

October 8, 2020

Randy Mannino
Director, Planning & Development
City of Cartersville

Dear Mr. Mannino,

This letter acknowledges receipt of City of Doraville's letters dated September 4, 4040 with proposed local amendments to the Georgia State Minimum Standard Codes, particularly the International Swimming Pool and Spa Code, 2018 Edition. You have requested the Department of Community Affairs (DCA) review the proposed amendment(s) and comment in accordance with the Official Code of Georgia Annotated (O.C.G.A.), Title 8, Chapter 2, Article 1, and Part 2.

The Uniform Codes Act, O.C.G.A. § 8-2-25 (c) (1), requires such amendment(s) to be not less stringent than the State Minimum Standard Codes for Construction and they be based on local climatic, geologic, topographic or public safety factors. The Act also requires the local government to demonstrate a local need by submitting in writing the legislative findings of the governing body and such other documentation it deems necessary/helpful in justifying the proposed amendment(s).

Legislative findings should take the form of analysis or special studies, conducted by the local government, which would support the need for a particular local code amendment. If such detailed material is not available, documentation of legislative findings must, at a minimum, consist of a resolution adopted by the governing authority which indicates: (a) the governing authority has reviewed the proposed local code amendment(s) being submitted to the Department; (b) the governing authority has found each of the proposed amendment(s) to be not less stringent than the State Minimum Standard Codes; (c) the reason(s) the local government feels each amendment is needed and which of the aforementioned localized factors (i.e., climate, geology, topography or public safety) is causing the need for the local amendment; and (d) the local government is requesting the Department to review the proposed local amendment(s) in accordance with the Act.

Accordingly, the Department may respond to your proposed amendment(s) in one of three ways: 1) the Department recommends adoption of the amendment; 2) the Department does not recommend adoption of the amendment; or 3) the Department has no comment. Whenever the Department has made no comment, there was either no evidence of legislative findings and/or other supporting documentation justifying the requirement provided for the Department to make a decision regarding the amendment or the requirement was an administrative procedure or the requirement was not code related.

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Therefore, we have reviewed your amendment(s) and we offer the following recommendations and comments for consideration by your local governing body.

- 1) Section 305.1 General; International Swimming Pool and Spa Code
Regarding deletion and substitution of paragraph, the Department has no comment.

Per O.C.G.A. 8-2-25 (c) (4), Georgia law requires no local amendment to the State Minimum Standard Codes shall become effective until the local governing body has caused a copy of the adopted amendment to be filed with this Department. Accordingly, we request you submit a copy of your final adopting ordinance for our records.

If you have questions regarding this matter, please contact me at (404) 679-3118 or by email at ted.miltiades@dca.ga.gov.

Ted Miltiades

Sincerely,
Ted Miltiades, Director
Office of Construction Codes