

**ORDINANCE**

**ORD-2026-01**

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA, TO CREATE A NEW CHAPTER 23 IN THE CODE OF ORDINANCES, TO CREATE (A) A VACANT AND FORECLOSED REAL PROPERTY REGISTRY AND MINIMUM MAINTENANCE PROGRAM FOR COMMERCIAL AND CENTRAL BUSINESS DISTRICT PROPERTIES; AND (B) A COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM FOR BLIGHTED PROPERTY; TO PROVIDE FOR FINDINGS, DEFINITIONS, STANDARDS, NOTICE AND HEARING PROCEDURES, A TIERED ENFORCEMENT STRUCTURE, INTEGRATION WITH THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA AND TAX ALLOCATION DISTRICT, LIEN AND COST RECOVERY MECHANISMS, COORDINATION WITH THE PAULDING COUNTY TAX COMMISSIONER, AND RELATED MATTERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Dallas, Georgia (the "City") is a municipal corporation duly organized and operating under the laws of the State of Georgia, with authority to exercise all powers of local self-government pursuant to the Georgia Constitution, Article IX, Section II, and the Georgia Municipal Home Rule Act, O.C.G.A. § 36-35-1 et seq.; and

**WHEREAS**, the Mayor and Council of the City of Dallas find that long-term vacant and poorly maintained buildings and parcels within the Central Business District ("CBD") and other commercial areas impose measurable, documented costs on City services, including code enforcement and public safety response, and depress surrounding property values, impede business investment, and hinder the revitalization of the City's downtown corridor; and

**WHEREAS**, the Dallas Courthouse Square and Main Street corridor contain multiple prominent commercial structures that have remained substantially vacant for extended periods, with some owners having repeatedly represented imminent rehabilitation without material action, a pattern that the City's existing regulatory framework has been insufficient to address; and

**WHEREAS**, the Georgia Constitution, Article IX, Section II, Paragraph VII(d) expressly authorizes municipalities to exercise the powers necessary to prevent the spread of blight and to adopt community redevelopment tax incentive programs for property officially identified as maintained in a blighted condition; and

**WHEREAS**, O.C.G.A. § 44-14-14 authorizes municipalities to adopt a vacant and foreclosed real property registry program to establish accountability for vacant properties; and

**WHEREAS**, O.C.G.A. § 41-2-7 through § 41-2-17 authorizes municipalities to issue administrative orders requiring owners of unfit structures to repair, close, or demolish those structures, and further authorizes the recovery of abatement costs through a lien on the property; and

**WHEREAS**, the City possesses home rule police power authority under O.C.G.A. § 36-35-3 to adopt ordinances regulating the use and maintenance of property within its corporate limits, including the imposition of registration requirements and escalating fees on owners of vacant commercial properties, provided such fees bear a rational relationship to the administrative and public costs of vacancy monitoring and blight remediation; and

**WHEREAS**, the Downtown Development Authority of the City of Dallas, Georgia (the "DDA"), a body politic and corporate organized under O.C.G.A. § 36-42-1 et seq., holds authority to acquire, improve, and dispose of real property within the DDA district boundary for redevelopment purposes, and the integration of the DDA's acquisition eligibility review with the City's blight designation process will maximize the effectiveness of both institutions' tools; and

**WHEREAS**, the City has established a Tax Allocation District ("TAD") and an existing TAD Economic Development Incentive Policy, and the availability of TAD increment financing as a rehabilitation incentive for blighted properties within the DDA district will provide a meaningful off-ramp for cooperative property owners; and

**WHEREAS**, the Mayor and Council find that a legally defensible, criteria-based, and procedurally sound vacant property registry and blight designation program — structured as a citywide ordinance with administrative priority in the CBD — is necessary and appropriate to protect the public health, safety, and welfare of the residents and businesses of Dallas, Georgia;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Dallas, Georgia, the Dallas Code of Ordinances shall be amended to add a new Chapter, Chapter 23 as follows:

## **CHAPTER 23 - VACANT AND BLIGHTED PROPERTY REDEVELOPMENT**

### **ARTICLE I. - GENERAL PROVISIONS**

#### **Sec. 23-1. Short Title.**

This Chapter shall be known and may be cited as the "City of Dallas Vacant and Blighted Property Redevelopment Ordinance" (the "Ordinance").

#### **Sec. 23-2. Authority.**

This Ordinance is adopted pursuant to the following authorities, each of which is independently sufficient to support the relevant provisions hereof:

- Georgia Constitution, Article IX, Section II, Paragraph VII(d) — community redevelopment tax incentive programs for blighted property;
- Georgia Constitution, Article IX, Section II — municipal home rule powers;
- O.C.G.A. § 36-35-3 — home rule authority for ordinance violations and police power regulation;
- O.C.G.A. § 44-14-14 — vacant and foreclosed real property registry (residential provisions, when subsequently activated by amendment);
- O.C.G.A. § 41-2-7 through § 41-2-17 — repair, close, and demolish authority; administrative orders; lien attachment;
- O.C.G.A. § 36-42-1 et seq. — Downtown Development Authorities Law, including DDA acquisition and disposition authority;
- O.C.G.A. § 48-5-7.4 — preferential assessment and blight tax mechanism;
- O.C.G.A. § 36-61-1 et seq. — Urban Redevelopment Law (contingency authority);
- O.C.G.A. § 41-1-1 et seq. — general nuisance law.

#### **Sec. 23-3. Findings and Purpose.**

(A) Findings. The Mayor and Council hereby find and declare that:

1. Long-term vacant and poorly maintained commercial structures within the City impose increased burdens on City services, including code enforcement, fire, and police response, and impose negative externalities on neighboring properties and the surrounding business district;
2. The Central Business District, and specifically the Courthouse Square and Main Street corridor, contains a concentration of vacant commercial structures that have materially impeded the City's downtown revitalization investment, including the Town Green project and associated public infrastructure improvements;
3. Existing regulatory tools, while valid, have been insufficient to motivate timely action by certain non-responsive property owners, necessitating an escalating, layered enforcement framework;
4. A criteria-based, due-process-driven program applied citywide, with administrative enforcement priority in the CBD, is the most legally defensible and equitable approach to addressing the blight and vacancy problem.

(B) Purposes. The purposes of this Ordinance are to:

1. Require registration and responsible local management of vacant commercial real property within the City;
2. Establish minimum maintenance and security standards for vacant commercial properties to prevent deterioration and nuisance conditions;

3. Create a predictable, escalating enforcement framework that encourages timely occupancy, rehabilitation, sale, or redevelopment;
4. Establish a Community Redevelopment Tax Incentive Program for property officially identified as maintained in a blighted condition, as authorized by the Georgia Constitution;
5. Integrate the enforcement framework with the authority and resources of the Downtown Development Authority of the City of Dallas, Georgia and the City's Tax Allocation District to maximize rehabilitation incentives;
6. Protect the public health, safety, and welfare of the residents and businesses of the City of Dallas.

**Sec. 23-4. Definitions.**

As used in this Ordinance, the following terms shall have the meanings ascribed to them in this Section. Defined terms are capitalized throughout the Ordinance.

**"Agent"** means the natural person or entity designated by the Owner pursuant to Section 23-22 to act as the Owner's local representative for purposes of this Ordinance, including receipt of notices, emergency contact, and compliance obligations.

**"Blight Inspector"** means the City's designated Code Enforcement Officer, or such additional personnel as the Community Development Director may designate, authorized to conduct inspections and initiate administrative proceedings under this Ordinance.

**"Blight Remediation Fund"** means the dedicated fund established pursuant to Section 23-55, into which revenue from registration fees, civil penalties, and blight tax factor increments shall be deposited and from which blight remediation expenditures shall be made.

**"Blighted Condition" or "Blighted Property"** means any commercial property within the City that presents two (2) or more of the ascertainable conditions set forth in Section 23-42 and is conducive to ill health, transmission of disease, or criminal activity in the immediate proximity, as documented in a Blight Inspection Report. Property shall not be designated as maintained in a Blighted Condition solely on the basis of aesthetic conditions.

**"CBD" or "Central Business District"** means those parcels of real property located within the CBD Zoning District as designated in Section 4.11 of the Dallas Unified Development Code (UDC), as amended.

**"City Manager"** means the City Manager of the City of Dallas, Georgia, or the City Manager's authorized designee.

**"Code Official"** means the Community Development Director, or the City Manager's designee, authorized to administer this Ordinance, issue determinations, and coordinate with the Paulding County Tax Commissioner.

**"Commercial Property"** means any parcel of real property, and all structures situated thereon, located within the City that is zoned for commercial, office, industrial, mixed-use, or central business district purposes under the Dallas UDC, excluding any structure currently occupied as the primary residence of one or more persons.

**"Community Development Director"** means the incumbent Community Development Director of the City, who serves as the Administrative Hearing Officer for Tier 1 proceedings under this Ordinance unless the City Manager designates otherwise.

**"DDA"** means the Downtown Development Authority of the City of Dallas, Georgia, a body politic and corporate organized under O.C.G.A. § 36-42-1 et seq.

**"DDA District Boundary"** means the geographic boundary of the DDA district as defined in the DDA's enabling resolution and any amendments thereto, on file with the City Clerk.

**"DDA Secretary"** means the incumbent Secretary of the Downtown Development Authority of the City of Dallas, Georgia .

**"Eligible Commercial Property"** means any Commercial Property that: (i) is located within the corporate limits of the City; and (ii) does not constitute a dwelling occupied as the primary residence of one or more persons. Eligible Commercial Property subject to the DDA overlay provisions of Article V is identified by location within the DDA District Boundary.

**"Millage Rate"** means the City's general ad valorem millage rate for maintenance and operations levied for the applicable tax year.

**"Non-Resident Owner"** means any Owner whose principal place of business or primary residence is located outside the corporate limits of Paulding County, Georgia.

**"Owner"** means the person, entity, or combination thereof shown on the most recent Paulding County ad valorem tax digest as responsible for payment of ad valorem taxes with respect to a subject property, and any other person or entity holding legal or equitable title of record.

**"Remediation Plan"** means a written remedial action or redevelopment plan submitted by an Owner pursuant to Section 23-45, setting forth the scope of work, permitting schedule, milestone dates, and contractor commitments necessary to remediate the documented Blighted Conditions.

**"TAD"** means the City of Dallas Tax Allocation District, established pursuant to the City's Redevelopment Powers Law authorization, O.C.G.A. § 36-44-1 et seq.

**"TAD Economic Development Incentive Policy"** means the City's adopted policy governing the use of TAD increment financing for eligible redevelopment projects, as may be amended from time to time.

**"Vacant Commercial Property"** means any Eligible Commercial Property, and all structures situated thereon, that: (i) has not been occupied in active, lawful commercial use for a continuous period of ninety (90) days or more; and (ii) does not have an active building permit for approved renovation or construction on file with the Community Development Department. Seasonal closures with documented, bona fide intent to reopen within sixty (60) days shall not constitute vacancy.

**Sec. 23-5. Scope; Residential Properties Reserved.**

- (A) Commercial scope. This Ordinance, as initially adopted, applies to all Eligible Commercial Properties within the corporate limits of the City, with administrative enforcement priority in the CBD, as directed by the City Manager.
- (B) Residential properties reserved. The City Council expressly reserves the authority to extend the registration, minimum maintenance, and blight designation provisions of this Ordinance to residential properties by subsequent amendment. Such amendment shall specify the applicable fee schedule, vacancy trigger period, and procedural provisions applicable to residential properties, and shall incorporate the requirements of O.C.G.A. § 44-14-14 to the extent required by state law for residential classifications. [RESERVED — Residential Amendment to follow.]
- (C) DDA overlay. Properties located within the DDA District Boundary are subject to the additional provisions of Article V of this Ordinance in addition to all other applicable provisions hereof.

**Sec. 23-6. Relationship to Other Laws and Codes.**

- (A) Cumulative remedies. This Ordinance is in addition to and not in lieu of the Dallas Unified Development Code, the Dallas Code of Ordinances, the Georgia Repair, Close, and Demolish Act (O.C.G.A. § 41-2-7 et seq.), and any other applicable law or regulation. All remedies are cumulative, and the exercise of any one remedy shall not preclude the exercise of any other remedy.
- (B) Historic properties. For Eligible Commercial Properties that are designated historic properties or are located within a historic district, the City may also proceed concurrently under the UDC deterioration-by-neglect provisions in addition to the provisions of this Ordinance.
- (C) UDC cross-reference. Blight conditions documented under this Ordinance that also constitute violations of the UDC shall be cross-filed with the Code Enforcement division for parallel UDC enforcement proceedings.
- (D) Conflicts. In the event of an express conflict between this Ordinance and a provision of the Dallas UDC or other Dallas Code of Ordinances chapter, the more restrictive provision shall control unless the City Attorney determines otherwise in writing.

**Sec. 23-7. Severability.**

If any provision of this Ordinance, or the application thereof to any person, property, or circumstance, is held invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

**ARTICLE II. - VACANT COMMERCIAL PROPERTY REGISTRY AND MINIMUM MAINTENANCE PROGRAM**

**Sec. 23-20. Short Title; Authority.**

- (A) This Article may be cited as the "City of Dallas Vacant Commercial Property Registry Ordinance."
- (B) This Article is adopted pursuant to the City's home rule police power under O.C.G.A. § 36-35-3 and the Georgia Constitution, Article IX, Section II. The registration fee schedule set forth in Section 23-24 is structured as an exercise of the police power and is not adopted pursuant to O.C.G.A. § 44-14-14, which is expressly reserved for the City's subsequent

residential amendment. The fee schedule bears a rational relationship to the administrative and public costs imposed on the City by vacant commercial properties, including code enforcement, public safety response, and downtown blight remediation.

**Sec. 23-21. Registration Required.**

- (A) Applicability. The Owner of any Vacant Commercial Property shall register such property with the City's Vacant Commercial Property Registry (the "Registry") in accordance with this Article within thirty (30) calendar days of the date on which the property first meets the definition of Vacant Commercial Property.
- (B) Annual renewal. Registration shall be renewed annually on or before January 31 of each calendar year for so long as the property remains a Vacant Commercial Property. The Owner bears the obligation to timely renew and may not assert absence of notice of the renewal deadline as a defense to a registration violation.
- (C) Continuing obligation. The registration and minimum maintenance obligations of this Article are a continuing obligation running with the property and binding upon all successors in interest. Transfer of ownership does not extinguish outstanding registration obligations or accrued fees; provided, however, that a bona fide transferee who had no actual knowledge of the prior Owner's non-compliance may petition the Code Official for a sixty (60)-day cure period following transfer before penalties are assessed against the transferee, subject to the Code Official's discretion.

**Sec. 23-22. Registration Application; Local Agent Requirement.**

- (A) Form. Registration shall be made on the City's official registration form, available from the Community Development Department and on the City's website, and shall include:
  - 1. Owner's full legal name, principal address, telephone number, and email address;
  - 2. If Owner is an entity, the entity's full legal name, state of organization, registered agent in Georgia (with address), and contact information for a natural person with authority to act on behalf of the entity;
  - 3. The property's address, Paulding County Parcel Identification Number, and legal description;
  - 4. The date the property became or is expected to become vacant;
  - 5. The Owner's current stated remediation intent (lease, sale, rehabilitation, or redevelopment), with estimated timeline;
  - 6. Designation of a local Agent as provided in subsection (B);
  - 7. Such additional information as the Code Official may require by administrative regulation.
- (B) Local Agent requirement. Every Owner who is a Non-Resident Owner shall designate a local Agent residing or maintaining a regular business office within Paulding County, Georgia. The local Agent shall:
  - 1. Accept service of notices, citations, and process on behalf of the Owner;
  - 2. Serve as the point of contact for emergency response by the City's fire, police, and code enforcement personnel;
  - 3. Have authority to authorize emergency access to the property for purposes of abatement of imminent hazards.
- (C) Entity status verification. Prior to issuance of any formal enforcement notice to an Owner that is a Georgia entity, the Code Official shall confirm the entity's current registered agent and good standing with the Georgia Secretary of State. If the entity is administratively dissolved, the notice and lien strategy shall be adjusted in consultation with the City Attorney to ensure proper service under O.C.G.A. § 41-2-9(b) in rem procedures.

**Sec. 23-23. Updates; Removal from Registry.**

- (A) Updates required. The Owner shall notify the Code Official in writing within fifteen (15) calendar days of any change in: (i) Owner's name, address, or contact information; (ii) the designated Agent; (iii) the Owner's remediation intent or timeline; or (iv) the occupancy status of the property.
- (B) Removal from Registry. An Owner may petition the Code Official for removal of the property from the Registry upon demonstration that: (i) the property no longer meets the definition of Vacant Commercial Property; and (ii) all outstanding registration fees, accrued charges, and civil penalties have been paid in full. The Code Official shall act on a complete removal petition within twenty (20) business days.

(C) Effect of removal. Removal from the Registry does not extinguish any accrued lien recorded against the property pursuant to Section 23-53. Recorded liens remain in force until satisfied as provided in this Ordinance.

**Sec. 23-24. Registration Fee Schedule — Commercial Properties (Home Rule Police Power Model).**

NOTE TO CODIFIER: This fee schedule is adopted under the City's home rule police power. It is not subject to the fee cap of O.C.G.A. § 44-14-14, which applies to residential registry fees when the residential amendment is adopted. The amounts below may be adjusted by the Mayor and Council by resolution without ordinance amendment, provided such adjusted fees remain rationally related to the City's documented administrative and remediation costs.

(A) Annual Registration Fee Schedule. The following annual registration fees shall apply to all Vacant Commercial Property based on the consecutive number of complete twelve-month periods of vacancy, measured from the date of initial vacancy:

<b>Year of Vacancy</b>	<b>Annual Registration Fee</b>	<b>Monthly Accrual (Lien)</b>
<b>Year 1 (months 1–12)</b>	\$750.00	N/A
<b>Year 2 (months 13–24)</b>	\$1,500.00	N/A
<b>Year 3 and each year thereafter</b>	\$2,500.00	\$250.00 per month of continued vacancy, accruing as a lien on the first day of each calendar month following the anniversary date

(B) DDA District enhanced schedule. For Vacant Commercial Property located within the DDA District Boundary, the Year 3+ annual fee shall be \$3,000.00, with the same \$250.00 per month accrual, reflecting the heightened public cost of vacancy in the core downtown redevelopment area.

(C) Fee revenue. All registration fees shall be deposited into the Blight Remediation Fund established pursuant to Section 23-55.

(D) Non-refundable. Registration fees are non-refundable upon removal from the Registry, except that the Code Official may authorize a pro-rata refund of the annual fee upon confirmed occupancy occurring more than six (6) months before the end of the registered year, at the Code Official's discretion.

**Sec. 23-25. Fee Waiver and Deferral.**

(A) Grounds for waiver or deferral. The City Manager, upon written recommendation of the Community Development Director, may waive or defer registration fees for any Owner who demonstrates, by documentary evidence satisfactory to the Code Official, one or more of the following:

1. The Owner has executed a binding development agreement with the City or the DDA and is in material compliance with the milestones therein;
2. The Owner has obtained an active building permit for approved renovation or construction and demonstrated material construction progress within the immediately preceding twelve (12)-month period;
3. The Owner has executed an executed lease agreement with a qualified commercial tenant with an occupancy date within ninety (90) days; or
4. The Owner is actively facilitating occupancy by a third-party tenant and has demonstrated material progress, as determined by the Code Official in the exercise of reasonable discretion.

(B) Duration; conditions. A fee waiver or deferral shall be valid for a period not to exceed twelve (12) months and may be renewed upon re-demonstration of qualifying progress. Any deferred fees shall accrue without interest during the deferral period and shall become immediately due and payable upon failure to satisfy the conditions of the deferral.

(C) No waiver of other obligations. A fee waiver or deferral does not suspend the Owner's obligations under the minimum maintenance and security standards of Section 23-26 or any outstanding code enforcement proceedings.

**Sec. 23-26. Minimum Maintenance and Security Standards.**

Owners of Vacant Commercial Property shall maintain the property in compliance with all applicable provisions of the Dallas UDC and the Dallas Code of Ordinances and shall, at minimum:

1. Secure all points of entry, including doors, windows, and other openings, in a manner that prevents unauthorized access. Emergency boarding is permissible only with prior written approval of the Code Official and must be maintained in sound condition; approved boarding shall not be considered a permanent solution;
2. Maintain the roof and exterior walls and surfaces in a weather-tight condition that prevents water intrusion, structural deterioration, and the infiltration of vermin;
3. Remove all litter, debris, trash, and hazardous accumulations from the property, including the lot and any sidewalks immediately adjacent to the property to the extent required by the Dallas Code of Ordinances;
4. Control vegetation at all times, including grass, weeds, and overgrowth, in compliance with the Dallas Code of Ordinances;
5. Prevent illegal dumping and posting of unauthorized signage;
6. Maintain all utility connections in a safe, code-compliant condition; unauthorized utility connections are prohibited;
7. Post, in a location visible from the public right-of-way, a weather-resistant sign of not less than eight (8) inches by ten (10) inches displaying the Owner's and Agent's name and emergency contact telephone number;
8. Maintain the structure in compliance with fire and life safety codes; no hazardous accumulations of flammable or combustible materials shall be permitted.

**Sec. 23-27. Inspections.**

- (A) Exterior inspections. The Blight Inspector may conduct exterior inspections of Vacant Commercial Property from publicly accessible vantage points at any reasonable time, without prior notice, to monitor compliance with this Ordinance.
- (B) Interior inspections. Interior inspections require the voluntary consent of the Owner or Agent, or a lawfully obtained inspection warrant issued by a court of competent jurisdiction. The City Attorney's office shall be consulted before seeking an inspection warrant.
- (C) Documentation. All inspections shall be documented in writing on the City's standard inspection checklist, with contemporaneous photographic evidence, and maintained in the property's enforcement file.

**Sec. 23-28. Violations; Penalties.**

- (A) Violations. The following constitute violations of this Article, each of which is a separate civil infraction:
  1. Failure to register a Vacant Commercial Property within the time required by Section 23-21;
  2. Failure to timely renew annual registration;
  3. Failure to update registration information as required by Section 23-23;
  4. Failure to designate or maintain a local Agent as required by Section 23-22;
  5. Failure to comply with the minimum maintenance and security standards of Section 23-26;
  6. Obstruction of, or interference with, a lawful inspection conducted under Section 23-27.
- (B) Penalties — administrative. The Code Official may assess administrative civil penalties for violations of this Article. Each day a violation continues after the expiration of a notice-and-cure period constitutes a separate offense. Administrative civil penalties shall not exceed the maximum amounts allowed by applicable Georgia law for the City's authorized penalty authority.
- (C) Penalties — Tier 2 Municipal Court. Violations of this Article may be referred to the Dallas Municipal Court for citation and prosecution as set forth in Article IV of this Ordinance.
- (D) Cumulative. The penalties set forth in this Section are cumulative to all other enforcement remedies available under this Ordinance and applicable law.

**Sec. 23-29. Administrative Appeal.**

- (A) Right of appeal. An Owner may appeal any administrative determination, fee assessment, or civil penalty issued under this Article by filing a written notice of appeal with the Community Development Department within thirty (30) calendar days of receipt of the determination or assessment.
- (B) Hearing officer. The Administrative Hearing Officer for appeals under this Article shall be the Community Development Director, unless the City Manager designates an alternative hearing officer to avoid a conflict.

- (C) Conduct of hearing. The Administrative Hearing Officer shall conduct an informal evidentiary hearing, at which the Owner may present evidence and argument. The City bears the burden of demonstrating the basis for the challenged determination or assessment by a preponderance of the evidence. The Hearing Officer shall issue a written decision within twenty (20) business days of the hearing.
- (D) Further appeal. The Owner may appeal the Hearing Officer's written decision to the Superior Court of Paulding County pursuant to the Georgia Administrative Procedure Act, as applicable, or by such other lawful method of review as may be available.

**Sec. 23-30. Additional Remedies; Abatement Cost Recovery.**

- (A) Cumulative remedies. The remedies available under this Article are cumulative. The City may pursue any lawful remedy available under this Ordinance, the Dallas Code of Ordinances, the Dallas UDC, or applicable state law, including but not limited to nuisance abatement, code enforcement citation, and proceedings under O.C.G.A. § 41-2-7 et seq.
- (B) City-performed correction. Where a Vacant Commercial Property presents conditions that pose an imminent threat to public health or safety, or where an Owner has failed to comply with a minimum maintenance notice within the applicable cure period, the City may, upon approval of the City Manager and in consultation with the City Attorney, perform or cause to be performed such corrections as are necessary to abate the hazardous condition.
- (C) Abatement cost recovery. The reasonable costs incurred by the City in performing or procuring corrective work under subsection (B) shall be assessed against the Owner and shall attach as a lien on the property as provided in Section 23-53.

**ARTICLE III. - COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM**

**Sec. 23-40. Authority; Intent.**

- (A) Authority. This Article is adopted pursuant to the Georgia Constitution, Article IX, Section II, Paragraph VII(d), which expressly authorizes municipalities to establish community redevelopment tax incentive programs and to apply a variation in the ad valorem tax rate for property officially identified as maintained in a blighted condition.
- (B) Intent. The intent of this Article is to discourage neglect of Eligible Commercial Property, to encourage Owners to remediate Blighted Conditions or transfer such property to owners who will, and to provide a constitutionally authorized financial incentive for timely rehabilitation and redevelopment.
- (C) Construction. This Article shall be construed in a manner consistent with the constitutional authorization and shall be applied only through the criteria-based, notice-and-hearing procedure set forth herein. Designation shall not be based solely on vacancy or aesthetic conditions.

**Sec. 23-41. Eligible Property.**

- (A) In general. The Community Redevelopment Tax Incentive Program established by this Article applies to Eligible Commercial Property as defined in Section 23-4.
- (B) Exclusions. The following property is not subject to blight designation under this Article:
  1. Dwellings occupied as the primary residence of one or more persons;
  2. Property owned by a governmental entity;
  3. Property for which a valid building permit for active construction or renovation has been issued within the preceding twelve (12) months, and construction is proceeding in good faith.

**Sec. 23-42. Ascertainable Standards for Blight Determination.**

A property may be proposed for designation as maintained in a Blighted Condition only if it presents two (2) or more of the following ascertainable conditions, documented by the Blight Inspector:

1. The structure is uninhabitable, unsafe, or has been abandoned for a period of one (1) year or more;
2. The structure provides inadequate provisions for ventilation, light, air, sanitation, or safe ingress and egress as required by applicable code;
3. Imminent harm to life or property from fire, flood, or other natural disaster has occurred with respect to the property, written notice of required remediation was provided to the Owner, and the Owner failed to take reasonable measures within the required timeframe;
4. The property is the subject of environmental contamination requiring investigation or cleanup under applicable federal or state environmental law;

5. Repeated illegal activity on the property of which the Owner knew or, with reasonable diligence, should have known, as documented by law enforcement records;
6. The Owner has maintained the property below the standards required by applicable maintenance codes for a continuous period of at least one (1) year following written notice to the Owner of a specific code violation.

In addition to the foregoing conditions, the Blight Inspector shall document, in the Blight Inspection Report required by Section 23-44, the nexus between the documented conditions and the conduciveness of the property to ill health, transmission of disease, or criminal activity in the immediate proximity. This nexus determination is a required element of any blight designation.

**Sec. 23-43. Levy of Increased Ad Valorem Tax Factor**

- A) Eligible Commercial Property officially identified as maintained in a Blighted Condition pursuant to Section 23-44 shall be subject to an increased rate of ad valorem taxation, accomplished by applying a factor of +5.0 to the City's general maintenance and operations millage rate for the applicable tax year.
- B) Duration. The increased factor shall apply to each tax year in which the property remains designated as maintained in a Blighted Condition, beginning with the tax year immediately following the year in which the final designation is transmitted to the Paulding County Tax Commissioner.

**Sec. 23-44. Official Identification Procedure; Notice; Hearing.**

- (A) Blight Inspection Report. The Blight Inspector shall document all proposed blight designation findings in a written Blight Inspection Report ("Report") containing:
  1. Property address, Paulding County Parcel ID, and Owner of record;
  2. Identity and credentials of the Inspector(s);
  3. Date(s) and time(s) of inspection;
  4. A description of each documented blight condition, with specific factual findings for each condition alleged;
  5. A photographic log, with date-stamped photographs;
  6. A summary of any prior notices, citations, or enforcement history;
  7. A summary of law enforcement or fire department call records, if relied upon;
  8. A written nexus determination documenting how the observed conditions are conducive to ill health, transmission of disease, or criminal activity in the immediate proximity;
  9. The Inspector's written conclusion as to whether the property meets the standard for designation as maintained in a Blighted Condition.
- (B) Written proposed determination. Upon completion of the Report, the Code Official shall issue a written Proposed Blight Determination that: (i) identifies the property; (ii) specifies the two or more blight conditions documented; (iii) states the nexus finding; and (iv) states that the City proposes to designate the property as maintained in a Blighted Condition.
- (C) Service of notice. The Proposed Blight Determination shall be served upon the Owner and all other reasonably ascertainable interested parties (including mortgage holders of record) by: (i) certified mail, return receipt requested, to the last known address shown on the Paulding County tax records and any address shown in the Owner's registry filing; and (ii) statutory overnight delivery or personal service. Service shall be documented in the enforcement file. If the Owner's address is unknown or service cannot be accomplished by the foregoing methods, service shall be accomplished by the method most likely to provide actual notice consistent with the due process requirements of *Mullane v. Central Hanover Bank & Trust Co.* and Georgia law, as determined by the City Attorney.
- (D) Hearing rights. The Owner may request an administrative hearing by filing a written request with the Community Development Department within thirty (30) calendar days of receipt of the Proposed Blight Determination. "Receipt" shall be presumed three (3) business days after mailing for certified mail service.
  1. If a hearing is timely requested: The hearing shall be conducted before a court or tribunal authorized by law. The City bears the burden of establishing the Blighted Condition by a preponderance of the evidence. The Owner may present documentary evidence and witness testimony. The hearing shall be transcribed or recorded.
  2. If no hearing is timely requested: The Proposed Blight Determination becomes final without further proceedings, and the Code Official shall issue a Final Blight Designation.

- (E) Final Blight Designation. Upon either: (i) a decision upholding the proposed designation following a hearing; or (ii) expiration of the hearing request deadline without a timely request, the Code Official shall issue a Final Blight Designation and shall transmit the designation to the Paulding County Tax Commissioner in accordance with Section 23-47.
- (F) Hearing packet — minimum contents. The City's hearing packet shall include, at minimum: the Blight Inspection Report; the complete photographic log; all prior notices and proofs of service; law enforcement or fire call summaries (if relied upon); the code violation history (if condition 6 of Section 23-42 is alleged); an identified staff witness list; and a proposed order with specific findings.

**Sec. 23-45. Remediation Plan; Removal from Blight Designation.**

- (A) Owner petition. At any time following service of a Proposed Blight Determination, the Owner may submit a written Remediation Plan to the Code Official. Submission of a Remediation Plan does not automatically stay the hearing process or blight designation, but a complete, credible Remediation Plan may be considered by the Code Official in exercising enforcement discretion.
- (B) Required contents. A Remediation Plan shall include, at minimum:
  1. Identification of each documented blight condition and the specific corrective action proposed;
  2. A milestone schedule with specific completion dates, not to exceed twelve (12) months in aggregate for ordinary repairs, or twenty-four (24) months for substantial rehabilitation or redevelopment;
  3. Identification of all permits to be obtained and contractors to be engaged;
  4. Evidence of financial capacity to complete the proposed work, which may include a letter of credit, proof of financing commitment, or demonstration of Owner's own resources;
  5. A signed certification that the Owner acknowledges that failure to meet milestones may result in continuation or reinstatement of the blight designation and enforcement.
- (C) Review and acceptance. The Code Official, in consultation with the City Attorney and Community Development Director, shall review the Remediation Plan within thirty (30) calendar days of submission and shall: (i) accept the Plan if it is complete and credible; (ii) reject the Plan with written deficiencies and an opportunity to cure within fifteen (15) days; or (iii) accept the Plan conditionally with stated modifications.
- (D) Removal upon completion. When the Owner has completed all milestones in an accepted Remediation Plan to the satisfaction of the Code Official, as verified by re-inspection, the Code Official shall issue a written removal determination and shall notify the Paulding County Tax Commissioner to remove the blight designation and increased factor, effective the next tax year.
- (E) Partial non-compliance. If the Owner fails to timely complete one or more milestones, the Code Official shall issue written notice of deficiency and allow a thirty (30)-day cure period. If the milestone is not completed within the cure period, the Code Official may reinstate the full blight designation and increased factor and shall notify the Paulding County Tax Commissioner accordingly.

**Sec. 23-46. Decreased Tax Factor After Acceptance of Remediation Plan.**

- (A) Interim relief. Following the City's written acceptance of a Remediation Plan and for so long as the Owner remains in material compliance with the milestone schedule, the City shall apply a decreased rate of taxation by applying a factor of  $-1.0$  to the City's general maintenance and operations millage rate.
- (B) Duration. The decreased factor shall apply for a period not to exceed three (3) tax years or until completion of the Remediation Plan, whichever first occurs. Upon verified completion of all milestones, the blight designation shall be removed and the property shall return to the standard millage rate.
- (C) Revocation of interim relief. Interim relief under this Section shall be automatically revoked upon: (i) the Code Official's written determination of material non-compliance with the Remediation Plan; or (ii) the Owner's failure to cure a deficiency within the thirty (30)-day cure period of Section 23-45(E). Upon revocation, the full increased factor is reinstated retroactively to the beginning of the current tax year.

**Sec. 23-47. Duty to Notify County Tax Commissioner.**

The Code Official shall transmit written notice to the Paulding County Tax Commissioner within fifteen (15) business days of: (i) a Final Blight Designation; (ii) acceptance of a

Remediation Plan with interim relief; (iii) removal of a blight designation upon plan completion; (iv) revocation of interim relief; or (v) any other change in designation status affecting the applicable millage factor. Notices to the Tax Commissioner shall be on the City's standard form and shall identify the property by address, Paulding County Parcel ID, Owner name, effective tax year, and applicable factor. The City Attorney's office shall maintain a log of all Tax Commissioner notifications.

**Sec. 23-48. Use of Revenues.**

Revenues arising from the increased ad valorem tax factor generated by blight designations under this Article shall be deposited into the Blight Remediation Fund and may be expended for community redevelopment purposes consistent with the constitutional authorization, including but not limited to: code enforcement and inspection staffing; abatement operations; property acquisition for redevelopment; rehabilitation assistance to qualified cooperating owners; and administrative costs of the program.

**ARTICLE IV. - TIERED ENFORCEMENT STRUCTURE**

**Sec. 23-50. Enforcement Structure — Overview.**

The enforcement structure of this Ordinance is organized in three tiers, designed to match enforcement intensity to Owner conduct and property conditions. The tiered structure is intended to apply firm, legally defensible pressure while maintaining a cooperative pathway for Owners who engage in good faith. Progression to a higher tier is not mandatory and shall be evaluated by the Code Official and City Attorney based on the facts of each case.

TIER	TRIGGER CONDITION	STATUTORY VEHICLE	CITY COST EXPOSURE	LITIGATION RISK
1	Vacancy 90+ days (commercial) + code violation	O.C.G.A. § 41-2-9 Admin. Order + Vacancy Fee Ordinance	None — owner-borne	Low if procedurally sound
2	Non-compliance with Tier 1 order within 30 days	O.C.G.A. § 41-2-11 Superior Court enforcement + daily fine accrual	Potential lien recording cost	Moderate — court involvement
3	Imminent hazard / abandonment	O.C.G.A. § 41-2-8 Repair or Close Order — City-initiated	None — recoverable via lien	Low if hazard documented
4	Unresponsive owner / title defect	O.C.G.A. § 41-2-9(b) In Rem Proceeding against property	Lien recordation only	Low — no personal liability issue
5	Chronic blight / repeated violation	Urban Redevelopment designation (§ 36-61-3) + DDA acquisition authority	Appraisal / acquisition cost	High — condemnation standard applies

**Sec. 23-51. Tier 1 — Administrative Enforcement.**

- (A) Scope. Tier 1 enforcement is the first-line administrative response and is managed by the Code Enforcement division in coordination with the City Attorney's office. Tier 1 encompasses:
1. Vacancy registry registration requirements and notices;
  2. Minimum maintenance and security notices with cure deadlines;
  3. Blight designation proceedings under Article III;
  4. Compliance Agreement and Remediation Plan process;
  5. Administrative super-lien attachment for unpaid fees, abatement costs, and assessed civil penalties.
- (B) Notice and cure. Before referring a matter to Tier 2, the Code Official shall issue a written notice to the Owner identifying the specific violation(s), the required corrective action, and a cure deadline of not less than: (i) fourteen (14) calendar days for minimum maintenance and security violations; (ii) thirty (30) calendar days for registration violations; or (iii) such shorter period as the public safety emergency warrants, as determined by the Code Official in consultation with the City Attorney. The notice-and-cure period may run concurrently with the hearing notice period under Article III where a blight designation is also being pursued.
- (C) Enforcement files. The Code Official shall maintain a complete enforcement file for each subject property, organized to support potential litigation, containing, at minimum: ownership documentation; photographic logs; all inspection checklists; all notices and proofs of service; compliance history; and City Attorney correspondence.

**Sec. 23-52. Tier 2 — Municipal Court Enforcement.**

- (A) Referral. The Code Official may refer a matter to the Dallas Municipal Court for citation and prosecution upon: (i) the Owner's failure to cure a violation within the applicable notice-and-cure period; (ii) the Owner's failure to register or maintain a local Agent; (iii) the Owner's obstruction of a lawful inspection; or (iv) the Owner's failure to comply with an accepted Remediation Plan.
- (B) Daily civil penalties. Municipal Court may impose daily civil penalty citations for continuing violations. The amount of each daily citation shall not exceed the maximum authorized by applicable Georgia law for the City's Municipal Court jurisdiction under O.C.G.A. § 36-32-1 et seq. and the City's charter or enabling legislation.
- (C) Criminal prosecution. Willful or aggravated violations of this Ordinance, including willful obstruction of a lawful inspection or willful destruction of posted notices, may be prosecuted as criminal violations in Municipal Court consistent with the City's authorized criminal jurisdiction.
- (D) Contempt authority. Violation of a Municipal Court compliance order is subject to contempt proceedings consistent with Municipal Court authority under Georgia law.

**Sec. 23-53. Tier 3 — Superior Court and Judicial Remedies.**

- (A) Superior Court enforcement. Where a Vacant Commercial Property or Blighted Property presents conditions meeting the standard of O.C.G.A. § 41-2-7 et seq. (unfit structures), the City Attorney may petition the Superior Court of Paulding County for an order of compliance, including daily fines and cost recovery, as authorized by O.C.G.A. § 41-2-11.
- (B) Receivership. For abandoned Eligible Commercial Properties where the Owner is unresponsive or cannot be located, the City Attorney may petition the Superior Court for appointment of a receiver pursuant to O.C.G.A. § 44-14-600 et seq. or the Court's equity jurisdiction.
- (C) Urban Redevelopment Act — Contingency. The Urban Redevelopment Act, O.C.G.A. § 36-61-1 et seq., is reserved as a Tier 3 contingency measure for properties that remain non-compliant following Tier 1 and Tier 2 enforcement. Urban Redevelopment designation for any non-compliant property shall be evaluated at the City Manager's direction and reported to Council before initiation. The DDA's acquisition authority under O.C.G.A. § 36-42-8 shall be considered in conjunction with any Urban Redevelopment Act proceeding.
- (D) Injunctive relief. The City Attorney may seek injunctive relief in the Superior Court of Paulding County for imminent public safety hazards without prior exhaustion of administrative remedies.
- (E) Quiet title. The City Attorney may initiate quiet title actions in the Superior Court of Paulding County where title defects prevent rehabilitation or enforcement. The City has established institutional experience with companion quiet title actions in Paulding County Superior Court that shall be leveraged in appropriate cases.

**Sec. 23-54. Lien Authority and Cost Recovery.**

- (A) Administrative super-lien. All of the following shall attach as a lien upon the subject real property by operation of this Ordinance, without further action by the City:
  - 1. All unpaid registration fees assessed under Article II;
  - 2. All accrued monthly vacancy charges under Section 23-24;
  - 3. All administrative civil penalties assessed and not timely appealed or satisfied;
  - 4. All costs incurred by the City in performing abatement or corrective work under Section 23-30.
- (B) Priority. Liens recorded under this Section shall have priority over all subsequent encumbrances of any nature, except ad valorem tax liens.
- (C) Recording. The Code Official shall cause each lien to be recorded in the deed records of Paulding County, Georgia, within thirty (30) calendar days of the date the underlying obligation becomes final and uncontested. Recorded liens shall identify the property by address and Paulding County Parcel ID, identify the Owner, state the amount of the lien, and identify the nature of the obligation giving rise to the lien.
- (D) Lien survives transfer. A recorded lien shall survive and be binding upon all successors in interest to the property, regardless of the method of transfer, including tax sale. A bona fide purchaser for value without actual notice of the lien shall take the property subject to the lien by virtue of constructive notice through recordation.
- (E) Collection. The City may collect unpaid liens through any lawful method, including: (i) in rem proceedings against the property under O.C.G.A. § 41-2-9(b); (ii) coordination with the Paulding County Tax Commissioner for inclusion on the tax execution where authorized by

O.C.G.A. § 48-5-358; or (iii) such other collection proceedings as the City Attorney deems appropriate.

- (F) Satisfaction and release. Upon full payment of all amounts secured by a recorded lien, the Code Official shall cause a lien release to be recorded in the Paulding County deed records within fifteen (15) business days.

**Sec. 23-55. Blight Remediation Fund.**

- (A) Establishment. There is hereby established a dedicated fund known as the "Blight Remediation Fund" (the "Fund"), to be administered by the City Finance Director or designee.
- (B) Revenue sources. The Fund shall receive: (i) all registration fees assessed and collected under Article II; (ii) all civil penalties assessed and collected under this Ordinance; (iii) all abatement cost recoveries; and (iv) any revenues arising from the increased blight tax factor collected under Article III.
- (C) Authorized expenditures. Funds may be expended only for community redevelopment purposes consistent with the constitutional authorization and the purposes of this Ordinance, including: code enforcement and inspection operations; City-performed abatement; property acquisition or rehabilitation assistance for blighted DDA-district parcels; and administrative costs of the vacancy and blight program.
- (D) Accounting. The Finance Director shall maintain separate accounting for the Fund and shall report Fund balances and expenditures to the City Manager and Council annually with the City's budget documents.

**ARTICLE V. - DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA INTEGRATION**

**Sec. 23-60. DDA District Overlay.**

The provisions of this Article apply to all Eligible Commercial Properties located within the DDA District Boundary, in addition to all other applicable provisions of this Ordinance. In the event of a conflict between the provisions of this Article and another Article of this Ordinance as applied to a DDA-district property, the provisions of this Article shall control.

**Sec. 23-61. DDA Secretary as Co-Notified Party.**

- (A) Notice requirement. For all Eligible Commercial Property located within the DDA District Boundary, the Code Official shall simultaneously serve a copy of the following documents upon the DDA Secretary:
1. Any Proposed Blight Determination issued under Section 23-44;
  2. Any Final Blight Designation;
  3. Any notice of referral to Tier 2 or Tier 3 enforcement;
  4. Any notice of acceptance, deficiency, or rejection of a Remediation Plan.
- (B) Purpose. DDA notification is intended to enable the DDA to: (i) evaluate acquisition eligibility under Section 23-62; (ii) offer TAD-based rehabilitation incentives to cooperative Owners under Section 23-63; and (iii) coordinate the City's enforcement posture with the DDA's redevelopment priorities within the DDA district.

**Sec. 23-62. DDA Acquisition Eligibility Review.**

- (A) Automatic trigger. Upon issuance of a Final Blight Designation for any property within the DDA District Boundary, the DDA shall complete an acquisition eligibility review within sixty (60) calendar days of receipt of the Final Blight Designation notice.
- (B) Scope of review. The acquisition eligibility review shall evaluate: (i) the property's strategic significance to the DDA's redevelopment priorities; (ii) estimated fair market value and encumbrances; (iii) the feasibility of DDA acquisition, rehabilitation, or resale for redevelopment purposes; and (iv) the availability of TAD financing to support acquisition and rehabilitation.
- (C) DDA statutory authority. The DDA's acquisition authority is derived from O.C.G.A. § 36-42-8, and is incorporated herein by reference. This Ordinance does not expand or limit the DDA's existing acquisition authority.
- (D) Report to City Manager. The DDA Secretary shall report the results of the acquisition eligibility review to the City Manager and City Attorney within the sixty (60)-day review period, with a recommendation on whether DDA acquisition is warranted.

**Sec. 23-63. TAD Financing as Rehabilitation Incentive.**

- (A) Off-ramp integration. For Eligible Commercial Properties within the DDA District Boundary where the Owner has submitted and obtained acceptance of a Remediation Plan under Section 23-45, the DDA Secretary and Community Development Director shall evaluate whether the proposed rehabilitation is eligible for TAD increment financing under the City's TAD Economic Development Incentive Policy.
- (B) Incentive agreement. If the proposed rehabilitation qualifies for TAD financing, the DDA and Owner may enter into a TAD Incentive Agreement structured under the existing TAD Economic Development Incentive Policy, subject to City Council approval as required by the Policy. Execution of a TAD Incentive Agreement shall constitute grounds for fee deferral under Section 23-25 for the duration of the agreement.
- (C) Consistency. All TAD Incentive Agreements entered into under this Section shall be internally consistent with the City's existing TAD Economic Development Incentive Policy and shall not modify or supersede that Policy except to the extent expressly authorized by Council.

**Sec. 23-64. DDA Right of First Negotiation.**

Prior to the City's initiation of receivership proceedings under Section 23-53(B) or referral for Urban Redevelopment Act designation under Section 23-53(C) with respect to any property within the DDA District Boundary, the Code Official and City Attorney shall: (i) provide written notice to the DDA Secretary of the City's intent to proceed; and (ii) afford the DDA a period of forty-five (45) calendar days within which to commence good-faith negotiations with the Owner for voluntary acquisition or to initiate its own DDA acquisition proceedings. The City's enforcement timeline is not tolled during this period, and the City retains full discretion to proceed at the conclusion of the notice period.

**ARTICLE VI. - GENERAL PROVISIONS; CODIFICATION; EFFECTIVE DATE**

**Sec. 23-70. Codification.**

This Ordinance shall be codified in the Code of Ordinances of the City of Dallas, Georgia as Chapter 23, "Vacant and Blighted Property Redevelopment." The City Clerk is authorized to renumber sections, correct cross-references, and make such other non-substantive modifications as are necessary for codification consistency.

**Sec. 23-71. UDC Cross-Reference.**

The City Clerk and Community Development Director are directed to prepare, for Council adoption in the same or the immediately subsequent Council cycle, a companion UDC amendment that: (i) cross-references this Chapter in UDC Chapter XII (Violations and Enforcement); (ii) adds a definitional cross-reference to "Blighted Property / Blighted Condition" in UDC Chapter XIII (Definitions); and (iii) adds a clarifying sentence to the UDC's "Failure to Provide Ordinary Maintenance or Repair" subsection noting the parallel availability of remedies under this Chapter.

**Sec. 23-71.1. Companion Amendments to Existing Code Provisions.**

In the same ordinance by which this Chapter 23 is adopted, the Mayor and Council hereby adopt the following companion amendments to existing provisions of the Code of Ordinances, City of Dallas, Georgia. These amendments are necessary to ensure that the enforcement authority granted by this Chapter is fully integrated with the existing Code framework and that the designation of the Blight Inspector as a public officer under O.C.G.A. § 41-2-7 et seq. is expressly established.

- (A) **Amendment to Code of Ordinances Section 22-21(b) — Public Officer Designation.** Code of Ordinances, City of Dallas, Georgia, Section 22-21(b) is hereby amended by inserting the following language immediately after the words "his designees" in the existing text of that subsection:

“, and the Code Enforcement Officer designated by the Community Development Director pursuant to Chapter 23 of this Code (Vacant and Blighted Property Redevelopment) as the Blight Inspector for purposes of that Chapter,”

As amended, Section 22-21(b) shall expressly extend the designation as a public officer under O.C.G.A. §§ 41-2-7 through 41-2-17 to the Code Enforcement Officer serving as Blight Inspector under Chapter 23 of this Code. This amendment shall not be construed to limit or otherwise affect the authority of any other public officer designated in Section 22-21(b).

- (B) **Amendment to Code of Ordinances Section 21-75(b)(3) — Historic Deterioration by Neglect Cross-Reference.** Code of Ordinances, City of Dallas, Georgia, Section 21-

**75(b)(3) is hereby amended by appending the following sentence at the end of that subsection:**

“In addition to the remedies set forth in this subsection and in section 21-76 of this chapter, the City may also proceed concurrently under Chapter 23 of this Code (Vacant and Blighted Property Redevelopment), where applicable; the remedies available under that Chapter are cumulative to the remedies available under this article, and the City’s election to pursue historic-neglect remedies under this article does not preclude the concurrent or subsequent pursuit of registry, blight designation, or tax incentive remedies under Chapter 23 of this Code.”

*(C) Codifier’s Instructions. The City Clerk is directed to cause the amendments set forth in subsections (A) and (B) of this Section to be incorporated into the official version of the Code of Ordinances, City of Dallas, Georgia, at the cited sections. The codifier is authorized to make such non-substantive formatting adjustments as are necessary for codification consistency, provided that no substantive change to the text of either amendment shall be made without authorization of the City Attorney.*

**Sec. 23-72. Residential Amendment Reserved.**

The Mayor and Council expressly reserve the authority to extend the provisions of this Ordinance to residential properties by amendment. Such amendment shall include a fee schedule adopted pursuant to O.C.G.A. § 44-14-14 and shall specify vacancy trigger periods, procedural provisions, and enforcement mechanisms applicable to residential classifications. [RESERVED — Residential Amendment to follow.]

**Sec. 23-73. Repealer.**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict. Specifically, any provision of the Dallas Code of Ordinances addressing vacant structures in the CBD District beyond UDC Section 4.11 shall be evaluated by the City Attorney and, if conflicting or superseded by this Ordinance, shall be identified for repeal concurrent with adoption of this Ordinance to avoid enforcement ambiguity.

**Sec. 23-74. Effective Date.**

This Ordinance shall take effect on July 1, 2026, or upon adoption and signing by the Mayor, whichever is later, to allow for administrative preparation of Registry forms, enforcement checklists, standard notices, and Tax Commissioner notification protocols prior to the commencement of the first enforcement cycle.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
L. James Kelly, Mayor

\_\_\_\_\_  
James Henson, Councilmember

\_\_\_\_\_  
Christopher B. Carter, Councilmember

\_\_\_\_\_  
Nancy R. Arnold, Councilmember

\_\_\_\_\_  
Leah Alls, Councilmember

\_\_\_\_\_  
Cooper Cochran, Councilmember

\_\_\_\_\_  
Candace Callaway, Councilmember

Attest: \_\_\_\_\_  
Tina Clark, City Clerk

Approved as to form:

---

Darrin Keaton  
City Attorney and General Counsel  
Georgia Bar No. 409998