



CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Diane Adoma – District 5

CITY COUNCIL WORK SESSION

March 11, 2019

6:00 p.m.

3120 Stonecrest Blvd. Suite 190

Stonecrest, Georgia

- I. CALL TO ORDER:** Mayor Jason Lary

- II. AGENDA ITEMS:**
 1. Alarm Ordinance
 2. Fire Prevention Ordinance
 3. MARTA
 4. Cell Tower
 5. Resolution to Elect to Continue Receiving Water and Sewer Services from DeKalb County, Georgia

- III. PRESENTATION :** New Camera System

- IV. ADJOURNMENT:**



CITY COUNCIL AGENDA ITEM

SUBJECT: ORDINANCE ADOPTING CHAPTER 3 (ALARM SYSTEMS) OF THE CITY CODE

- | | | |
|---|-------------------------------------|--|
| <input checked="" type="checkbox"/> ORDINANCE | <input type="checkbox"/> POLICY | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input type="checkbox"/> RESOLUTION | <input type="checkbox"/> OTHER |

Work Session: 03/11/2019

Council Meeting: 03/11/2019

SUBMITTED BY: Michael Harris

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:

1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA ADOPTING**
2 **CHAPTER 3 (ALARM SYSTEMS) OF THE CITY CODE.**
3

4 **WHEREAS,** the City of Stonecrest, Georgia Mayor and City Council are authorized by
5 the City Charter to provide for the general health, safety and welfare of the
6 citizens of the City; and

7
8 **WHEREAS** the Mayor and City Council find it to benefit the welfare of the citizens
9 and the City to provide a regulatory measure for an emergency response to
10 alarm systems and to prevent false alarms that would needlessly occupy
11 time of emergency personnel; and

12
13 **WHEREAS,** this Ordinance shall be adopted as part of the City of Stonecrest City
14 Code, as Chapter 3 (Alarm Systems).

15
16 **THEREFORE,** the Mayor and City Council of the City of Stonecrest, Georgia hereby
17 ordain as follows:

18
19 **Section 1:** **The Mayor and City Council of the City of Stonecrest, Georgia,**
20 **hereby adopt an Ordinance designated as "Chapter 3. Alarm Systems" of the City**
21 **Code to read and be codified as follows:**

22
23 **CHAPTER 3. ALARM SYSTEMS.**

24
25 **Sec. 3-1. Purpose.**

- 26
27 (a) *Short title.* This Chapter shall be known as the "False Alarm
28 Ordinance" and may be cited as such.
- 29 (b) *Purpose and intent.* This Chapter governs the responsible use and
30 operation of alarm systems and implements measures to minimize
31 the financial burden placed on the City by alarm system calls and
32 false alarms. This Chapter is not intended to create new or to
33 expand existing, if any, legal obligations of the City. The
34 registration fees set forth in this Chapter are intended to require
35 alarm system owners and alarm system companies to bear some of
36 the cost of fire and police responses to all alarm system calls. The
37 assessments set forth in this Chapter are intended to ensure
38 compliance with this Chapter to defray a portion of the cost of
39 false alarms, and to help reduce the number of false alarms.

40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68

Sec. 3-2. Definitions.

Words or terms not defined in this Chapter but defined in applicable state law or the Code of the City of Stonecrest, shall be given that meaning. All other words or phrases shall be given their common, ordinary meaning unless the context requires otherwise. The following words, terms and phrases, when used in this Chapter shall have the meanings ascribed to them below except where the text clearly indicates a different meaning:

Alarm system means any system, device or mechanism which, when activated, transmits a telephonic, wireless, electronic, video, or other form of message or signal to an alarm system company, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a message or signal beyond the protected premises in some other fashion. An alarm system may consist of one (1) or more components (e.g., motion detector, window breach detector, or similar components) all reporting to a central unit/system panel which, in turn, is connected or reports to an alarm system company, or constitutes a non-monitored alarm system, i.e., a system that does not transmit a message or signal to an alarm system company. The term "alarm system" does not include any system, device or mechanism primarily protecting a motor vehicle or constituting an individual medical alert.

Alarm system company means a company that charges a fee to monitor an alarm system placed, located, or protecting premises in the City of Stonecrest, including alarm system companies whose offices are physically located outside of City's geographical boundaries.

Alarm system owner means a person or company that owns or operates an alarm system and is not a customer of an alarm system company.

69 *Company* means an individual, sole proprietorship or organization,
70 whether the organization is operated by an individual, association, firm,
71 partnership, corporation or other entity.

72 *Customer of an alarm system company* means a person who pays a
73 fee to an alarm system company to monitor an alarm system placed,
74 located, or protecting premises in the City of Stonecrest.

75 *Dispatch* means the point in time when police officers, emergency
76 medical service providers, or fire personnel are directed to go to a
77 particular location in response to the activation of an alarm system.

78 *False alarm* means any activation of an alarm system that elicits a
79 response from the police department, or the fire department when there is
80 no appearance of an actual emergency or threatened criminal activity
81 necessitating a police or fire response. This definition includes, but is not
82 limited to, any alarm system activated as a result of weather, negligence,
83 accident, mechanical failure, electrical failure, or electrical surge.
84 Activation of an alarm system shall not be considered a false alarm if:

- 85 (a) The police department or fire department is notified prior to
86 dispatch to cancel any response;
- 87 (b) The alarm system was intentionally activated based upon a
88 reasonable belief that an emergency or actual or threatened
89 criminal activity requiring immediate police or fire response
90 existed; or
- 91 (c) The alarm system was activated by an attempted illegal entry of
92 which there is some evidence.

93 *Fire department* means the DeKalb County Fire Rescue
94 Department or the City of Stonecrest Fire Department if one is activated.

95 *Local* means within the geographical boundaries of the following
96 counties: Cherokee, Clayton, DeKalb, Fulton, Gwinnett, Henry, Newton,
97 Paulding and Rockdale.

98 *Police chief* means the City of Stonecrest Chief of Police or a
99 Chief of a Police Department contracted by the City to provide police
100 services.

101 *Police department* means the DeKalb County Police Department or
102 the City of Stonecrest Police Department, if one is deployed.

103 **Sec. 3-3. Registration of Alarm System Companies.**

104 (a) *Registration required.* No alarm system company may monitor an
105 alarm system placed, located, or protecting premises in the City of
106 Stonecrest unless such alarm system company registers with the
107 Police Department and, as part of such registration, identifies the
108 name, local address and local telephone number of at least one (1)
109 person who resides or works at a designated local address who
110 shall serve as the authorized agent of the alarm system company.
111 The authorized agent shall be the individual who is authorized by
112 the alarm system company to receive all notices, citations and to
113 pay all registration fees or fines assessed against the alarm system
114 company pursuant to this Chapter.

115 (b) *Reporting updated information.* Whenever there is a change in any
116 information recorded in an alarm system company's registration,
117 the alarm system company must, within thirty (30) days of the
118 change, update the registration on file with the Police Department.
119 Registration information on file remains effective until ten (10)
120 days after receipt of updated information.

121 (c) *Address information.* Every alarm system company shall provide
122 to the Police Department, in whatever format the Police Chief may
123 specify, including an electronic and searchable format, a complete
124 listing of all customers of the alarm system company which shall
125 include all addresses located in the City of Stonecrest that the
126 alarm system company monitors, and the name and address of the
127
128

129 person or company who receives the monitoring bill. Each alarm
130 system company shall update the list in a manner and on a
131 schedule as specified by the Police Chief.

132 (d) *Registration fee.* Alarm system companies shall be required to pay
133 an annual registration fee in the amount established by Resolution
134 of the Mayor and City Council.

135
136 **Sec. 3-4. Registration of Alarm System Owners.**

137 (a) *Registration required.* No alarm system owner may operate an
138 alarm system within the City of Stonecrest unless such alarm
139 system is registered with the Police Department.

140 (b) *Transfer of possession.* Whenever there is any change in ownership
141 of an alarm system and/or premises or property protected by an
142 alarm system, the new owner must, within thirty (30) days of the
143 change, register as an alarm system owner; alarm system
144 registration is not transferable.

145 (c) *Reporting updated information.* Whenever there is a change in any
146 information recorded in an alarm system owner's registration, the
147 alarm system owner must, within thirty (30) days of the change,
148 update the registration on file with the Police Department.
149 Registration information on file remains effective until ten (10)
150 days after receipt of updated information.

151 (d) *Multiple registrations required.* If more than one (1) alarm system
152 protects a single property, each alarm system must be registered
153 separately. If one (1) alarm system protects more than one (1)
154 structure or property, then the alarm system must be registered
155 multiple times, once as to each structure or property.

156 (e) *Registration fee.* Alarm system owners shall be required to pay an
157 annual registration fee in an amount established by Resolution of
158 the Mayor and City Council.
159

160

161

Sec. 3-5. Duties of an Alarm System Company and an Alarm System Owner.

162

163

164

An alarm system company or owner shall:

165

(a) Appear, or cause another person to appear, at the location of the alarm system within forty-five (45) minutes of a request from the Police Department or Fire Department in order to provide access to the alarm system and/or de-activate a malfunctioning alarm system;

166

167

168

169

170

(b) Limit any externally audible sounds triggered by an alarm system to a duration of no more than fifteen (15) minutes after being activated; and

171

172

173

(c) Make readily available instructions about how to operate the alarm system. This obligation can be met by indicating on the alarm system how it operates; indicating on the alarm system where written instructions are to be found, provided that such written instructions are kept in the same room or space in which the alarm system is located; making someone available no more than forty-five (45) minutes after notice to answer questions posed by a police officer or fire personnel; or by any other means that may be approved by the Police Chief.

174

175

176

177

178

179

180

181

182

183

Sec. 3-6. Violations.

184

(a) It shall be a violation of this Chapter if any alarm system owner, customer of an alarm system company, or an alarm system company:

185

186

187

(1) Fails to register if required to do so by this Chapter;

188

(2) Fails to pay all applicable registration fees when due;

189

(3) Fails to update any information as required by this Chapter;

- 190 (4) Activates any alarm system for the purpose of summoning
191 a police officer or fire personnel with actual knowledge that
192 there is no emergency;
- 193 (5) Uses an auto-dialer or telephonic recording, message,
194 signal or warning to notify the Emergency 9-1-1 System of
195 any alarm system activation;
- 196 (6) Connects directly to an alarm display panel located in the
197 communications center of the Police Department and/or
198 Fire Department without authorization; or
- 199 (7) Aids or abets in the commission of an act prohibited by this
200 section.
- 201 (b) The Police Department is authorized to disable immediately any
202 alarm system, communication or device that is directly connected
203 to an alarm display panel located in the communications center of
204 the Police Department and/or Fire Department without
205 authorization.

206
207 **Sec. 3-7. Jurisdiction and Penalties.**

208 Any alarm system company, customer of an alarm system companies or
209 alarm system owner who does anything prohibited by sections 3-3, 3-4, 3-
210 5 and 3-6, or who fails to do anything required by these sections, upon
211 citation or summons by the Police Chief, code enforcement officer or
212 other authorized City agent or employee, and who is convicted of said
213 violation in the Stonecrest Municipal Court, shall be subject to appropriate
214 penalties as imposed by the court. If convicted of violating any provision
215 of sections 3-3, 3-4, 3-5 and 3-6, the court shall impose a minimum fine of
216 four hundred and ninety-nine dollars (\$499.00) in addition to any other
217 authorized punishment imposed by the court.

218
219 **Sec. 3-8. False Alarms and Assessments.**
220

- 221 (a) An alarm system owner shall not activate or allow a false alarm to
222 be activated through the owner's alarm system.
- 223 (b) A customer of an alarm system company shall not activate or allow
224 a false alarm to be activated through alarm systems placed, located,
225 or protecting premises in the City. Customers of alarm system
226 companies shall be subject to an assessment for multiple false
227 alarms only where the false alarm occurs at the same location
228 within the preceding twelve-month period.
- 229 (c) For a failure to abide by the terms of this section, assessments will
230 be as follows:
- 231 (1) No assessment for a first false alarm.
- 232 (2) An assessment of fifty dollars (\$50.00) for a second false
233 alarm.
- 234 (3) An assessment of one hundred dollars (\$100.00) for a third
235 false alarm.
- 236 (4) An assessment of two hundred dollars (\$200.00) for a
237 fourth false alarm.
- 238 (5) An assessment of three hundred dollars (\$300.00) for a fifth
239 false alarm.
- 240 (6) An assessment of four hundred dollars (\$400.00) for a sixth
241 false alarm.
- 242 (7) An assessment of five hundred dollars (\$500.00) for a
243 seventh false alarm.
- 244 (8) An assessment of six hundred dollars (\$600.00) for an
245 eighth false alarm.
- 246 (9) An assessment of seven hundred dollars (\$700.00) for a
247 ninth false alarm.
- 248 (10) An assessment of eight hundred dollars (\$800.00) for a
249 tenth false alarm.

250 (11) An assessment of nine hundred dollars (\$900.00) for each
251 false alarm after the tenth false alarm.

252

253 **Sec. 3-9. Notification and Appeal Process for Assessments.**

254 (a) The Police Chief shall have the authority to issue a notice of
255 assessment, hereinafter referred to as the "notice," to alarm system
256 owners, and/or customers of alarm system companies who do not
257 abide by the requirements of section 3-8 of this Chapter. The
258 notice shall briefly describe the facts forming the basis for the
259 assessment, include the date and address of the incident, the
260 amount of the assessment owed, and advise the person of the right
261 to appeal the notice. The notice shall be sent via United States mail
262 to the alarm system owner or customer of an alarm system
263 company at the address on file as provided by this Chapter.

264 (b) If no appeal is filed in the manner required by this Chapter, the
265 assessment shall be paid to the Police Department. Should the
266 alarm system owner or a customer of an alarm system company
267 desire to appeal a notice, an appeal must be filed with the Police
268 Chief within fifteen (15) calendar days after the date reflected on
269 the notice. The person or entity filing the appeal, hereinafter
270 referred to as the "appellant," must pay to the Police Department
271 an appeal bond in an amount equal to the assessment at issue, and a
272 non-refundable appeal filing fee of thirty-five dollars (\$35.00) at or
273 before the appeal will be accepted for processing. The appeal shall
274 be in the form of a letter, and shall identify all of the reasons that
275 appellant believes the notice is improper or invalid. If the Police
276 Chief agrees with reasons cited by the appellant in the appeal, the
277 notice may be dismissed and no assessment shall be charged.

278 (c) If the notice is not dismissed by the Police Chief, he/she shall enter
279 or docket the appeal and notify the appropriate City

280 representative(s) or witness(es) and the appellant(s), in writing, of
281 the date, time and place where a hearing will be held. The hearing
282 shall be held before the City Manager or designated hearing officer
283 within forty-five (45) calendar days of the date the appeal is
284 entered or docketed. The parties may be represented by counsel,
285 may present evidence, and may examine and cross-examine
286 witnesses; the standard of proof shall be by a preponderance of the
287 evidence and the City shall bear the burden of proof. A party is
288 permitted no more than fifteen (15) minutes to present that party's
289 case. Presentation of arguments and evidence may be in oral or
290 written form. The City Manager or designated hearing officer shall
291 grant or deny the appeal by issuing and mailing a written decision
292 to the Police Chief and the appellant(s) within thirty (30) calendar
293 days of the date of the hearing.

294 (d) The City Manager or designated hearing officer shall grant the
295 appeal if he/she finds that issuance of the notice was based on an
296 erroneous finding of material fact, or was arbitrary or capricious. If
297 an appeal is granted, no assessment shall be charged to the
298 appellant(s) and the appeal bond shall be returned to the
299 appellant(s) by United States mail. If the appeal is denied, the
300 appeal bond shall be kept by the City and utilized for police
301 purposes. Should the City Manager or designated hearing officer
302 fail to issue a timely decision, the appeal will be deemed granted
303 and no assessment shall be charged to the appellant(s). The
304 decision of the City Manager or designated hearing officer shall be
305 final.

306 (e) Nothing in this Chapter shall be construed to prevent or limit the
307 City from pursuing any and all available legal and equitable
308 remedies to collect fines, assessments and enforce the provisions of
309 this Chapter.

310

311

Sec. 3-10. Enforcement and Awareness Classes.

312

313

314

315

316

317

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

Section 2:

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

344
345
346
347
348
349
350
351
352

353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387

2. It is hereby declared to be the intention of the Mayor and 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 Mayor and 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.

3. In the event that any phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

5. The within ordinance shall become effective upon its adoption.

6. The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

SO ORDAINED AND EFFECTIVE this the ____ day of _____,
2019.

Approved:

Jason Lary, Sr., Mayor

As to form:

Winston Denmark, City Attorney

STATE OF GEORGIA
DEKALB COUNTY
CITY OF STONECREST

ORDINANCE NO. _____

388 Attest:
389
390
391 _____
392 Leah Rodriguez, City Clerk



CITY COUNCIL AGENDA ITEM

**SUBJECT: ORDINANCE ADOPTING CHAPTER 12 (FIRE AND PREVENTION) OF
THE CITY CODE**

- | | | |
|---|-------------------------------------|--|
| <input checked="" type="checkbox"/> ORDINANCE | <input type="checkbox"/> POLICY | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input type="checkbox"/> RESOLUTION | <input type="checkbox"/> OTHER |

Work Session: 03/11/2019

Council Meeting: 03/11/2019

SUBMITTED BY: Michael Harris

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:

1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA ADOPTING**
2 **CHAPTER 12 (FIRE PREVENTION AND PROTECTION) OF THE CITY CODE.**
3

4 **WHEREAS**, the City of Stonecrest, Georgia Mayor and City Council are authorized by
5 the City Charter to provide for the general health, safety and welfare of the
6 citizens of the City; and

7
8 **WHEREAS** the Mayor and City Council find it to benefit the welfare of the citizens to
9 provide for regulation and administration of fire prevention in the City;
10 and

11
12 **WHEREAS**, this Ordinance shall be adopted as part of the City of Stonecrest City
13 Code, as Chapter 12 (Fire Prevention and Protection).

14
15 **THEREFORE**, the Mayor and City Council of the City of Stonecrest, Georgia hereby
16 ordain as follows:

17
18 **Section 1:** **The Mayor and City Council of the City of Stonecrest, Georgia,**
19 **hereby adopt an Ordinance designated as “Chapter 12. Fire Prevention and**
20 **Protection” of the City Code to read and be codified as follows:**

21
22 **CHAPTER 12. FIRE PREVENTION AND PROTECTION**

23
24 **ARTICLE I. IN GENERAL.**

25
26 **Sec. 12-1. Definitions.**

27 The following words, terms and phrases, when used in this
28 Chapter, shall have the meanings ascribed to them in this section, except
29 where the context clearly indicates a different meaning:

30 *Apartment building* means building containing three (3) or more
31 living units with independent cooking and bathroom facilities, whether
32 designated as an apartment house, tenement, garden apartment, or by any
33 other name.

34 *Battery backup* means any emergency power supply for power-
35 assisted gates operated by electrical power.

36 *Breakaway security gate* means any gate designed to fall away
37 under pressure.

38 *Case hardened metal* means a steel alloy formed by diffusing
39 carbon or nitrogen into the outer layer of the steel at high temperature such
40 that the metal cannot be cut with a saw, and will not shatter.

41 *Combustible* means any material that is capable of supporting
42 ignition or the process of burning under heat exposure.

43 *Delayed response* means any postponement of an emergency
44 vehicle gaining access through security barriers.

45 *Disposal* means the discharge, deposit, injection, dumping,
46 spilling, leaking, or placing of any hazardous substances or hazardous
47 waste into or on any land or water so that such substances or waste may
48 enter the environment or be emitted into the air or discharged into any
49 water, including groundwater.

50 *Dormitory* means buildings or spaces in buildings where group
51 sleeping accommodations are provided for persons not members of the
52 same family group in one room or in a series of closely associated rooms
53 under joint occupancy and single management, as in college dormitories
54 or other housing for students, fraternity houses, military barracks; with or
55 without meals, but without individual cooking facilities.

56 *Emergency shutoff button* means a device used to release hydraulic
57 pressure on power-assisted gates operated by hydraulic power.

58 *Fire apparatus* means any vehicle or equipment used by fire and
59 rescue services.

60 *Fire Marshal* means a qualified officer who will perform fire
61 marshal services for the City.

62 *Gamewell lock box* means a box, sometimes called an elevator lock
63 box, which must be opened with a special key carried on fire response
64 vehicles.

65 *Gravity gate* means a gate with no power assistance and which
66 operates freely under manual manipulation.

67 *Hazardous explosive chemicals* means all picric acids, nitro-based
68 chemicals, ethers, peroxides, oxidizers, and such other chemicals as may
69 be determined by the Fire Marshal to be hazardous explosives.

70 *Hazardous substance* means a substance that satisfies any one of
71 the following requirements:

- 72 (1) A substance which, because of the toxic or hazardous
73 properties which it exhibits, is determined by the Director
74 of the Environmental Protection Division of the State
75 Department of Natural Resources to represent a significant
76 risk to the public health and safety as a result of foreseeable
77 use, handling, accidental spill, exposure or contamination;
- 78 (2) A substance that is known to present a significant risk of
79 personal injury or illness as the foreseeable result of use,
80 handling, accidental spills, exposure or contamination; or
- 81 (3) A substance or material that has been determined to pose an
82 unreasonable risk to health, safety, and property.

83 *Hazardous waste* means any solid waste which has been defined as
84 a hazardous waste in regulations promulgated by the administrator of the
85 United States Environmental Protection Agency pursuant to the federal
86 regulation in force and effective February 1, 1986, codified as 40 CFR
87 261—Identification and Listing of Hazardous Waste, as amended.

88 *Hazardous waste generation* means the act or process of producing
89 hazardous waste.

90 *High-rise residential occupancy building* means residential
91 properties, hotels, dormitories, apartments, lodging or room houses, or
92 board and care facilities over 75 feet or 23 meters in height measured from
93 the lowest level of fire department vehicle access to the floor of the
94 highest occupied story.

95 *Hotel/motel* means a building in which separate sleeping rooms are
96 rented that provide sleeping accommodations for 15 persons or more on

97 either a transient or permanent basis, with or without meals, whether
98 designated as a hotel, inn, club, motel, or by any other name.

99 *Improper storage* means storage of chemicals past the expiration
100 date on the label or chemicals stored in any area or container not designed
101 for storage of the particular chemical. If there is no date listed for the
102 expiration date, the expiration date shall be 12 months past the date that
103 the chemical was received by the person or entity storing the chemical.

104 *Knox Box Rapid Entry System* means a key box that is authorized
105 by section 506 of the International Fire Code and allows firefighting
106 access for fire department purposes. Examples of structures or areas in
107 which a key box is required include commercial and industrial structures
108 protected by an automatic alarm system or automatic suppression system
109 or structures that are secured in a manner that restricts access during an
110 emergency; multi-family residential structures that have restricted access
111 through locked doors and have a common corridor for access to all the
112 living units; governmental structures and nursing care facilities; hazardous
113 material occupancies; and occupancies where a large number of medical
114 or fire alarms occur and entry can be delayed.

115 *Lodginghouse* or *roominghouse* means a building in which
116 separate sleeping rooms are rented which provides sleeping
117 accommodations for 15 or fewer persons on either a transient or
118 permanent basis, with or without meals, but without separate cooking
119 facilities for individual occupants.

120 *Pad lock* means any lock that is not constructed of case hardened
121 metal.

122 *Power assisted gate* means any gate that is operated through a
123 power source, whether electrical, hydraulic or pneumatic.

124 *Residential property* means buildings containing three or more
125 living units with independent cooking and bathroom facilities, whether

126 designated as apartment house, tenement, garden apartment, condominium
127 or by any other name.

128 *Substance* means any element, entity, compound, combination, or
129 any mixture thereof, whether organic or inorganic.

130 *Toggle switch* means a device used to operate a power-assisted
131 gate and override the power supply to the gate.

132

133 **Sec. 12-2. Scope.**

134

135 (a) The provisions of this Chapter shall apply equally to both public
136 and private property, and to all structures and their occupants,
137 except as otherwise specified herein or by other applicable law.

138 (b) The City shall have the authority to contract with any other
139 government entity for the enforcement of this Chapter and to enter
140 into any intergovernmental agreements for the provision of fire and
141 rescue services.

142

143 **Sec. 12-3. False Fire Report.**

144 It shall be unlawful for any person to transmit or cause to be
145 transmitted in any manner to fire and rescue services a false report of a
146 fire, knowing at the time there is no factual basis for believing that such a
147 fire exists. Such a violation shall be prosecuted under applicable state law
148 as a misdemeanor.

149

150 **Sec. 12-4 - Sec. 12-24. Reserved.**

151

152 **ARTICLE II. ADMINISTRATION.**

153 **Sec. 12-25. Duties of the Fire Marshall.**

154

155 (a) Other than those services provided by DeKalb County, pursuant to
156 that Intergovernmental Agreement for the Provision of Fire Rescue
157 Services dated _____, as amended (the "Fire IGA"),

158 the services to be performed by the Fire Marshal shall include the
159 inspections of new buildings and renovations to existing buildings
160 for compliance with the fire code, including the following:

- 161 (1) Reviewing and approving plans for both new construction
162 and renovations of existing structures;
- 163 (2) Final inspections for life safety for all commercial and
164 multifamily buildings;
- 165 (3) Inspections for new business licenses or change of
166 occupancy, in conjunction with the building official; and
- 167 (4) Inspections required for setting occupancy load, in
168 conjunction with the building official.

169 (b) The Fire Marshal shall possess the education, training and
170 experience required by state law for such position.

171 (c) The Fire Marshal or his designee shall remit all site plans receiving
172 an approval for life safety by the Fire Marshal to DeKalb County's
173 Fire Chief.

174

175 **Sec. 12-26. Construction Plans Approval.**

176 It shall be unlawful to construct, erect or alter any building without
177 construction documents approved by the Fire Marshal for fire department
178 accessibility, fire hydrant requirements, fire code requirements, occupancy
179 load, aboveground and underground flammable and combustible liquids
180 tank installations and fire protection and suppression systems, including,
181 but not limited to, sprinklers.

182

183 **Sec. 12-27. Permits.**

184 The City shall have the authority to issue permits and to collect fees for
185 plan review, permit and inspection in connection with commercial and
186 multifamily buildings constructed or renovated in the City in amounts set
187 by Resolution of the City Council as well as for reimbursement for other

188 review or inspection services provided in this Chapter, in this Code or by
189 law.

190
191 **Sec. 12-28. – Section 12-57. Reserved.**

192
193 **ARTICLE III. REGULATIONS AND ADOPTED CODES**

194
195 **Sec. 12-58. Adoption of State Fire Safety Rules..**

196 Pursuant to O.C.G.A. § 25-2-1 et seq. and as may hereinafter be amended,
197 there is hereby adopted as if fully set forth herein the state minimum fire
198 safety standards now and as may hereafter be promulgated by the Georgia
199 Safety Fire Commissioner. In the event the Fire Marshal determines that
200 the provisions of the state minimum fire safety standards conflict with the
201 provisions of the International Fire Code adopted in section 12-59, then
202 the most restrictive provision as determined by the Fire Marshal shall
203 govern.

204
205 **Sec. 12-59. Adoption of International Fire Code.**

206 Pursuant to O.C.G.A. §§ 8-2-20 and 8-2-25 and as may hereinafter be
207 amended, there is hereby adopted as if fully set forth herein the
208 International Fire Code, including chapter 1, Administration. As allowed
209 in O.C.G.A. § 8-2-25, the provisions of the International Fire Code are
210 modified and amended in sections 12-60 through 12-63. In the event the
211 Fire Marshal determines that the provisions of the International Fire Code
212 conflict with the provisions of the state minimum fire safety standards
213 adopted in section 12-58, then the most restrictive provision as determined
214 by the Fire Marshal shall govern..

215
216
217 **Sec. 12-60. Amendments to the International Fire Code.**

218 (a) The International Fire Code is hereby amended by omitting section
219 108, Board of Appeals of chapter 1, Administration and section
220 108 shall not be adopted by the City.

221 (b) The International Fire Code is hereby amended by adopting
222 Appendix C—Fire Hydrant Locations and Distribution and
223 Appendix D—Fire Apparatus Access Roads.
224

225 **Sec. 12-61. Spread of Fire.**

226
227 (a) All combustible landscaping materials shall be placed at least 36
228 inches away from the edge of any building having an external skin
229 of either combustible sheathing or combustible siding. Aluminum
230 siding, vinyl siding, non-treated wood siding and similar materials
231 shall be considered combustible for the purpose of this section.
232 This section shall not be interpreted to prohibit the planting of
233 shrubs, trees and other live plant materials closer than 36 inches
234 away from the edge of any other building.

235 (b) It shall be unlawful for any person to ignite a fire of any type
236 within ten (10) feet of a combustible building, including ignition
237 under combustible overhangs and balconies.
238

239 **Sec. 12-62. Automatic Fire Extinguisher System Required.**

240
241 (a) All new or substantially rehabilitated multifamily dwellings
242 properties shall be fully sprinkled in accordance with the latest
243 adopted edition of the National Fire Protection Association
244 publications 13 (NFPA-13) or 13R (NFPA 13R).

245 (b) All high-rise residential occupancy buildings shall have an
246 approved sprinkler system installed in accordance with NFPA-13.
247

248 **Sec. 12-63. Security Gate/Barrier Installation Requirements Other**
249 **than One- and Two-Family Dwellings.**

250
251 (a) *Definitions .*

252 (1) *RFID* means radio frequency identification and, for the
253 purpose of this section, refers to a mode of access to open a

254 gate in a gated community utilizing radio frequency waves
255 to activate the gate's locking mechanism and opening the
256 gate.

257 (2) *SOS* means siren operating sensor and, for the purpose of
258 this section, refers to a sensor that triggers the opening of
259 gated access as a result of the emergency vehicle siren.

260 (3) *Emergency vehicle* means any marked or unmarked law
261 enforcement vehicle, fire truck, fire rescue staff vehicle,
262 ambulance and/or ambulance staff vehicle and rescue units.

263 (4) *Existing gated development* means a gated development
264 that has obtained construction plan approval prior to the
265 effective date of this ordinance.

266 (5) *Gated development* means any residential development
267 which may be fenced and has a secured gate located at the
268 roadway entrance to the facility, preventing free access by
269 the public.

270 (6) *New gated development* means a gated development that
271 has obtained construction plan approval after the effective
272 date of this ordinance.

273 (b) *Installation requirements for all gates.*

274 (1) All gates shall have a minimum width of 20 feet to allow
275 for fire apparatus access.

276 (2) All gates shall have signage indicating gate direction of
277 travel.

278 (3) All objects on a gate that may obstruct the path of
279 emergency vehicles must be covered with reflective paint,
280 tape or lights sufficient to guide vehicles around the
281 obstruction.

282 (4) The owner of the property shall ensure that all hydraulic
283 gates are disabled and left in the open position when the

- 284 temperature is expected to drop below 25 degrees
285 Fahrenheit.
- 286 (5) If a gate is located on a turn, the turn must have a 35-foot
287 clear inside radius and a 50-foot clear outside radius.
- 288 (6) Gate installers shall provide information on the operational
289 features of the gate to the Fire Marshal prior to the
290 installation of any security gate.
- 291 (7) The Fire Marshal prior to installation of any security gate
292 must approve its operational features.
- 293 (8) When gates are opened for emergency access, they shall
294 remain open until reactivated.
- 295 (9) Construction plans or blueprints shall be submitted to the
296 Community Development Department for approval by the
297 Fire Marshal prior to an owner or applicant beginning work
298 on the installation of a gate.
- 299 (10) Each new or existing gated development to which access is
300 limited by security gate(s) that are unmanned or otherwise
301 not physically attended by a person on a 24-hour basis shall
302 be required to install an RFID/SOS gate access system on
303 each roadway entrance gate to allow for silent radio
304 frequency or siren-activated access by emergency vehicles.
305 This requirement shall apply to all such gates that are part
306 of a gated development, whether leading outside the
307 development or internal to the development.
- 308 (11) The City shall bear the cost of the RFID/SOS system for
309 existing gated developments. Gated development approved
310 after the effective date of this section shall bear the cost of
311 the RFID/SOS system. Gated developments, whether
312 existing or new, shall bear the cost of continuous
313 maintenance of their RFID/SOS system.

314 (12) Existing gated developments shall have 12 months from the
315 effective date of this ordinance to comply with the
316 provisions of this section. Gated developments developed
317 after the effective date of this ordinance shall comply with
318 this section prior to or concurrent with installation of an
319 unmanned security gate.

320 (13) Failure to install and continuously maintain the required
321 RFID/SOS gate access system in conformance with the
322 provisions of this section shall be a violation of this section.
323 This section shall be administered by the Stonecrest Fire
324 Marshal or designee.

325 (14) The provisions of this section are intended to ensure a
326 minimum level of access by emergency personnel during
327 emergencies and shall not be construed to guarantee the
328 safety of a gated development during an emergency.

329 (c) *Installation requirement for power-assisted gates.*

330 (1) Property owners shall ensure that Gamewell lock boxes or
331 any means of security approved by the Fire Marshal shall
332 conform to the requirements of this Chapter.

333 (2) Power assisted gates shall contain a toggle switch to
334 manually operate the gate and override the power.

335 (3) The property owner shall install in gates operated by
336 electrical means a battery backup to keep the toggle switch
337 operational.

338 (4) The property owner shall also ensure that the power-
339 assisted gate is equipped to operate manually.

340 (5) Property owners shall ensure that hydraulic gates have an
341 emergency button or knob to release pressure. The button
342 or knob shall be located at the hydraulic arm, and one
343 shutoff is required for each arm. If the emergency shutoff is

344 used, the gate must be capable of being secured to prevent
345 it from swinging back to the closed position.

346 (d) *Installation requirements for gravity gate locking devices.*

347 (1) Pad locks may be used to secure a gate only if the pad lock
348 is not constructed of case hardened metals.

349 (2) Gates shall be installed to allow fire apparatus to access the
350 property and not impede the flow of traffic. This includes a
351 sufficient distance to allow gates to open if swinging in the
352 direction of the fire apparatus.

353 (e) *Installation requirements for chain and pole security barriers.*

354 (1) Property owners must seek approval from the Fire Marshal
355 prior to the use of chain and pole barriers.

356 (2) Chains and pole barriers must not be constructed of case
357 hardened metal.

358 (f) *Installation requirements for break-away security gates.*

359 (1) When the security gate arm is raised, the property owner
360 must ensure that the arm remains raised until reset for
361 normal operation.

362 (2) The mechanism for overriding the gate shall be accessible
363 to the employees of the fire rescue service provider.

364 (3) When in use, the gate arm should be open to an angle
365 greater than 90 degrees to the terrain of the driveway.

366

367 **Sec. 12-64 – 12-84. Reserved.**

368

369 **ARTICLE IV. INSPECTIONS, VIOLATIONS AND PENALTIES.**

370

371 **Sec. 12-85. Responsibility for Violations.**

372

373 It shall be unlawful for any person to violate the provisions of this

374 Chapter, to permit or maintain such a violation, to refuse to obey any

375 provision thereof, or to fail or refuse to comply with any such provision or
376 regulation.

377
378

Sec. 12-86. Penalties for Violation.

379 (a) Any person who violates any of the provisions of this Chapter as
380 hereby adopted or fails to comply therewith or who shall violate or
381 fail to comply with any order made thereunder or who shall build
382 in violation of any detailed statement or specifications of plans
383 submitted and approved thereunder, or any certificate or permit
384 issued thereunder, shall for each and every such violation or
385 noncompliance, be guilty of an ordinance violation and, where
386 applicable, State or Federal law. Upon conviction of the violation
387 in a court of competent jurisdiction, the individual shall be subject
388 to fine and/or imprisonment in accordance with Chapter 1 of this
389 Code.

390 (b) The imposition of a penalty for any violation shall not excuse the
391 violation nor shall the violation be permitted to continue. Any
392 person convicted of a violation under this Chapter shall be required
393 to correct or remedy such violations or defects within a reasonable
394 time, and when not otherwise specified, the application of the
395 penalty stated in this section shall not be held to prevent the
396 enforced removal of prohibited conditions.

397

398 **Sec. 12-87 – 12-115. Reserved.**

399

400 **ARTICLE V. HAZARDOUS EXPLOSIVE CHEMICALS.**

401

402 **Sec. 12-116. Improper Storage Prohibited.**

403 It shall be unlawful for any person or institution to keep hazardous
404 explosive chemicals, which are used or stored for which the expiration
405 date has passed.

406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436

Sec. 12-117 – 12-145. Reserved.

ARTICLE VI. OPEN BURNING.

Sec. 12-146. Permitted and Prohibited Burning.

(a) No person shall cause, suffer, allow or permit open burning in any area of the City except as follows:

- (1) Open burning in a reasonable fashion for the purpose of cooking food for immediate human consumption, provided, however, except for one- and two-family dwellings, it shall be unlawful to use charcoal burners or other open flame cooking devices on combustible balconies or within ten (10) feet of combustible construction.
- (2) Operation of devices using open flames such as candles, lanterns, tar kettles, blow torches, welding torches, portable heaters and other flame-making equipment where approved safety measures are used.
- (3) Open burning in other than residential areas for the purpose of land clearing or construction or maintenance of right-of-way.
- (4) Warming fires in a barrel of 55-gallon capacity or less, or other commercially sold outdoor fireplace devices, provided that:
 - a. The fire does not produce dense smoke or obnoxious odors; and
 - b. The fire is attended by an individual over the age of 17 years.

Untreated wood or lumber shall be the only material or substance allowed in the warming fire.

437 (b) Open burning allowed as set forth in subsection (a) of this section
438 shall meet the following standards:

439 (1) Materials such as heavy oils, gasoline, asphaltic materials,
440 plastic, items containing natural or synthetic rubber, or any
441 other material producing dense smoke or obnoxious odors
442 shall not be used for starting or maintaining an open fire.

443 (2) All burning shall be located on private property, so as not
444 to interfere with any traffic on public streets or sidewalks.

445 (3) No burning shall be allowed in violation of restrictions
446 imposed by the Federal Environmental Protection Agency
447 or the State Environmental Protection Division or other
448 rules and regulations adopted herein, including the state
449 minimum fire safety standards.

450

451 **Sec. 12-147 – 12-175. Reserved.**

452

453 **ARTICLE VII. FIREWORKS.**

454 **Sec. 12-176. Definitions.**

455 The following words, terms and phrases, when used in this Article,
456 shall have the meanings ascribed to them in this section, except where the
457 context clearly indicates a different meaning. In the event that any
458 definitions used in this Article conflict with those contained in O.C.G.A. §
459 25-10-1 et seq., the definitions contained in O.C.G.A. § 25-10-1 et seq., as
460 amended, shall control.

461 *Consumer fireworks* means any small fireworks devices containing
462 restricted amounts of pyrotechnic composition, designed primarily to
463 produce visible or audible effects by combustion, that comply with the
464 construction, chemical composition, and labeling regulations of the United
465 States Consumer Product Safety Commission as provided for in Parts
466 1500 and 1507 of Title 16 of the Code of Federal Regulations (16 CFR

467 1500 and 1507), the United States Department of Transportation as
468 provided for in Part 172 of Title 49 of the Code of Federal Regulations (49
469 CFR 172), and the American Pyrotechnics Association as provided for in
470 the 2001 American Pyrotechnics Association Standard 87-1, and
471 additionally shall mean Roman candles. The term "consumer fireworks"
472 shall not include:

- 473 (1) Model rockets and model rocket engines designed, sold, and used
474 for the purpose of propelling recoverable aero models, toy pistol
475 paper caps in which the explosive content averages 0.25 grains or
476 less of explosive mixture per paper cap or toy pistols, toy cannons,
477 toy canes, toy guns, or other devices using such paper caps; nor
478 shall the term "consumer fireworks" include ammunition
479 consumed by weapons used for sporting and hunting purposes; and
480 (2) Wire or wood sparklers of 100 grams or less of mixture per item;
481 other sparkling items which are nonexplosive and non-aerial and
482 contain 75 grams or less of chemical compound per tube or a total
483 of 500 grams or less for multiple tubes; snake and glow worms;
484 smoke devices; or trick noise makers which include paper
485 streamers, party peppers, string peppers, snappers, and drop pops
486 each consisting of 0.25 grains or less of explosive mixture.

487 *Fireworks* means any combustible or explosive composition or any
488 substance or combination of substances or article prepared for the purpose
489 of producing a visible or audible effect by combustion, explosion,
490 deflagration, or detonation, including blank cartridges, firecrackers,
491 torpedos, skyrockets, bombs, sparklers, and other combustibles and
492 explosives of like construction, as well as articles containing any
493 explosive or flammable compound and tablets and other devices
494 containing an explosive substance. The term "fireworks" does not include:

- 495 (1) Model rockets and model rocket engines designed, sold, and used
496 for the purpose of propelling recoverable aero models, toy pistol

497 paper caps in which the explosive content averages 0.25 grains or
498 less of explosive mixture per paper cap or toy pistols, toy cannons,
499 toy canes, toy guns, or other devices using such paper caps; nor
500 does the term "fireworks" include ammunition consumed by
501 weapons used for sporting and hunting purposes; and

502 (2) Wire or wood sparklers of 100 grams or less of mixture per item;
503 other sparkling items which are nonexplosive and non-aerial and
504 contain 75 grams or less of chemical compound per tube or a total
505 of 500 grams or less for multiple tubes; snake and glow worms;
506 smoke devices; or trick noise makers which include paper
507 streamers, party peppers, string peppers, snappers, and drop pops
508 each consisting of 0.25 grains or less of explosive mixture.

509

510 **Sec. 12-177. Fireworks Activities Restricted.**

511 Except as permitted under State Law and as otherwise permitted in this
512 Article, it shall be unlawful for any person, firm, corporation, association
513 or partnership to offer for sale at retail or wholesale, or to use or explode
514 or cause to be exploded, or to possess, manufacture, or store any consumer
515 fireworks or fireworks within the City.

516

517 **Sec. 12-178. Public Exhibitions or Display of Fireworks.**

518 Public exhibitions or displays of fireworks shall be allowed if properly
519 permitted according to the provisions of O.C.G.A. Title 25, Chapter 10.

520

521 **Sec. 12-179. Penalty for Violation of Article.**

522 Any person violating the provisions of this Article shall be subject to
523 punishment, and upon conviction, subject to fine and/or imprisonment in
524 accordance with Chapter 1 of this Code.

525

526 **Sec. 12-180 – 12-200. Reserved.**

527

528 **Section 2:**

529

530 1. It is hereby declared to be the intention of the Mayor and City Council that all
531 sections, paragraphs, sentences, clauses and phrases of this Ordinance are and
532 were, upon their enactment, believed by the Mayor and City Council to be fully
533 valid, enforceable and constitutional.

534

535 2. It is hereby declared to be the intention of the Mayor and City Council that, to the
536 greatest extent allowed by law, each and every section, paragraph, sentence,
537 clause or phrase of this Ordinance is severable from every other section,
538 paragraph, sentence, clause or phrase of this Ordinance. It is hereby further
539 declared to be the intention of the Mayor and City Council that, to the greatest
540 extent allowed by law, no section, paragraph, sentence, clause or phrase of this
541 Ordinance is mutually dependent upon any other section, paragraph, sentence,
542 clause or phrase of this Ordinance.

543

544 3. In the event that any phrase, clause, sentence, paragraph or section of this
545 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional
546 or otherwise unenforceable by the valid judgment or decree of any court of
547 competent jurisdiction, it is the express intent of the Mayor and City Council that
548 such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent
549 allowed by law, not render invalid, unconstitutional or otherwise unenforceable
550 any of the remaining phrases, clauses, sentences, paragraphs or sections of the
551 Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
552 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid,
553 constitutional, enforceable, and of full force and effect.

554

555 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict
556 herewith are hereby expressly repealed.

557

558 5. The within ordinance shall become effective upon its adoption.

559

560 6. The provisions of this Ordinance shall become and be made part of The Code of
561 the City of Stonecrest, Georgia, and the sections of this Ordinance may be
562 renumbered to accomplish such intention.

563

564 **SO ORDAINED AND EFFECTIVE** this the ____ day of _____,

565 2019.

566

567

568

STATE OF GEORGIA
DEKALB COUNTY
CITY OF STONECREST

ORDINANCE NO. _____

569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584

Approved:

Jason Lary, Sr., Mayor

As to form:

Winston Denmark, City Attorney

Attest:

Leah Rodriguez, City Clerk



CITY COUNCIL AGENDA ITEM

**SUBJECT: RESOLUTION TO RE-CONFIRM, SOLIDIFY, AND EXECUTE
COMMITMENTS OF THE MARTA AUTHORITY**

- | | | |
|--|--|--|
| <input type="checkbox"/> ORDINANCE | <input type="checkbox"/> POLICY | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input checked="" type="checkbox"/> RESOLUTION | <input type="checkbox"/> OTHER |

Work Session: 03/11/2019

Council Meeting: 03/11/2019

SUBMITTED BY: Councilwoman Diane Adoma

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:

RESOLUTION OF THE CITY OF STONECREST, GEORGIA

Purpose: To re-confirm, solidify, and execute commitments of the Metropolitan Atlanta Rapid Transit Authority (“MARTA”) to extend heavy rail along the southeast corridor of Interstate-20 in South DeKalb County.

WHEREAS, South DeKalb County residents have paid a one-cent tax to fund MARTA operations and capital improvement since 1972; and

WHEREAS, There has been no rail expansion in South DeKalb County, while MARTA has extended rail to stations in Central DeKalb in the year 1993 (Indian Creek), and to North Fulton County & North DeKalb County in the year 1996 (Buckhead, Medical Center, Dunwoody) and the year 2000 (Sandy Springs & North Springs); and

WHEREAS, The 9th and 13th Amendments to the Rapid Transit Contract Agreement, as before now amended, specifies MARTA’S commitment to the extension of heavy rail from the Indian Creek MARTA station to the Stonecrest Mall area as a priority; and

WHEREAS, In April 2012, the MARTA Board of Directors approved a Heavy Rail Extension from the Indian Creek station to run parallel along Interstate-285 South, continuing east along Interstate-20 to the Stonecrest Mall area as a locally preferred alternative (LPA); and

WHEREAS, Residents of South/Southeast DeKalb County have limited access to the existing MARTA rail system and have expressed a desire to extend rail from the City of Atlanta to the City of Stonecrest.

NOW THEREFORE, BE IT RESOLVED THAT the elected members of the Stonecrest City government support extension of rail along the east side of Interstate-20 in South DeKalb County from the City of Atlanta to the City of Stonecrest as a part of the overall DeKalb County Mass Transit Plan, in conjunction with other modes of transportation such as light rail, bus rapid transit and the current bus system.

BE IT FURTHER RESOLVED THAT the elected members of the Stonecrest City Council hereby appeal to the appointed members of the MARTA Board of Directors and CEO, as well as the DeKalb County Board of Commissioners and CEO, to include in the DeKalb County Mass Transit Plan a written proposal for both heavy and light rail alternatives to extend the existing MARTA rail system from the City of Atlanta to the City of Stonecrest. Such proposals should include a comprehensive cost analysis and implementation timeline to enable the Stonecrest Mayor and City Council to make informed decisions regarding current and future transit plans.

This _____ day of March, 2019.

Jason Lary, Mayor



CITY COUNCIL AGENDA ITEM

SUBJECT: RESOLUTION TO ELECT TO CONTINUE RECEIVING WATER AND SEWER SERVICES FROM DEKALB COUNTY, GEORGIA

- | | | |
|--|--|--|
| <input type="checkbox"/> ORDINANCE | <input type="checkbox"/> POLICY | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input checked="" type="checkbox"/> RESOLUTION | <input type="checkbox"/> OTHER |

Work Session: 03/11/2019

Council Meeting: 03/11/2019

SUBMITTED BY:

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

RESOLUTION 2019-_____

37

38

39

40 Attest:

41

42

43

44 Leah Rodriguez, Acting City Clerk