



# Mayor & Council Work Session

September 19, 2023 at 4:00 P.M



# Agenda

1. Special Event Permit
2. Alcohol License for Convenience Stores
3. Blight Tax
4. Scooters Discussion
5. Elks Lodge Discussion



**Special Event Permit**



## Section 6-8

### (3) Temporary special event permit.

- a. A temporary permit to sell alcoholic beverages may be issued for a period not to exceed three days for an approved special event. The applicant must make complete application and pay all required application fees to the city clerk or his/her designee at least 21 days prior to the start date of the proposed event and shall be required to comply with all the general ordinances and regulations for on-premises consumption. The applicant seeking a temporary license must also obtain a state-issued temporary special event permit.
- b. For events with fewer than 200 total people present any business holding an occupational tax certificate in a Bulloch County jurisdiction may apply. For events with more than 200 total attendees present only businesses holding a city issued catering license may apply. Regardless of event size only eight temporary special event permits shall be issued to any entity in a 12-month period.



- c. The special event must meet the following criterion prior to the issuance of a license to sell alcoholic beverages: 1. The special event must receive approval from the chief of SPD or his/her designee regarding crowd control, traffic control, and security measures. 2. The location at which the special event is to take place must be properly zoned and approved by the code enforcement officer. 3. The application must be presented to mayor and council and approved at a regularly scheduled meeting of the Statesboro City Council.
- d. Every employee or volunteer of the special event licensee working the special event in any position dispensing, selling, serving, taking orders for, or mixing alcoholic beverages shall be required to possess valid server certification pursuant to section 6-10.
- e. The code enforcement officer or the chief of SPD or his/her designee may immediately revoke any temporary license for a special event if it is determined continued alcohol sales may endanger the health, welfare, or safety of the public.
- f. As a condition on the issuance of a temporary special event license, the applicant shall indemnify and hold the city harmless from any and all claims, demands, or causes of action which may arise from activities associated with the special event.
- g. An application fee as set out in the adopted rates and fees schedule shall be required, as well as any applications and/or fees required under Ordinance 70-61 and section 6-17.



Sec. 6-10. - Employment regulations for licensees selling alcoholic beverages for on premises consumption.

(a) Every licensee that distributes or sells alcoholic beverages for on-premises consumption shall require all persons employed as managers, servers, bartenders, or bouncers, or any other employee, agent or subcontractor with the responsibility for handling, serving, mixing, dispensing alcoholic beverages, verifying the age of patrons, or providing security within or on the curtilage the licensed establishment to complete a training for intervention procedures alcohol course, or other similar training approved by mayor and city council within 30 days of employment, and maintain a valid certification of completion for training for intervention procedures alcohol course, or other similar training approved by mayor and city council throughout the term of employment for the licensee.

(b) Every licensee that distributes or sells alcoholic beverages for on-premises consumption shall maintain on the premises evidence of valid certification of completion for training for intervention procedures alcohol course, or other similar training approved by mayor and city council for each employee encompassed by this section. To each certification shall be attached a copy of a government-issued photo identification for the subject employee. The certification/photo identification packages shall be readily available for inspection upon the request of any Statesboro Police Department officer, city code enforcement officer, or the city manager or his designee.



(c) It shall be unlawful for any person within the city to work as bouncer, either as an employee, agent, or subcontractor, in an establishment that is licensed to sell alcoholic beverages for on-premises consumption without obtaining and maintaining a valid and appropriate alcoholic beverage security permit issued by the city pursuant to the rules and regulations that govern the administration of this chapter.

(d) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licensee. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department officer, city code enforcement officer, or the city manager or his designee.

(e) Alcoholic beverage security permits shall be subject to suspension, revocation, or non-renewal pursuant to the rules and regulations that govern the administration of the chapter.



**Questions?**





## Alcohol Licenses for Convenience Stores



# Approval Process

## Overview:

The following municipalities were contacted: Milledgeville, Kennesaw, Tybee Island, Macon-Bibb, Valdosta, and Athens to see what their approval process and fingerprint requirements entailed.

## Approval Process:

- Applications are submitted to the initiating department (Business License Department or Finance Department) then a review process that could include Police Department, Planning Department, Fire Department, and then Council. The application could go before Council twice, depending on the jurisdiction (Work Session and Public Hearing).
- The processing timeframe could take anywhere from 14 days to 6 weeks, depending on the type of application.



# Fingerprinting

## **Process:**

- Required for initial application only and if there are changes in ownership or registered agent/manager
- In the case of multiple locations, jurisdictions will use the same fingerprint and criminal history result if the agents are the same
- Criminal backgrounds are done initially and annually

## **Who submits:**

- Individual owner or partnership required to submit
- In the case of a corporation it is the registered agent or general manager

## **License Status:**

- In the event of rebuild or renovation, license status remains current unless the rebuild or renovations occurs outside of the license year or results in the change of address, which requires applicant to submit a new application.



# Recommended Ordinance Amendments

**Current Ordinance: Section 6-5 Application procedure; contents of application; contents to be furnished under oath.**

*(f) Fire and safety inspection.* All businesses where alcohol is consumed on the premises shall satisfy all requirements of a fire and life safety inspection performed by the local fire official and city building official or his or her designee. The local fire official may cause to be inspected any building or portion of any building licensed under this ordinance.

Recommended Amendment:

- Add to Section 6-5(f): **Application may be brought before Mayor & council for consideration prior to acquiring a certificate of occupancy, but no license allowing sales shall be granted until such time as the certificate of occupancy is granted for the location.**
- Add Section 6-5(r): **Licensees with multiple locations. Licensees currently holding Package-Beer and Wine licenses for two or more locations in the City of Statesboro shall be exempted from fingerprinting and background check requirements contained in section 6-5(b).**



Questions?



**Blight Tax**



Blight Tax is allowed under Georgia Code. Blight tax is effectively a multiplier of the real property tax designed to discourage the maintenance of and incentivize the remediation of blighted properties. Multiplier used is at discretion of local jurisdiction with GMA Model ordinance having one of 7.0.

Real property must first be deemed and identified to be in blighted condition by a code official pursuant to Sec 38-163. Property may be declared in blighted condition as long as it meets two or more of the following conditions AND be conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property:

- (1) Uninhabitable, unsafe, or abandoned structure;
- (2) Inadequate provisions for rain, ventilation, light, air, or sanitation;



- (3) An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the governor has declared a state of emergency under the state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm;
- (4) A site identified by the federal Environmental Protection Agency as a superfund site pursuant to 42 U.S.C. Section 9601, et seq., or having environmental contamination to an extent that requires remedial investigation or a feasibility study;
- (5) Repeated illegal activity on the individual property of which the property owner knew or should have known; or





(6) The maintenance of the property is below state, county, or municipal codes for at least one year after written notice of the code violation to its owner

Revenues arising from the increased rate of ad valorem taxation shall, upon receipt, be segregated by the City Manager and used only for community redevelopment purposes, as identified in an approved urban redevelopment program, including defraying the cost of the City's program to close, repair, or demolish unfit buildings and structures.

Remediated and redeveloped properties designated as blighted shall receive a 50% reduction in property taxes for three years following removal from the blighted property roster.



Questions?

# **CITY OF STATESBORO UNIFIED DEVELOPMENT CODE**

## **POLICY WORK SESSION**

**CITY COUNCIL WORK SESSION | 09.19.23**





# PERSONAL MOBILITY DEVICES

# GA PERSONAL DEVICE LAW

- Applies to engines < 50cc
- Legal to own and ride with or without motor/engine
  - No license, insurance, or registration required
- With motor/engine
  - Must be at least at least 15 years
  - Helmet required < 16 years



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# GA PERSONAL SCOOTER LAW

**With motor/engine** allowed on

- Streets with max 35 mph speed limit
- Bike paths and bike lanes
- Must follow all traffic rules



Courtesy Wikimedia



# CITY PERSONAL SCOOTER LAW

**Without motor/engine** not allowed in streets

*Sec. 78-9. - Roller skates and skateboards.  
No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk, and except upon streets set aside as play streets when and as authorized by ordinance of this city.*



Courtesy Wikimedia





# SHAREABLE MOBILITY DEVICES



# OPTIONS

1. Allow everywhere (w/o standards)
2. Allow everywhere (with standards)
3. Prohibit everywhere
4. Allow in some places (with standards)





# OPTIONS

1. Allow everywhere (w/o standards)
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# TYPICAL STANDARDS

- Permit and license requirements
- Insurance
  - With hold harmless provision for City
- Annual fee
- Numeric limit
- Operation standards
- Storage/parking standards
- Reporting standards
- Termination standards

## APPENDIX A: PARKING

Correct Parking Examples:



Parked next to bicycle rack



Parked on curb without blocking entrance or ADA accessibility



Parked in furniture zone



# POTENTIAL CODE

- Recommended Chapter 70 updates
  - New Article VII. Shareable Dockless Mobility Devices
  - Based on Brookhaven, GA, model but with Statesboro-specific updates
  - Several issues require policy guidance (e.g., fees, insurance, etc.)

- (g) Duration. Where the exhibition show is to be conducted pursuant to a permit issued hereunder, such exhibition show may not extend for more than two successive days without an intervening period of at least one week.
- (h) Operation and parking of motor vehicles. It shall be unlawful to operate or leave parked any motorized vehicle of any type including motorcycles and minicycles upon any street or public vehicular area wherein an exhibition show is conducted pursuant to a permit issued under this section without the express permission of the person in direct charge of the exhibition show. Any vehicle parked in violation hereunder is subject to impoundment.
- (i) Violation. It shall be unlawful for any person to violate any provision of this section or any of the conditions of the exhibition permit. Any person violating any provision thereof shall upon conviction thereof, be punished as provided by law.

**Sec. 70-63. Reserved.**

**Sec. 70-64. Interference with a business unlawful.**

It shall be unlawful for any person, acting alone or in concert with one or ~~an~~ more other persons, by the use of force, intimidation, violence or threats thereof or by the doing of any act tending to cause a disturbance of the public peace, to prevent or attempt to prevent any individual from doing or transacting business or trading with or buying from or selling to any licensed ~~bb~~ business, trade or profession in the city or any person engaged in any such licensed business, trade or profession or from accepting or refusing business from any such licensed business, trade or profession or from entering or leaving any place of such licensed business, trade or profession.

**ARTICLE VII. SHAREABLE DOCKLESS MOBILITY DEVICES**

**Sec. 70-65. General provisions.**

The primary authority and responsibility for the enforcement of the provisions of this article shall be vested in the director.

**Sec. 70-66. Sec. 17-501. Definitions.**

As used in this article, unless specifically stated otherwise, the following terms shall mean and include:

**Director** means the Director of the public works and engineering department or designee.

**Furniture zone** means an area designated by the city within pedestrian, where amenities such as lighting, benches, newspaper kiosks, utility poles, tree pits, and landscaping are located. Not every pedestrian are incorporates a furniture zone.

**Pedestrian area** means a portion of a public right-of-way where a sidewalk, path, or trail is located for use by pedestrians and where vehicles are prohibited.

**Shareable dockless mobility device ("device or unit")** means a human-powered or motorized device that permits an individual to move or be moved freely, including but not limited to electric bicycles,





# DISCUSSION



## Elks Lodge Discussion



- Elks had alcohol license on James Street since 1972 at latest. A 2019 fire rendered the building unusable. COVID 19 related issues delayed rebuilding beyond the one year period in which it would have retained its grandfathered ability to hold an alcohol license. Grandfathering would be essential here as the property has zoning and proximity issues under local Code. Issuance of license would require resolutions as to zoning and proximity for both initial application and for issuance.
- This is a non-profit fraternal organization that really does not have to be in the alcohol business. Brown bagging at the establishment is prohibited under City Ord 6-7(t). However, Mayor and Council could allow for an exemption to 6-7(t) via resolution or agreement with Elks.



In the event such a waiver is desired Staff recommends the following parameters:

1. Elks would need to obtain alcohol liability insurance required of licensees under 6-4(d)
2. No alcohol may be stored at the Lodge in any capacity
3. No alcohol may be delivered to or sold by the Lodge
4. Lodge would need to allow FD and PD right of entry to confirm compliance





**Questions?**