIEF LYNN'S RECOMMENDATION
Total hours for officers requested:

Fire and Emergency Medical Services

Describe your plan for providing emergency medical services:
DEFER TO CHIEF PARKER'S RECOMMENDATION

*If Emergency Medical or Fire Protection Services are required for the event, off-duty members can be hired at a rate set by the Chief of Fire and Emergency Services per officer per hour. The Chief of Fire and Emergency Services Department reserves the right to set the staffing minimums based upon the specifics of the event (including type of event, expected attendance, time of year and areas to be affected).

Weather Emergency Procedures

* When lightning and/or thunder occurs, advise participants to seek shelter in a car or building. Please, wait 20-30 minutes before proceeding.

I understand that the City of Perry Chief of Fire and Emergency Services or his/her designee may determine that weather conditions are too dangerous and cancel the event at any time.

Yes No

Health Department

I understand that the City of Perry does not schedule Health Department inspections. Vendors are responsible for scheduling any required inspections by the Houston County Health Department, 98 Cohen Walker Drive, Warner Robins, (478) 987-2020 at least two weeks before the event. Yes No

Event Publicity

If you would like your event included in the upcoming FYI Newsletter, please, submit your news release to the City of Perry Digital Communications Manager at least one month before your event at ellen.palmer@perry-ga.gov.

Indemnification and Hold Harmless

Subject to the granting of all permits required by the City of Perry, the City of Perry authorizes PERRY DOWNTOWN MERCHANTS ASSOCIATION (Special event organizer/applicant) to utilize the sites(s) known as HISTORIC DOWNTOWN for the purposes of conducting the activities described within the special events permit application.

The special events organizer/applicant agrees that the City of Perry assumes no responsibility or liability for any defects or other conditions on the site of the event on City of Perry property, whether the conditions are known or unknown to either party and/or discoverable by either party. The special events organizer/applicant agrees to assume the risk for any and all defects and/or other conditions, whether these defects and or other conditions are dangerous and/or whether these defects or other conditions are discoverable by either party and/or known or unknown to either party.

The special events organizer/applicant shall indemnify and hold City of Perry and its officers,

agents and employees harmless and free from any and all claims, including but not limited to personal injury, property damage, alleged to have arisen or resulted wholly or partially from the exercise of any of the rights granted herein to the special event organizer/applicant. This indemnification and hold harmless agreement includes, but is not limited to, the payment of all attorney fees, expenses, costs, judgment and other expenses that may be incurred by City of Perry, its officers, employees or agents as a result of any and all such claims.

Signature of special event organizer/applicant: *Jodi Anne Daley*

Name, signature and stamp of Notary Public:
Christine Sewell - Christine Sewell

Date: *3/28/17*



Agreement and Signature

An application processing fee is required at the time of the application's submittal to the City of Perry. If alcohol is being served, an additional special event alcohol permit is also required at time of the application's submittal. If the application is approved, fee will be rolled over into permit fee. An application must be submitted in time to be included on a Perry City Council meeting agenda for consideration at least 60 days before the proposed event or festival.

I, the undersigned representative, have read the rules and regulations referenced in this application and am duly authorized by the organization to submit this application on its behalf. The information herein is complete and accurate.

Printed name: *Jodi Anne Daley*

Signature: *Jodi Anne Daley*

Date: *3/28/17*

- Special event application fee enclosed
- Special event alcohol permit application section enclosed

Please, send completed application to:
City of Perry
Attn: City Clerk
P.O. Box 2030
Perry, GA 31069
(478) 988-2736
(478) 988-2705 (fax)
annie.warren@perry-ga.gov

Or hand-deliver application to:
City Clerk at
Perry City Hall
1211 Washington Street
Perry, GA 31069.

Office Use Only

Date received: <i>April 12, 2017</i>
<input type="checkbox"/> Special event application fee received
<input type="checkbox"/> Council approval for event received Council approval date:
<input type="checkbox"/> Proof of liability insurance coverage naming the City as additional insured received
<input type="checkbox"/> Proof of alcohol liability insurance coverage naming the City as additional insured received
<input type="checkbox"/> City staff will notify affected businesses, residents and utility holders if event is downtown

Signatures Required for Approval

Police Department _____
Date received:
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
Approval conditions:

Fire and Emergency Services _____
Date received:
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
Approval conditions:

Public Works _____
Date received:
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
Approval conditions:

Other as needed _____
Date received:
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
Approval conditions:



City of Perry
Police Department
 1207 Washington Street
 Post Office Box 2030
 Perry, Georgia 31069



Stephen D. Lynn
 Chief of Police

(478) 988-2800
 Fax (478) 988-2805

SPECIAL EVENT ALCOHOL PERMIT LICENSE APPLICATION

1. Date of Application: 3/27/17
2. Organization Requesting Permit: Perry Downtown Merchants Assoc.
3. Organization Address: 910 Carroll St, Perry GA 31069
4. Representative / Contact Person: Jodi Daley
 Signature: _____
- Cell Phone: (478) 225-7626 Work Phone: (478) 225-7626
- Email: jodie@landtohand.org
5. Name of Organization Serving Alcoholic Beverage: PDMA
seeking permit from state Dept. of Revenue
6. Name of Alcoholic Beverage License Holder: _____
7. Permit Expiration Date: _____
8. Description of Special Event: annual progressive wine tasting
with samples served at participating PDMA
member businesses, partnership of Perry Main Street
9. Location of Event: Carroll and neighboring streets
10. Estimated Number of Attendees: 300-400
11. Event Start Date & Time: 6/2/17 @ 6p.m.

12. Event End Date & Time: 6/2/17 @ 9 p.m.

13. Number of Off-Duty Officers Requested: _____
(NOTE: Perry PD will determine the actual number of officers required.)

14. Notifications made to adjacent property owner(s): Yes No

List of Notifications: will be made by letter in
May 2017

15. Citizen's Petition Attached: Yes No

16. Type of Beverages Licensed to be Served: (check all that apply)

- a. Malt Beverage (beer) by the drink
- b. Wine by the drink
- c. Distilled Liquor by the drink

Special Event Alcoholic Beverage Permit Fee \$105.00 Paid Not Paid

Recommended by Chief of Police: _____ Date: _____

Not Recommended by Chief of Police: _____ Date: _____

Lee Gilmour, City Manager Date: _____

Council Approval Date: _____