

Executive Summary- Public Hearing #2 and Consideration for Adoption

Following last year's session, Governor Brian Kemp signed House Bill 592 and our new charter went into effect on July 1, 2025. Following this action, we began reviewing our Code of Ordinances and realized that our code needed a comprehensive review. While the original purpose was to ensure alignment with the new charter, a number of other opportunities over the last fiscal year became apparent.

In short, the proposed charter improves our Code in the following areas:

- **Compliance with State and Federal Law:** To improve areas of our local code to conform with changes in state statutes, federal laws, court decisions, and regulatory requirements.
- **Removal of Obsolete Provisions:** To eliminate outdated, unenforced, or superseded regulations that no longer reflect current practices or legal standards.
- **Clarification and Modernization:** To improve readability, consistency, and organization, including updating terminology, definitions, and gender-specific language.
- **Reflecting Current Operations:** To align the code with our city's current governmental structure, boards and commissions, departmental responsibilities, and administrative procedures.
- **Addressing New Issues:** To regulate emerging concerns such as short-term rentals, e-commerce, areas where no previous code existed, public safety issues, environmental matters, or changing community needs.
- **Reducing Exposure:** To identify and correct provisions that may be unconstitutional, ambiguous, conflicting, or difficult to enforce.
- **Improving Enforcement:** To provide clear standards and procedures for residents, businesses, city staff, and enforcement officials.
- **Codification of Recent Ordinances:** To incorporate ordinances adopted over time into a single, organized code so that the city's laws are current and accessible.
- **Promoting Transparency and Public Access:** To make local laws easier for residents, businesses, developers, and city officials to understand and follow.
- **Supporting Economic Development:** To ensure regulations are clear, predictable, and consistent with current planning, zoning, and business objectives.

Chapters 1 and 2-General and Administrative Operations

Most of the administrative changes to implement the new charter are included in the definitions, updated language, structure and procedures established within the first two chapters. The new code now aligns with the new charter.

Chapter 4-Alcoholic Beverages

A number of changes have been made to Chapter 4 to make the City's regulations more consistent with those of comparable North Georgia communities. These changes include

authorizing happy hour promotions for restaurants licensed to sell alcoholic beverages for on-premises consumption, acknowledging the current economic opportunities in this growing Georgia mountain region, providing additional revenues opportunities already available in surrounding community and creating an environment that is prepared for current and potential future economic development trends. These amendments are intended to provide greater flexibility for local businesses and community events while maintaining some level of appropriate regulatory oversight.

Chapter 8-Animals

Removes antiquated language and obsolete references section to ordinances that are no longer in effect, replacing them with durable references to applicable state law and other provisions that will remain current over time. This approach reduces the need for future amendments and helps ensure the code remains accurate and enforceable as laws change.

Chapter 12-Article VII (Hotels/Motels)

Amends Chapter 12 (Hotels and Motels) to strengthen oversight and accountability by establishing uniform recordkeeping requirements, including sequential folio numbering, matching reservation records, and documentation of all registered guests over the age of 18 with appropriate identification.

Chapter 16-Municipal Court

Amends the Municipal Court section to modernize terminology, align titles and duties with current organizational structure, and clarify applicable code sections for improved consistency and interpretation.

Chapter 20-Emergency Services

Our last update to this section, according to our local code, was 1970. Since that time local emergency management has evolved from a limited civil-defense function that was primarily still focused on wartime (nuclear) preparedness into broader natural disaster preparedness and response (floods, storms, technological hazards) over the next 2 decades. Today, public safety is a more formalized, federally integrated, all-hazards system focused on preparedness, coordination, mitigation, and recovery, with much higher expectations for planning, training, and intergovernmental cooperation. Common language like 911, E911, Georgia Emergency Management Agency (GEMA), FEMA, Homeland Security, Incident Command System (ICS) and a formalized public safety structure at the local, state and federal level have developed since our last code was revised.

Our new code has advanced more than 50 years with this revision and now more closely reflects the way we actually operate.

Chapter 24-Fees, Fines and Other Charges

Instead of fees and various other charges defined in chapter 24 or multiple sections of the code, we are making a methodical effort to established a duly adopted fee schedule. The fee schedule will be amended from time to time by the mayor and council shall be maintained separately from the Code.

Chapter 26-Fire Prevention and Protection

Similar to Chapter 20, Chapter 26 required a number of revisions and modifications to reflect modernization to our current department, structure and processes.

Sec. 26-56.1. Fire Marshal's Office

Establishes a fire marshal's office. The proposed FY 26/27 budget provides the resources to establish this function beginning July 1, 2027.

Sec. 26-63. Fees and charges for fire and other emergency services.

The fees for fire and other emergency response services shall be as provided in chapter 24. The fire chief and finance director are hereby directed to issue invoices to insurance companies for such fire services and to collect such fees on behalf of the city and to deposit such fees in an account that shall be exclusively used to purchase equipment, training, services and supplies for the city fire department.

Chapter 28 Health and Sanitation

This section has been revised to clarify that the City relies upon the County Board of Public Health and applicable state law where appropriate. The previous provisions contained outdated references, including citations to amended or repealed sections, and have been updated for accuracy and consistency.

Chapter 32-Law Enforcement

This has been reviewed and includes revisions to the structure and duties as requested by the Police Chief.

Chapter 38-Parks and Recreation

Chapter 38 is amended to reestablish and clarify the composition of the Parks and Recreation Board to support enhanced oversight and coordination during a period of significant anticipated capital investment in parks and recreation facilities over the next 24 months. The Board shall consist of five members, with the mayor and each member of the City Council shall appoint one member. Of those, one member of the five should be an elected official of the City. This structure is intended to provide balanced representation and ensure effective governance and oversight of planned investments and improvements within the City's parks and recreation system.

Chapter 43-Dealers in Gems and Precious Metals

Establishes a new code section for dealers in gems and precious metals. This addresses a void that was discovered in our previous code.

Chapter 48

Ensures urban camping ordinance is incorporated into new code.

Chapter 58

Incorporates needed updates as requested by Director of Water Resources.

Chapter 64

Adds “Event Hall” to B-2, Highway Commercial District and clarifies one of the processes already established in the enforcement section.