

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA WITH RESPECT TO FEES CHARGED FOR CERTAIN DEPARTMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Sections 9-2-9 and 9-2-10 of the Code of Ordinances, City of Forest Park, Georgia are hereby amended by deleting said sections in their entirety and inserting in lieu thereof the following:

“Section 9-2-9 – License Fees

Before a license shall be granted, the applicant thereof shall comply with all rules and regulations adopted by the governing body regulating the sale of alcoholic beverages and each applicant shall pay a license fee in accordance with the scale fixed, from time to time, by resolution of the governing body and kept on file in the office of the director of finance.

Section 9-2-10 – Reserved.”

SECTION 2. That Sections 3-7-1, 3-7-2 and 3-7-3 of the Code of Ordinances, City of Forest Park, Georgia are hereby amended by deleting said sections in their entirety and inserting in lieu thereof the following:

“Section 3-7-1- Establishment of Fees by Resolution

.”

Fees for the various departments of the City shall be established from time to time by resolution of the governing body and kept on file in the office of the director of finance.”

SECTION 3. That Section 8-7-81 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

“Section 8-7-81. Establishment of Fees

Fees for all matters arising under this chapter shall be established from time to time by resolution of the governing body and kept on file in the office of the director of finance.”

SECTION 4. That Section 4-4-7 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

“Sec. 4-4-7. - Fees and fines.

For each police or fire fighter response to a false alarm under this article, a city police officer may issue a written citation for the offender to appear in the city's municipal court at a designated time and place to answer the charge or charges against him or her for violating this article; in lieu of or in addition the issuance of a citation, the police officer or the fire fighter shall also notify the alarm administrator of the false alarm, who shall then charge and collect such fees as established from time to time by resolution of the governing body and kept on file in the office of the director of finance.

Such fees shall be remitted to the alarm administrator not later than thirty (30) days after the date on which notification is mailed to the alarm user.

In the event an alarm user is convicted for transmitting a false alarm pursuant to this article and is thereby required to pay a fine assessed by the city's municipal court, the alarm user shall nevertheless be required to pay any fees under this article in addition to the criminal penalty assessed.

Failure to remit payment of fees or fines assessed pursuant to this section within thirty (30) days following notice may result in a citation to appear in the city's municipal court, and may also result in the revocation of the applicable registration certificate under this article.”

SECTION 5. That Section 8-8-139 of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

“Sec. 8-8-139. - Fees.

All permits and licenses shall be obtained through the planning and community development department and shall be in accordance with the business license ordinance prior to commencement of any type of operation. A permit of fee as established by resolution of the governing body from time to time and kept on file in the office of the director of finance shall be paid annually by any tree contractor removing a tree or trees.”

SECTION 6. That Section 9-2-132(a)(6) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

“(6) All employees serving, dispensing or handling alcohol are required to obtain a permit. Such employees must provide valid identification, a Social Security card and complete a notarized criminal history consent form and pay the fee established by the governing body by resolution from time to time and kept on file in the office of the director of finance.”

SECTION 7. That Section 4-5-5(b) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

“(b)The cost of registration fees in a declared emergency or disaster shall be established by resolution of the governing body from time to time. Registration is nontransferable. The cost of the emergency building permit shall be equal to the cost for a building permit under existing regulations. The permit shall only be authorized for repairs.”

SECTION 8. That Section 10-2-23(e) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

(e) Violations; impoundment. Violations of this section shall be punishable as provided for in section 1-1-8 of this Code. Police officers, parking enforcement officers, code enforcement officers, those city officials otherwise designated by the city manager, and any party contracted by the Forest Park to specifically impound shareable dockless mobility devices are authorized to impound any shareable dockless mobility device that has been offered for use, placed in a public right-of-way or on public property, or operated in a public right-of-way or on public property in violation of this section. The impoundment shall be subject to an initial impound fee and a daily storage and administration fee as established by the governing body by resolution from time to time and kept on file in the office of the director of finance.”

SECTION 9. That Section 9-2-27(3) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

(3) No permit shall be issued until such time as a signed application has been filed with the chief of police or his designee, and upon paying a fee as established by the governing body by resolution from time to time and kept on file in the office of the director of finance, and a search of the criminal record of the applicant completed. The application shall include, but shall not be limited to, the name, date of birth, and prior arrest record of the person, though the fact of an arrest record shall be used for investigative purposes only, and shall give rise to no presumption or inference of guilt. Due to the inclusion of arrest information, these applications shall be regarded as confidential and shall not be produced for public inspection without a court order.”

SECTION 10. That Section 9-2-8(b)(11) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

(11)The applicant will ensure that all employees serving, dispensing or handling alcohol will obtain a permit from the city. Such employees must provide valid identification, a Social Security card and complete a notarized criminal history consent form, authorizing the police department to conduct a complete criminal background investigation, with a fee as established by the governing body by resolution from time to time and kept on file in the office of the director of finance. The permit can be used at any applicable establishment without the need of obtaining a new permit;”

SECTION 11. That Section 5-2-14(c)(20) of the Code of Ordinances, City of Forest Park, Georgia is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

“(2) Residential garbage: One (1) residential container as described in section 5-2-2(8) emptied twice weekly. Residential customers requesting and being assigned more than one (1) such container shall pay, prior to receiving such additional residential container, the city, a refundable deposit for such container and pay an fee per month for collection of said additional container as may be set from time to time by the mayor and council.”

SECTION 12. Approval of Fee Schedules. The schedule of fees for the various departments attached hereto as Exhibit A is hereby approved.

SECTION 13. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 14. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 15. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 16. Codification and Severability.

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

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

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

SECTION 17. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 18. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO ORDAINED this 18th day of July, 2022.

Mayor Angelyne Butler

Council Member Kimberly James, Ward 1

Council Member Dabouze Antoine, Ward 2

Council Member Hector Gutierrez, Ward 3

Council Member Latresa Wells, Ward 4

Council Member Allan Mears, Ward 5

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

Exhibit A

Schedule of Fees

Additional Alcoholic Beverages

Wholesale dealers of alcoholic beverages, principal place of business located in the city—
\$5,000.00 per year;

Wholesale dealers of distilled spirits, principal place of business located in the city—\$4,000.00
per year;

Wholesale dealers of malt beverages and wine, principal place of business located in the
city—\$3,000.00 per year;

Wholesale dealers in malt beverages, principal place of business located in the city—
\$1,500.00 per year;

Wholesale dealers in wine, principal place of business located in the city—\$1,500.00 per year;

Hotel-motel "in-room service,"—\$500.00 per year. (This is an add-on license to an on-premise
consumption license);

Banquet hall—\$2,000.00 per year;

Growler—\$2,000.00 per year;

Microbrewery—\$2,000.00 per year.

Section 8-8-139: Tree Removal Contractors - \$50 annually

Section 10-2-23(e)

Dockless Mobility Device Initial Impound Fee: \$50

Dockless Mobility Device Daily Fee: \$5

Section 9-2-27(3)

Police Background Check Fee: \$25