

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF LOGANVILLE,
GEORGIA, FOR THE PURPOSE OF UPDATING THE DEVELOPMENT
REGULATIONS OF THE CITY OF LOGANVILLE TO REQUIRE
DRAINAGE EASEMENTS TO BE LOCATED ON
PROPERTY OWNED AND MAINTAINED
BY A PROPERTY OWNERS' ASSOCIATION**

THE COUNCIL OF THE CITY OF LOGANVILLE HEREBY ORDAINS:

WHEREAS, the City of Loganville, Georgia (the "City") has been vested with substantial legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law (O.C.G.A. § 36-35-3); and,

WHEREAS, on March 12, 2020, the City adopted its amended Development Regulations of the City of Loganville (the "Regs"); and

WHEREAS, Section 2.23 – Acts of City Council provides that acts of the city council which have the force and effect of law may be done by motion or resolution; and,

WHEREAS, the City desires to amend Section 7.4.5 of the Regs to require that all drainage easements located in residential subdivision developments, which are not located inside the City's right-of-way, be located on property owned and maintained by a property owners' association.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Council of Loganville do hereby declare and adopt this Resolution as follows:

- (1) The preamble of this Resolution shall be considered to be, and is hereby incorporated by reference as if fully set out herein; and,
- (2) The Development Regulations of the City of Loganville officially adopted on March 12, 2020, is hereby amended by implementing the text amendments shown on Exhibit "A" attached hereto; and,
- (3) All resolutions, ordinances, or parts of ordinances in conflict herewith are hereby repealed; and,
- (4) This action shall be effective immediately upon the date resolved.

BE IT RESOLVED this ____ day of February, 2024.

CITY OF LOGANVILLE, GEORGIA

By: _____ **(SEAL)**

Skip Baliles, Mayor

Attest: _____ **(SEAL)**

Kristi Ash, Deputy Clerk

EXHIBIT "A"

Note: Text which is stricken shall be deleted and text which is italicized shall be added.

7.4.5 Drainage easements shall be provided where a development is traversed by or contains a water course, impoundment, detention facility, improved channel, floodplain, natural stream or channel. It shall conform substantially to the flooding limits of the 100 year storm based on fully developed conditions, but shall be no less than 20 feet in width. *If a residential subdivision is provided with on-site drainage easements, not located inside the City's right-of-way, a property owners' association shall be established for its ownership and maintenance. Each drainage easement, not located in the City's right-of-way, shall be located on property owned and maintained by the property owners' association, and each lot containing a drainage easement shall have a minimum of 30 feet of public road frontage and a minimum lot width of 30 feet. The property owners' association's bylaws shall be recorded concurrently with the recording of a final subdivision plat. The association's bylaws shall include the same provisions as specified in Subsection 5.9.2, Paragraph b. of this regulation.*