



*Agenda*  
*City of Bainbridge, Georgia*  
*Regular Session - Mayor and City Council*  
*March 15, 2022, 6:30 p.m. - City Council Chambers*



- I. INVOCATION and PLEDGE TO THE FLAG
- II. APPROVAL OF MINUTES OF REGULAR SESSION – February 15, 2022
- III. RECOGNIZE VISITORS AND DELEGATIONS
- IV. OATH OF OFFICE – BAINBRIDGE DECATUR MARSHAL
- V. PUBLIC HEARING – PRE-APPLICATION FOR 2022 CDBG
- VI. INTRODUCTION TO DEMO ORDINANCE
- VII. PUBLIC HEARING – AVENUE C OVERLAY DISTRICT
- VIII. CONSIDERATION OF AVENUE C OVERLAY DISTRICT
- IX. PUBLIC HEARING – AMENDMENT TO ANIMAL CONTROL ORDINANCE
- X. CONSIDERATION OF AMENDMENT TO ANIMAL CONTROL ORDINANCE
- XI. CONSIDERATION OF ONE DAY ALCOHOL PERMIT
- XII. CONSIDERATION OF ALCOHOLIC BEVERAGE LICENSE APPLICATION
- XIII. CONSIDERATION OF STREET CLOSURE REQUESTS
- XIV. CONSIDERATION OF PLANNING COMMISSION RECOMMENDATIONS

*Bids:*

1. Southeast Connections, LLC  
Gas Main Improvements  
Greensboro, GA \$3,785,575.88
2. Doyle Hancock and Sons Construction Co.  
Sanitary Sewer Improvements  
Doerun, GA \$8,777,926.00

- |  |                  |
|--|------------------|
| 3. Total Petroleum, LLC/Inland<br>City Wide Fuel<br>Bainbridge, GA               | \$0.05 Plus Cost |
| 4. Twin Lakes Gas Main Extension<br>RPI Underground, Inc.<br>Valdosta, GA        | \$98,765.00      |
| 5. Green Garbage Collection Containers<br>Rehrig Pacific Co<br>Lawrenceville, GA | \$ 65,000.00     |

**MINUTES**  
**CITY OF BAINBRIDGE, GEORGIA**  
**TUESDAY, FEBRUARY 15, 2022**  
**6:30 P.M.**

PRESENT: MAYOR EDWARD REYNOLDS, PRESIDING

COUNCIL MEMBERS: KREGG CLOSE, DON WHALEY, GLENNIE BENCH,  
ROSLYN PALMER, PHIL LONG, AND SYLVIA  
WASHINGTON

CITY STAFF: CITY MANAGER CHRIS HOBBY, ASSISTANT CITY  
MANAGER ROY OLIVER, ALLIE GODWIN, STEVE  
O'NEIL, LISA TAYLOR, CRYSTAL HINES, GABE  
MENENDEZ, AL KELLEY, BO LADNER, TERRELL JONES,  
FRANK GREEN, REDELL WALTON, AND RYAN  
WIMBERLEY

GUESTS: JILL HOLLOWAY, HUBERT THOMAS, GERALD T. JONES,  
MARIE JONES, AND JADEN HOLT

ABSENT: NONE

**INVOCATION AND PLEDGE TO THE FLAG**

Councilwoman Palmer gave the invocation and all those assembled pledged allegiance to the flag.

**APPROVAL OF MINUTES**

Upon a motion offered by Councilwoman Palmer and seconded by Councilwoman Bench, the Council voted 6-0 to approve the minutes from the January 18, 2022, council meeting as presented.

## **RECOGNIZE VISITORS AND DELEGATIONS**

Mayor Reynolds opened the floor for anyone who wish to speak on an item that was currently not on the agenda. Mr. Hubert Thomas, Jr. of 1041 Martin Luther King Jr. Drive came forward to inquire about adding a name to the war monument in Willis Park. Hearing from no other citizen, Mayor Reynolds proceeded to the next item on the agenda.

## **EMPLOYEE OF THE YEAR**

Mayor Reynolds recognized Mr. Terrell Jones as Employee of the Year for 2021. Mr. Jones was congratulated and thanked for his hard work and dedication to the Community Services Department.

## **SPECIAL GUEST – RISH MASSA – HABITAT FOR HUMANITY**

Mr. Rich Masa, representative with Habitat for Humanity, appeared before the Mayor and City Council to discuss the possibility of partnering with the city for future projects.

## **CONSIDERATION OF LAP PLAN – CDBG**

City Manager Hobby informed the council of the need to adopt a LAP Plan (Language Access Plan) for our CDBG project. A Language Access Plan helps identify reasonable steps for providing language assistance to persons with Limited English Proficiency who wish to access services provided through programs funded by DCA. Upon a motion offered by Councilman Whaley and seconded by Councilman Close, the council voted 6-0 to adopt the LAP Plan as presented.

## **INTRODUCTION TO AMEND CITY OF BAINBRIDGE ZONING ORDINANCE**

Planning and Zoning Coordinator, Steve O'Neil, formally introduced Chapter 7.8 Avenue C Overlay District of the City of Bainbridge Zoning Ordinance.

## **INTRODUCTION TO AMEND ANIMAL CONTROL ORDINANCE**

Planning and Zoning Coordinator, Steve O'Neil, formally introduced a combined ordinance with Decatur County regarding animal control, specifically animal ownership responsibilities.

## **CONSIDERATION OF ALCOHOLIC BEVERAGE LICENSE APPLICATIONS**

City Manager Hobby informed the Council that we had received an Alcoholic Beverage License Application submitted by Farnessa Boldin with Family Dollar Stores of Georgia, LLC dba Family Dollar Store #21132 located at 303 S. Scott Street, and all requirements for approval have been met. Mr. Hobby also stated that we had received an application for a one-day alcohol license from Randee Eubanks, on behalf of the Bainbridge Decatur County Chamber of Commerce, for the annual Rivertown Days Festival on March 12, 2022. Mr. Hobby stated that this application was also in order and all requirements for approval have been met. Upon a motion offered by Councilwoman Bench and seconded by Councilwoman Washington, the council in a 6-0 voted approved both applications as presented.

## **CONSIDERATION OF PLANNING COMMISSION RECOMMENDATIONS**

The Planning Commission met Tuesday, February 8, 2022, and considered one item which requires City Council action. Applicants Guillermo Sanchez and America Lenza (Sanchez Lenza LLC) are requesting a conditional use for a Short-Term Rental in a UR-6 zone. The property (Parcel ID: B0510039) is located at 1101 Tallahassee Road and is 0.71 acres. Upon a motion by Councilwoman Bench and seconded by Councilman Close, the Council voted 6-0 to approve the Planning Commission's recommendations and grant the conditional use.

## **CONSIDERATION OF LAND TRANSFER**

City Manager Hobby informed the Council that Tom Conger had been working on correcting the ownership of a certain parcels regarding the City of Bainbridge and Decatur County Board of Education. Mr. Hobby stated this was more or less a housekeeping issue and correcting the

ownership would not change anything regarding the use of the property. Councilman Long and Councilwoman Palmer both had questions concerning Centennial Field; if and when the BOE decided to move, if it could be transferred back to the City. Mr. Hobby stated that he would discuss this with both the BOE and Tom Conger. Upon a motion offered by Councilman Long and seconded by Councilwoman Bench, the Council voted 6-0 to approve the transfers as presented.

### **DISCUSSION OF 1<sup>ST</sup> QUARTER FINANCIALS**

Administrative Services Director Lisa Taylor appeared before the Mayor and Council to give an update on the first quarter financials.

### **DISCUSSION OF CHASON PARK EXPANSION MOU**

City Manager Hobby presented a MOU to City Council regarding Phase III of the Chason Park Expansion Project. Mr. Hobby stated that the MOU with Cook Brothers, Inc and TSW, is to document the revised contract amount to eight million, five hundred thousand dollars per the scope and pricing modifications. Mr. Hobby stated that the contract price and construction scope of work should be finalized by February 28, 2022. Upon a motion offered by Councilwoman Bench and seconded by Councilman Long, the Council voted to approve the MOU as presented.

### **MAYORAL APPOINTMENT**

Mayor Reynolds recommended reappointing Councilman Kregg Close to the Southwest Georgia Regional Commission, Lachanda Mackey to the Planning Commission, and Chip Hall and Ramsay Simmons to the Development Authority. Upon a motion offered by Councilwoman Palmer and seconded by Councilwoman Bench, the Council voted 6-0 to approve the recommendations of the Mayoral Appointments.

BY:

\_\_\_\_\_  
EDWARD REYNOLDS, MAYOR

ATTEST:

\_\_\_\_\_  
ALLIE GODWIN, COUNCIL CLERK

City of  
**BAINBRIDGE**  
**GEORGIA**

I, CARLA IRVIN, do hereby voluntarily accept an appointment as a Deputy Marshal with the Bainbridge Decatur Marshal's Office.

I further swear (or affirm) that I am not the holder of any unaccounted-for public monies due the United States, this or any other State, or any political subdivision or authority thereof.

I swear (or affirm) that I am not the holder in any office of trust under the government of the United States, any other state, or any foreign state which I am prohibited from holding.

I swear (or affirm) that I am otherwise qualified to hold this office, according to the Constitution and laws of the State of Georgia.

I swear (or affirm) that I will faithfully perform and discharge the duties of my position to the best of my ability and without malice.

I swear (or affirm) that I will support and defend the Constitution of the United States of America and the Constitution of the State of Georgia,

SO HELP ME GOD.

\_\_\_\_\_  
Name of Officer

\_\_\_\_\_  
Edward Reynolds  
Mayor

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Allie Godwin  
City Clerk

Notary Public  
My Commission Expires: \_\_\_\_\_



**RESOLUTION**

WHEREAS, The City of Bainbridge is eligible to apply for Community Development Block Grant Funds from the Georgia Department of Community Affairs; and

WHEREAS, The City of Bainbridge has held the required Public Hearing to obtain citizens input into the development of an application; and

WHEREAS, The City of Bainbridge has conducted an assessment of eligible program activities; and

WHEREAS, The City of Bainbridge has determined that there are community needs that can be addressed by the Community Development Block Grant Program Funds.

NOW, THEREFORE BE IT RESOLVED that the City of Bainbridge hereby authorizes the preparation and submittal of a Community Development Block Grant Application for CDBG funding cycle 2022; and

BE IT FURTHER RESOLVED that Mayor Edward Reynolds authorized and consents to act as the Authorized Certifying Official for this program.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Edward Reynolds, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Allie Godwin, City Clerk

\_\_\_\_\_  
Date

(SEAL)

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 706 MILLER AVE. OWNED BY ALFRED KING AND DECATUR COUNTY TAX COMMISSIONER'S OFFICE TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

#### SECTION I

WHEREAS, pursuant to Section 14-1 (3) c of the City of Bainbridge Municipal Code (the "Code"), Chief City Marshall and Building Official Keith Pollock has inspected the property, filed notices, held hearings and issued a determination that the property located at 706 Miller Ave., is unsafe; and

WHEREAS, pursuant to the determination of the Chief City Marshall and Building Official the City of Bainbridge has previously ordered the owner of the property located at 706 Miller Ave., Bainbridge, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of The City of Bainbridge that the City Manager of the City of Bainbridge is hereby authorized and directed to demolish the structure (s) and clean up the property located at 706 Miller Ave., being more particularly described as 706 Miller Ave., Bainbridge, Georgia 39817.

#### SECTION II

BE IT FURTHER ORDAINED that all ordinances of the City of Bainbridge in conflict herewith be and the same hereby are repealed for purposes of this ordinance only.

#### SECTION III

BE IT FURTHER ORDAINED that the provisions of the ordinance shall not be made a part of the official codified ordinances of the City of Bainbridge but shall nevertheless be made a part of the public minutes of the City of Bainbridge.

#### SECTION IV

This ordinance was introduced and read at the lawful meeting of the Council of the City of Bainbridge held on March 15th, 2022, a Public Hearing on the Ordinance was held on April 19th, 2022 and the Ordinance was adopted by a majority vote of the City Council during its regular meeting of April 19th, 2022.

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 915 HELEN ST., OWNED BY JONNA COHEN AND DECATUR COUNTY TAX COMMISSIONER'S OFFICE TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith, AND FOR OTHER PURPOSES.

#### SECTION I

WHEREAS, pursuant to Section 14-1 (3) c of the City of Bainbridge Municipal Code (the "Code"), Chief City Marshall and Building Official Keith Pollock has inspected the property, filed notices, held hearings and issued a determination that the property located at 915 Helen St., is unsafe; and

WHEREAS, pursuant to the determination of the Chief City Marshall and Building Official the City of Bainbridge has previously ordered the owner of the property located at 915 Helen St., Bainbridge, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of The City of Bainbridge that the City Manager of the City of Bainbridge is hereby authorized and directed to demolish the structure (s) and clean up the property located at 915 Helen St., being more particularly described as 915 Helen St., Bainbridge, Georgia 39817.

#### SECTION II

BE IT FURTHER ORDAINED that all ordinances of the City of Bainbridge in conflict herewith be and the same hereby are repealed for purposes of this ordinance only.

#### SECTION III

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AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 1009 E. BROUGHTON ST., OWNED BY DAVID A. WASHINGTON AND DECATUR COUNTY TAX COMMISSIONER'S OFFICE TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

#### SECTION I

WHEREAS, pursuant to Section 14-1 (3) c of the City of Bainbridge Municipal Code (the "Code"), Chief City Marshall and Building Official Keith Pollock has inspected the property, filed notices, held hearings and issued a determination that the property located at 1009 E. Broughton St., is unsafe; and

WHEREAS, pursuant to the determination of the Chief City Marshall and Building Official the City of Bainbridge has previously ordered the owner of the property located at 1009 E. Broughton St., Bainbridge, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of The City of Bainbridge that the City Manager of the City of Bainbridge is hereby authorized and directed to demolish the structure (s) and clean up the property located at 1009 E. Broughton St., being more particularly described as 1009 E. Broughton St., Bainbridge, Georgia 39817.

#### SECTION II

BE IT FURTHER ORDAINED that all ordinances of the City of Bainbridge in conflict herewith be and the same hereby are repealed for purposes of this ordinance only.

#### SECTION III

BE IT FURTHER ORDAINED that the provisions of the ordinance shall not be made a part of the official codified ordinances of the City of Bainbridge but shall nevertheless be made a part of the public minutes of the City of Bainbridge.

#### SECTION IV

This ordinance was introduced and read at the lawful meeting of the Council of the City of Bainbridge held on March 15th, 2022, a Public Hearing on the Ordinance was held on April 19th, 2022 and the Ordinance was adopted by a majority vote of the City Council during its regular meeting of April 19th, 2022.

**CHAPTER 7.8**  
**Avenue C Overlay District**

**Section 7.8.1. Purpose and Intent**

The purpose of this overlay district is to establish a uniform procedure for providing for the enhanced use of land and increased value of property in the Avenue C Overlay District. This district seeks to reverse the decline in property values as a result of the proximity to the City of Bainbridge Solid Waste Transfer Facility and to promote the health, safety, order, prosperity, and general welfare of the citizens of Bainbridge through regulation of uses, design, location and size of buildings and structures.

**Section 7.8.2. Delineation of District**

The Avenue C Overlay District applies to all properties that lie completely within the New Hope Subdivision of Decatur County, Georgia that are bounded by Avenue C, Avenue B, Gee Street and 2<sup>nd</sup> Street.

**Section 7.8.3. Permitted and Conditional Uses.**

*Uses allowed by right:*

- Single Family Residential
- Two Family Duplex

*Uses allowed as a Conditional Use:*

- Multiple Family Residential
- Relocated residential Structure
- Short term rental
- Trade School (Under 5000 square feet)
- Animal Hospital
- Automotive repair (not sales)
- Contractor's establishment
- Cottage industry
- Exterminator, pest control or disinfecting service
- Landscaping company
- Office

Self-service storage facility (mini-warehouses)  
Metal machining  
Welding  
Solar energy systems  
Furniture manufacturing (under 5000 square feet)  
Greenhouses

**Section 7.8.4. Dimensional requirements for conditional uses.**

*Minimum Setbacks (Primary Structures):* Front – 20 ft  
Side – 10 ft  
Rear – 15 ft

*Minimum Setbacks (Accessory Structures):* Side – 10 ft  
Rear – 10 ft

**Section 7.8.5. Design plan administrative review.**

Proposed conditional uses in the Avenue C Overlay District must go through an administrative design review process with staff of the Bainbridge Community Development Division prior to going before the Bainbridge-Decatur County Planning Commission. All plans shall address and conform to all provisions set forth under Section 7.8 of this ordinance.

**Section 7.8.6. Site design standards for conditional uses.**

*Ingress /Egress:*

Ingress and Egress for conditional uses in the Avenue C Overlay District must be on Avenue C.

*Fences:*

Fences will be required for all uses on all sides except for customer and employee parking areas. Fences must be privacy type fences at least 6 ft in height. Depending on the proposed use the zoning administrator may require fences to be higher. Fences may not extend any farther forward than the front façade of the primary structure unless approved by the zoning administrator. In no case will the fence be allowed to extend any less than 10 feet off of the right-of-way. When fences are backed up to Avenue B, the fence must be a minimum of ten feet off of the right-of-way and landscaping consisting of native plants and shrubs (approved by the zoning administrator) shall be planted with a minimum density of one shrub for every eight feet of fence. The plants and shrubs are to be maintained in good order between the fence and the edge of the Avenue B right-of-way.

*Lighting:*

All outside lighting must be shielded and directed downward and in no case is the lighting area allowed to cross over the property line or shine over the fence.

*Signage:*

Signage is limited to monument signs and wall signs only.

One (1) monument sign is allowed and must not exceed 50 square feet and be no higher than 8 feet in height. No LED or internally illuminated signs are allowed. Signs are allowed to be lit by external lighting as long as the lighting is only illuminating the sign.

Wall signs shall be permitted as provided for in Section 13.4 of the Zoning Ordinance. However, no LED or internally illuminated signs are allowed. Signs are allowed to be lit by external lighting as long as the lighting is only illuminating the sign.

*Hours of operation:*

Any use that produces noise, fumes or noxious odors in the course of day to day operations is not allowed to be operating between the hours of 9 pm to 7 am.

**A RESOLUTION TO ADD SECTION 7.8 TO THE BAINBRIDGE ZONING ORDINANCE; TO DELINEATE THE AVENUE C OVERLAY DISTRICT IN THE CITY OF BAINBRIDGE; TO ESTABLISH ALLOWED USES AND DEVELOPMENT STANDARDS.**

WHEREAS, the City of Bainbridge, Georgia hereby declares it to be the purpose and intent of this Resolution to establish a uniform procedure for providing for the enhanced use of land and increased value of property in the Avenue C Overlay District in accordance with the provisions herein.

This Resolution is adopted as part of strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of Bainbridge through the regulation of uses, design, location and size of buildings and structures.

This Resolution also seeks to provide for increased value of land in the identified overlay zone and reverse the decline in property values as a result of the proximity to the City of Bainbridge Solid Waste Transfer Facility.

This Resolution shall be effective immediately upon its adoption by City Council.

SO ORDAINED BY THE BAINBRIDGE CITY COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

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Edward Reynolds, Mayor

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Allie Godwin, City Clerk



# **PUBLIC HEARING NOTICE**

**Bainbridge City Council Meeting  
March 15th, 2021 6:30 P.M.  
City Hall Council Chambers**

The Bainbridge City Council will be holding a public hearing to discuss an amendment to the Bainbridge animal control ordinance to combine the existing ordinance with the Decatur County ordinance to form a Bainbridge Decatur County Animal Control Ordinance. A copy of the proposed can be obtained at City Hall. City Hall Council Chambers are located at 101 S. Broad St. Bainbridge, GA.

Please contact Community Development Director Steve O'Neil @ 229-248-2000 with any questions or comments.

101 South Broad Street | Bainbridge, Georgia 39817  
P.O. Box 158 | Bainbridge, Georgia 39818  
(P) 229.248.2000 | (F) 229.246.7311 | [www.bainbridgecity.com](http://www.bainbridgecity.com)

# BAINBRIDGE-DECATUR COUNTY ANIMAL CONTROL ORDINANCE

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## ARTICLE I. - IN GENERAL

### SEC. 10-1. - DEFINITIONS.

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

**Abandoned animal** means any domesticated animal that has been placed upon public property or within a public building or upon or within the private property of another without the express permission of the owner, custodian or tenant of the private property and is unattended or uncared for. Any domesticated animal shall also be considered abandoned, when it has been unattended and without proper food and water for a period in excess of 36 hours, regardless of where the animal may be found or kept.

**Adequate care or care** means the responsible practice of good animal husbandry, handling, production, management, confinement, feeding, watering, protection, shelter, transportation, treatment, and, when necessary, euthanasia, appropriate for the age, species, condition, size and type of the animal and the provision of veterinary care when needed to prevent suffering or impairment of health.

**Adequate exercise or exercise** means the opportunity for the animal to move sufficiently to maintain normal muscle tone and mass for the age, species, size, and condition of the animal.

**Adequate feed** means access to and the provision of food that is of sufficient quantity and nutritive value to maintain each animal in good health; is accessible to each animal; is prepared so as to permit ease of consumption for the age, species, condition, size and type of each animal; is provided in a clean and sanitary manner; is placed so as to minimize contamination by excrement and pests; and is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species.

**Adequate shelter** means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species.

**Adequate space** means sufficient space to allow each animal to: (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal; and (ii) interact safely with other animals in the enclosure. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space.

**Adequate water** means provision of and access to clean, fresh, potable water of a drinkable temperature that is provided in a suitable manner, in sufficient volume, and at suitable intervals appropriate for the weather and temperature, to maintain normal hydration for the age, species, condition, size and type of each animal, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species; and is provided in clean, durable receptacles that are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.

**Animal at large** means any animal not under restraint and off the property of its owner.

**Animal control officer** means any employee of Bainbridge-Decatur County Marshall's Office with the responsibility of enforcing the Bainbridge-Decatur County animal control ordinance(s).

**Animal shelter** means the facility designated by the Bainbridge City Council and the Decatur County Board of Commissioners for the detention of animals.

**Animal shelter officer** means any person so designated by the animal shelter director to perform the duties prescribed by this chapter.

**Animal under restraint** means any animal secured by a leash or lead; or enclosed by way of fence or other enclosure; or under the control of a responsible and competent person and obedient to that person's commands, and the person being present with the animal; or an animal confined within a vehicle, parked or in motion.

**Domesticated animals** means animals that are accustomed to living in or about the habitation of men, including but not limited to cats, cows, dogs, fowl, horses, swine, ferrets and other domesticated wild animals and/or exotic animals. This definition only applies to those animals mentioned and is only applicable to this chapter and in no way affects the meaning or application of a definition of the described animal, as may be found in any other city/county ordinance.

**Guard dog** means any dog which has been trained to attack persons or other animals independently or upon oral command and any dog which, while not so trained, is reasonably expected to perform as a guardian of the property upon and within which he is located.

**Owner** means any person who owns, keeps, harbors or acts as custodian of a domesticated animal.

**Public nuisance** means any animal other than a guide or working animal which:

- (1) Enters any retail establishment, excluding any shop for the sale of animal pets or pet supplies which expressly issues an invitation for animals to enter in the accompaniment of its owner, during the time that any such establishment is open for use by the public except that the owner or operator of any business may keep his own dog on the premises of the business;
- (2) Enters upon any private or public school premises during the hours in which school is in session or school activities are taking place;
- (3) Jumps upon any person to the annoyance of such person;
- (4) Damages or destroys private property;
- (5) Defecates upon any private property other than that of the owner of the animal;
- (6) Barks or howls so as to subsequently disturb the peace;
- (7) Is found running at large in violation of this chapter;
- (8) Is malicious as defined in section 10-9 of this chapter;
- (9) Produces, because of quantity, manner or method in which the animals are domesticated or maintained, unsanitary conditions in the city/county;
- (10) Attacks passersby or passing vehicles; and
- (11) Poses a risk to the public health, welfare or safety according to the rules and regulations promulgated by the county health department, whose rules and regulations are incorporated in and made a part of this chapter as if fully set out.

Any person that knowingly keeps, owns, harbors or acts as custodian of an animal constituting a nuisance shall be guilty of an unlawful act and shall be punishable as provided in this chapter.

**Malicious animal** means any animal, which constitutes a physical threat to human beings, or other domesticated animals by virtue of one or more attacks of such severity as to cause property damage or physical injury. An animal shall also be considered malicious and not under restraint if it makes an unprovoked attack on other domesticated animals that are under restraint or on human beings or on physical property of another. Dogs are excluded in this definition of malicious animal and is subject to terms and classifications in Article III.

SEC. 10-2. - RUNNING AT LARGE PROHIBITED.

It shall be unlawful for the owner of any animal to allow it to run at large unattended on or about the streets and highways of the incorporated and/or unincorporated areas of Decatur County or upon the property of another without the property owner's consent. The Bainbridge-Decatur County Animal Control Office is authorized to impound any such animal at large as provided in this chapter.

**SEC. 10-3. - DUTY TO KEEP ANIMAL UNDER RESTRAINT—WHILE ON PROPERTY.**

- (a) It shall be the duty of every owner of any animal to ensure that it is confined to the property of its owner so that it cannot wander off the real property limits of the owner, it being the intent of this chapter that all animals be prevented from leaving, while unattended, the real property limits of their owners.
- (b) In addition, all male and female dogs and cats that have not been spayed or neutered must be securely confined in such a way that they not only cannot get out to run loose, but also cannot be reached by other dogs or cats.

**SEC. 10-4. - SAME—WHILE OFF PROPERTY.**

It shall be the duty of the owner of any animal to keep the animal under control at all times while the animal is off the real property limits of the owner. For the purposes of this section, an animal is deemed under control when it is confined within a vehicle, parked or in motion, is secured by a leash or other device held by a competent person, is under voice command of a competent person being present with the animal, or is properly confined within an enclosure with permission of the owner of the property where the enclosure is located.

**SEC. 10-5. - ENFORCEMENT.**

- (a) **Responsibility.** The primary responsibility for the enforcement of this chapter shall be vested in the Bainbridge-Decatur County Marshall's Office.
- (b) **Complaints.** If a violation of this chapter has not been personally witnessed by the Animal Control Officer or his authorized representative or other employee of the city or county, a subpoena shall be issued to the person making the complaint to be and appear on the day and time set for trial, then and there to testify on behalf of the city or county. The city/county may refuse to respond to anonymous complaints
- (c) **Impoundment of animal in certain cases;** disposal in a humane manner after certain period of time. If the owner of any dog or animal is unknown and the dog or animal is upon the public streets, alleys, sidewalks, school grounds, or other public places or premises or the property of another without the property owner's permission, as prohibited by this chapter, upon complaint made to or information made known to the Bainbridge-Decatur County Marshall's Office, the Animal Control Officer or his authorized representative is authorized to immediately take possession of such dog or animal and impound it in the animal shelter. Once impounded, an animal shall be kept for a period of time as defined in section 10-6 of this ordinance; thereafter, if the animal is not claimed by anyone after a reasonable effort has been made to locate the owner of the animal as hereinafter provided, the animal may be disposed of in a humane fashion or in accordance with O.C.G.A. § 4-3-9 et seq. Where the Animal Control Officer or his authorized representative is required in this section to take possession of any dog or animal and to impound it, he may use any and all means available.
- (d) Bainbridge-Decatur County Animal Control Officers may issue citation in lieu of impoundment. In all cases of violations of this ordinance, the Chief Marshal or his authorized representative shall have the authority to exercise his discretion and may in addition to or in lieu of impounding any animal, issue a citation to the owner of the animal. The citation shall state the violation, the name and address of the owner, and the name of the individual issuing the citation. All citations shall be transferred to the municipal court of the city for prosecution or the Decatur County Magistrate Court if the violation is outside the Bainbridge city limits.

**SEC. 10-6. - IMPOUNDMENT OF ANIMALS.**

- (a) Upon impounding any dog or other animal, the Chief Marshal or his authorized representative shall cause to be made a prompt and reasonable effort to locate the animal's owner. If the owner does not claim the animal within three days (seventy-two hours) of impoundment it shall be the duty of the Chief Marshal or his authorized representative to offer the dog or other animal to the public for adoption or to dispose of the dog or other animal in a humane fashion.
- (b) The city/county or other party with responsibility for the operation of the animal shelter is authorized to charge a daily boarding fee for all animals housed at the animal shelter. This fee shall not exceed \$20.00 per day without prior approval of the Mayor and City Council of the City of Bainbridge and the Decatur County Board of Commissioners. In no event shall its lawful possessor, owner or custodian redeem any animal unless this boarding fee is paid.
- (c) For the first time a dog, cat or other animal is found by animal control in violation of the leash law provisions, regardless of whether or not the animal is picked up and impounded by animal control, a fine of up to \$135.00 per animal in violation shall be imposed against the owner of such animal.
- (d) If a second offense occurs by the owner for the same animal within two years of a first offense, it is mandatory that the animal either be spayed or neutered within one week after the owner claims the animal, whether it is a purebred or mixed breed or permanently removed from the boundaries of Decatur County and the municipalities within. If the animal is spayed or neutered a sworn, notarized statement from a veterinarian, licensed to practice veterinary medicine in the state, must be received by animal control within ten working days following the animal's release from animal control. Such statement must state that the animal has been spayed, neutered or euthanized by the veterinarian, in compliance with this ordinance, or must explain in detail that for health reasons, the animal cannot be spayed or neutered. The owner of such animal will be considered in violation of this ordinance for failure to remove the animal from Decatur County and the municipalities within or to submit a veterinarian's statement, and shall be guilty of a misdemeanor and subject to a fine of up to \$500.00 and/or imprisonment and jail for a period not to exceed 60 days, or both. A \$250.00 fine will be imposed for the second offense, and is in addition to the cost of any spaying or neutering.
- (e) Should the animal be impounded or the owner be cited for a third offense within two years of a first offense, or for any subsequent offenses within two years of two previous offenses, a \$500.00 fine will be imposed against the owner.
- (f) If for any reason an animal is impounded and not claimed after proper notification imposed by this section, and if the owner is identified by a rabies or license tag on the animal or can be identified by witnesses, the owner will be considered in violation of this ordinance for the offense of abandoning the animal and shall be guilty of a misdemeanor and subject to a fine of up to \$500.00 and/or imprisonment and jail for a period not to exceed 60 days, or both.
- (g) If an animal is impounded and not claimed, the owner shall be conclusively presumed to have given his consent to the adoption of the impounded animal or to have given his consent to the disposal of the animal in a humane fashion in accordance with O.C.G.A. § 4-11-5.1.
- (h) If any animal is not claimed as provided within this chapter, the director of the animal shelter or his authorized representative, in his sole discretion, and after he has satisfied himself that such animal is in good health, may offer the animal for adoption. All animals offered for adoption must be spayed or neutered and must be given a rabies shot. A sworn, notarized statement from a veterinarian, licensed to practice veterinary medicine in the state of Georgia or Florida, must be received by animal control within ten working days following the adoption. Such statement must state that the animal has been spayed or neutered by the veterinarian or must explain in detail that, for health reasons, the animal cannot be spayed or neutered. The owner of such animal will be considered in violation of this ordinance for failure to submit a veterinarian's statement, and shall be guilty of a misdemeanor and subject to a fine of up to \$500.00 and/or imprisonment for a period not to exceed 60 days, or both.

SEC. 10-7. - PRECAUTIONS TO BE TAKEN BY OWNERS OF MALICIOUS ANIMALS OR FOWL (EXCLUDING DOGS).

- (a) The term "malicious animal/fowl" means:
- (1) Any animal/fowl which attacks, bites or injures humans, other animals or fowl without provocation;
  - (2) Any animal/fowl which, because of temperament, conditioning or training, has a known propensity to attack, bite or injure other living creatures without provocation;
  - (3) Any animal/fowl which has on one or more occasions caused injury to other living creatures without provocation; or
  - (4) Any animal/fowl which constitutes a physical threat to human beings or domesticated animals by one or more attacks without provocation of severity to cause physical injury.
  - (5) Animals classified as malicious under this section must be registered in the Bainbridge- Decatur County Planning Department located in the City Hall of Bainbridge.
- (b) An animal/fowl is not considered malicious if it attacks, bites or menaces anyone attacking the owner, unlawful trespassers on the property of the owner, or any person or animal that has tormented or abused it, or if it is defending its young or another animal.
- (c) No person owning or having custody or control of any animal/fowl known to be malicious shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.
- (d) It shall be the duty of every owner of any malicious animal/fowl, or anyone having any animal in his possession or custody, to ensure that the malicious animal/fowl is kept under restraint and that reasonable care and precautions are taken to prevent malicious animal/fowl from leaving, while unattended, the real property limits of its owner, custodian or keeper, and it is securely and humanely enclosed within a house, building, fence, pen, or other enclosure out of which it cannot climb, dig, jump or otherwise escape on its own volition; and such enclosure must be securely locked at any time the animal is left unattended.
- (e) For owners of malicious animals/fowl who maintain their animal/fowl out-of-doors, a portion of their property shall be fenced with a perimeter or area fence. Within this perimeter fence the malicious animal/fowl must be humanely confined inside a pen or kennel of adequate size. The pen or kennel shall not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides, with a secure top attached to all sides, and the sides must be securely set into the ground or onto a concrete pad or securely attached to a wire bottom. The gate to the kennel must be locked.
- (f) A malicious animal shall not be upon any street or public place except when securely restrained by a leash not more than six feet in length and humanely muzzled and in the charge of a competent person.
- (g) Whenever outside of its enclosure as provided for in subsections (d) and (e) of this section, but on the owner's property, a malicious animal must be attended by the owner and restrained by a secure collar and leash of sufficient strength to prevent escape.
- (h) No malicious vicious animal/fowl shall be chained, tethered or otherwise tied to any inanimate object such as a tree, post or building, outside of its own enclosure.
- (i) A warning sign (e.g., DANGER MALICIOUS ANIMAL ON SITE) shall be conspicuously posted denoting a malicious animal/fowl is on the premises. Signs shall be provided by Animal Control, a fee will be charged for the sign when the animal is registered with the Marshals Office. Fee for said sign shall be on the list of fees kept in accordance with this Article.
- (j) Failure to keep any animal/fowl confined or under restraint as provided for in subsections (d) and (e) of this section, shall be unlawful and shall be punishable as provided in this ordinance.
- (k) Any malicious animal/fowl shall be deemed to be a nuisance and may be abated as a nuisance in accordance with the laws of the state.

SEC. 10-8. - ABANDONMENT OF ANIMALS.

IT shall be unlawful for anyone to knowingly abandon any domesticated animal within Decatur County or the municipalities within on any property public or private. Each person who does abandon, knowingly or willingly permits such abandonment, or aids in the abandonment of any domesticated animal shall be in violation of the law and shall be punished as provided in this ordinance.

**SEC. 10-9. - CRUELTY TO ANIMALS.**

No person shall, by act, omission or neglect, cause unjustifiable physical pain, suffering or death to any animal, nor shall any person harm, maim, or kill any dog or attempt to do so, except that a person may:

- a) Defend his or her person or property, or the person or property of another, from injury or damage being caused by a dog; or
- b) Kill any dog causing injury or damage to any livestock, poultry, or pet animal.

This section shall not apply to the killing of animals raised for the purpose of providing food, nor does it apply to any person who shall hunt wild animals in compliance with the game and fish laws of the state. Furthermore, this section shall not apply to the killing or injuring of animals for humane purposes or in the furtherance of medical or scientific research.

**SEC. 10-10. - DEAD ANIMALS.**

It shall be the duty of every person having an animal of any description which dies anywhere within Decatur County or the municipalities within to promptly bury the animal or remove the same beyond such limits upon notice from the Bainbridge-Decatur County Marshall's Office or animal control officer.

No person shall abandon a dead dog on any public property or public right of way unless the place in which the dog is being left is a public dump or other facility designed for receiving such and has been designated by the local governmental authorities as a public facility for receiving trash or refuse and the provisions of O.C.G.A. Code Section 4-5-3 are complied with in full.

**SEC. 10-11. - BURNING DEAD ANIMALS PROHIBITED.**

It shall be unlawful for any person to burn any dead animal within Decatur County or the municipalities within. Commercial poultry operations are exempt from the requirements of this section.

**SEC. 10-12. - BIRD SANCTUARY DESIGNATED.**

The area embraced within the corporate limits of the City of Bainbridge developed for industrial, business or residential use is hereby designated as a bird sanctuary.

**SEC. 10-13. - TRAPPING, HUNTING, MOLESTING BIRDS AND NESTS PROHIBITED; EXCEPTION.**

It shall be unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wildfowl or to rob bird nests or wildfowl nests; however, if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the proper health authorities, the health authorities shall meet with representatives of the Audubon Society and Federated Garden Clubs of Bainbridge, after having given at least three days' notice of the time and place of such meeting to the representatives of such clubs. If as a result of the meeting no satisfactory alternative is found to abate the nuisance, the birds and nests may be destroyed in such numbers and in such a manner as is deemed advisable by the health authorities under the supervision of the city manager or county administrator as appropriate. Nothing in this ordinance shall infringe upon the rights of those permitted under Georgia Law to legally harvest birds and wildfowl as provided for by the Georgia Department of Natural Resources.

**SEC. 10-14. - RESERVED**

SEC. 10-15. - SWINE; MINIMUM SIZE OF ENCLOSURE.

It shall be unlawful for any person to keep any hog or pig in any pen or enclosure of less than three acres within the city limits of Bainbridge. The restrictions of this section are not applicable to areas in unincorporated Decatur County or the incorporated areas of Attapulgus, Brinson or Climax.

SEC. 10-16. - FEES.

A schedule of fees to be collected pursuant to this chapter shall be adopted by the council and Board of Commissioners and kept on file by both governments' clerks and with the Bainbridge-Decatur County Planning Director.

SEC. 10-17. - PENALTIES FOR VIOLATION.

Any person who violates the terms of this chapter shall be punished as provided in section 1-7 of the Code of Ordinances of the City of Bainbridge except for penalties for violations specified in section 10-6 of this chapter.

SEC. 10-18. - RESERVED

SEC. 10-19. – CONTROL AND VACCINATION.

THIS SECTION IS APPLICABLE TO UNINCORPORATED DECATUR COUNTY AND ALL OF THE MUNICIPALITIES WITHIN:

- a) Rabies control and vaccination of dogs, cats, and ferrets shall be enforced under the provisions of Georgia State Law and Decatur County Board of Health. Rules for Rabies Control, adopted in its entirety, as attached to this ordinance can be found in Section 10-56.
- b) It shall be unlawful for any domesticated animal over three months of age to be kept within Decatur County unless a veterinarian, licensed to practice veterinary medicine in the state, has vaccinated the animal for rabies. Such animal shall wear, displayed upon a collar worn around its neck, a tag furnished by the veterinarian, which shall show the date of vaccination. All animals must be vaccinated within thirty (30) days of being brought into the city/county.
- c) Should any domesticated animal be found running at large within Decatur County without the aforementioned tag the Bainbridge-Decatur County Marshall's Office, the animal control officer or his authorized representative is authorized to immediately take possession of such animal and impound it in the animal shelter as provided for in section 10-5(c) of this chapter.

SEC. 10-20. - ANIMAL CARE.

It shall be the responsibility of the owner of any dog, cat or other domesticated animal to insure that the dog, cat or other domesticated animal has access to adequate care, adequate exercise, adequate feed, adequate shelter, adequate space and adequate water.

SEC. 10-21. – KEEPING OF SICK OR DISEASED ANIMALS.

It is unlawful for any person to own any animal which is seriously sick or injured without providing proper veterinary care for such animal. This section shall not be construed to include animals under active veterinary care or veterinary hospitals.

SECS. 10-22—10-34. - RESERVED.

## ARTICLE II. – DOGS

### SEC. 10-35. - COMMERCIAL GUARD/SECURITY DOGS.

- a) It shall be the duty of all persons who keep, use or maintain any guard/security dog to have signs conspicuously posted on the premises where the guard/security dog is located to warn of the presence of the dog. This warning shall consist of a warning sign placed at each entrance and exit to the premises and in a position to be legible from the sidewalk or ground level adjacent to the sign (eye level). If the premises are not enclosed by a wall or fence, a sign shall be placed at every entrance and exit to each structure on the premises in which a guard/security dog is located. Each sign shall measure at least ten inches by 14 inches and shall contain block lettering stating "Warning, Guard Dog on Duty." In addition, for dogs rented or leased, the sign shall set forth the name, address and phone number of the responsible person to be notified during any hour of the day or night.
- b) It shall be the duty of all persons who keep, use or maintain a guard/security dog to ensure the dog is vaccinated against rabies and licensed as required by the laws and ordinances of the city/county and the state. The dog also must have the current vaccination tag affixed to a collar worn by the dog at all times as required by the laws and ordinances of the city/county and the state.
- c) It shall be unlawful to transport any guard/security dog in an open bed truck, and the vehicle transporting guard dogs shall be identified as to the business owner.

### SEC. 10-36. - DOG TETHERING.

- a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained, to a dog house, tree, fence, or any other stationary object.
- b) Notwithstanding subsection (a), a person may do any of the following:
  - 1) Attach a dog to a running line, pulley, or trolley system. A dog shall not be tethered to the running line, pulley, or trolley system by means of a choke collar or pinch collar.
  - 2) Tether, fasten, chain, or tie a dog no longer than is necessary for the person to complete a temporary task that requires the dog to be restrained for a period not to exceed one hour.

### SECS. 10-37—10-44. - RESERVED.

## ARTICLE III. – RESPONSIBLE DOG OWNERSHIP

### SEC. 10-44. - INTENT

It is the intent of this ordinance to be in compliance with Responsible Dog Ownership Law of the State of Georgia (O.C.G.A. 4-8-21 to 4-8-33). If any portion of the following section, or any portion of the Bainbridge-Decatur County Animal Control Ordinance is in conflict with the Official Code of Georgia Annotated, the state law shall prevail.

SEC. 10-45. – DEFINITIONS

**Classified dog:** means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this article.

**Dangerous dog:** means any dog that:

- Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;
- Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph; or
- While off the owner's property, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

**Local government:** means Decatur County or any municipality within.

**Owner:** means any natural person or any legal entity, including, but not limited to, a corporation, partnership, firm, or trust owning, possessing, harboring, keeping, or having custody or control of a dog. In the case of a dog owned by a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor.

**Serious injury:** means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.

**Vicious dog:** means a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack.

- No dog shall be classified as a dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under Chapter 5 of Title 16 of the O.C.G.A.

SEC. 10-46. – VICIOUS/DANGEROUS DOG PROCEDURE FOR INVESTIGATION

a) For purposes of this Code section, the term:

- o (1) "Animal shelter" shall have the same meaning as set forth in Code Section 10-1.
- o (2) "Authority" means an animal control board or local board of health, as determined by the governing authority of a local government.
- o (3) "Mail" means to send by certified mail or statutory overnight delivery to the recipient's last known address.

- b) Upon receiving a report of a dog believed to be subject to classification as a dangerous dog or vicious dog within Decatur County or any of the municipalities within, the animal control officer shall make such investigations as necessary to determine whether such dog is subject to classification as a dangerous dog or vicious dog.
- c) When an animal control officer determines that a dog is subject to classification as a dangerous dog or vicious dog, the animal control officer shall mail a dated notice to the dog's owner within 72 hours. Such notice shall include a summary of the animal control officer's determination and shall state that the owner has the right to request a hearing from the magistrate court for such jurisdiction where the dog was found or confiscated within seven days after the date shown on the notice. The notice shall provide a form for requesting the hearing and shall state that if a hearing is not requested within the allotted time, the animal control officer's determination shall become effective for all purposes under this article. If an owner cannot be located within ten days of an animal control officer's determination that a dog is subject to classification as a dangerous dog or vicious dog, such dog may be released to an animal shelter or humanely euthanized, as determined by the animal control officer.
- d) When a hearing is requested by a dog owner in accordance with subsection (c) of this ordinance section, such hearing shall be scheduled within 30 days after the request is received; provided, however, that such hearing may be continued by the probate court for good cause shown. At least ten days prior to the hearing, the probate court conducting the hearing shall mail to the dog owner written notice of the date, time, and place of the hearing. At the hearing, the dog owner shall be given the opportunity to testify and present evidence and the magistrate court conducting the hearing shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the animal control officer's determination.
- e) Within ten days after the hearing, the magistrate court which conducted the hearing shall mail written notice to the dog owner of its determination on the matter. If such determination is that the dog is a dangerous dog or a vicious dog, the notice of classification shall specify the date upon which that determination shall be effective. If the determination is that the dog is to be euthanized pursuant to O.C.G.A. 4-8-26, the notice shall specify the date by which the euthanasia shall occur.
- f) Judicial review of a magistrate court's final decision shall be in accordance with O.C.G.A. 5-3-2 and costs shall be paid as provided in O.C.G.A. 5-3-22.

#### SEC. 10-47. - IMPOUNDMENT

An animal control officer shall immediately impound a dog if the officer believes the dog poses a threat to the public safety.

#### SEC. 10-48. – COURT ORDERED EUTHANASIA

The superior court judge of Decatur County may order the euthanasia of a dog if the court finds, after notice and opportunity for hearing as provided by Section 10-46, that the dog has seriously injured a human or presents a danger to humans not suitable for control under this article and:

- a) The owner or custodian of the dog has been convicted of a violation of any state criminal law and the crime was related to such dog; or
- b) Any local governmental authority has filed with the court a civil action requesting the euthanasia of the dog.

SEC. 10-49. – EUTHANASIA FOR REPEAT OFFENDERS

A dog that is found, after notice and opportunity for hearing as provided by Section 10-46, to have caused a serious injury to a human on more than one occasion shall be euthanized; provided, however, that no injury occurring before July 1, 2012, shall count for purposes of this section.

SEC. 10-50. – CERTIFICATES OF REGISTRATION

- a) It shall be unlawful for an owner to have or possess within Decatur County or the municipalities within a classified dog without a certificate of registration issued in accordance with the provisions of this ordinance. Certificates of registration shall be nontransferable and shall only be issued to a person 18 years of age or older. No more than one certificate of registration shall be issued per domicile.
- b) Unless otherwise specified by this Code section, a certificate of registration for a dangerous dog shall be issued if the animal control officer determines that the following requirements have been met:
  - (1) The owner has maintained an enclosure designed to securely confine the dangerous dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the dangerous dog from leaving such property; and
  - (2) Clearly visible warning signs have been posted at all entrances to the premises where the dog resides.
- c) Except as provided in subsections (e) and (f) of this Code section, a certificate of registration for a vicious dog shall be issued if the dog control officer determines that the following requirements have been met:
  - (1) The owner has maintained an enclosure designed to securely confine the vicious dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property;
  - (2) Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;
  - (3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the dog; and
  - (4) The owner maintains and can provide proof of general or specific liability insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in this state insuring the owner of the vicious dog against liability for any bodily injury or property damage caused by the dog.
- d) No certificate of registration shall be issued to any person who has been convicted of two or more violations of this article.
- e) No person shall be the owner of more than one vicious dog.
- f) No certificate of registration for a vicious dog shall be issued to any person who has been convicted of:
  - (1) A serious violent felony as defined in O.C.G.A. 17-10-6.1;

- (2) The felony of dogfighting as provided for in O.C.G.A. 16-12-37 or the felony of aggravated cruelty to animals as provided for in O.C.G.A. 16-12-4; or
  - (3) A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in O.C.G.A. 16-13-31 and 16-13-31.1 from the time of conviction until two years after completion of his or her sentence, nor to any person residing with such person.
- g) Certificates of registration shall be renewed on an annual basis. At the time of renewal of a certificate of registration for a vicious dog, an animal control officer shall verify that the owner is continuing to comply with provisions of this article. Failure to renew a certificate of registration within ten days of the renewal date or initial classification date shall constitute a violation of this article.

#### SEC. 10-51. – NOTIFICATIONS BY OWNER

- a) The owner of a classified dog shall notify the animal control officer within 24 hours if the dog is on the loose or has attacked a human and shall notify the dog control officer within 24 hours if the dog has died or has been euthanized.
- b) A vicious dog shall not be transferred, sold, or donated to any other person unless it is relinquished to a governmental facility or veterinarian to be euthanized.
- c) The owner of a classified dog who moves from one jurisdiction to another within the State of Georgia shall register the classified dog in the new jurisdiction within ten days of becoming a resident and notify the animal control officer of the jurisdiction from which he or she moved. The owner of a similarly classified dog who moves into Decatur County or any of the municipalities within shall register the dog as required in Section 10-50 within 30 days of becoming a resident.

#### SEC. 10-52. – LIMITATIONS ON DOG'S PRESENCE OFF OF OWNER'S PREMISES

- a) It shall be unlawful for an owner of a dangerous dog to permit the dog to be off the owner's property unless:
  - 1) The dog is restrained by a leash not to exceed six feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary;
  - 2) The dog is contained in a closed and locked cage or crate; or
  - 3) The dog is working or training as a hunting dog, herding dog, or predator control dog.
- b) It shall be unlawful for an owner of a vicious dog to permit the dog to be:
  - 1) Outside an enclosure designed to securely confine the vicious dog while on the owner's property or outside a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property unless:
    - The dog is muzzled and restrained by a leash not to exceed six feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or
    - The dog is contained in a closed and locked cage or crate; or

- 2) Unattended with minors.
- c) A person who violates subsection (b) of this Code section shall be guilty of a misdemeanor of high and aggravated nature.
  - d) An owner with a previous conviction for a violation of this article whose classified dog causes serious injury to a human being under circumstances constituting another violation of this article shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than \$5,000.00 nor more than \$10,000.00, or both. In addition, the classified dog shall be euthanized at the cost of the owner.
  - e) Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.

**SEC. 10-53. – CONFISCATION BY AN ANIMAL CONTROL OFFICER**

- a) A dangerous dog or vicious dog shall be immediately confiscated by any animal control officer or by a law enforcement officer in the case of any violation of this article. A refusal to surrender a dog subject to confiscation shall be a violation of this article.
- b) The owner of any dog that has been confiscated pursuant to this article may recover such dog upon payment of all reasonable confiscation and housing costs and proof of compliance with the provisions of this article, unless such confiscation is deemed to be in error by an animal control officer, an authority, as defined in Section 10-46, or a probate court. All fines and all charges for services performed by a law enforcement or animal control officer shall be paid prior to owner recovery of the dog. Criminal prosecution shall not be stayed due to owner recovery or euthanasia of the dog.
- c) In the event the owner has not complied with the provisions of this article within 14 days of the date the dog was confiscated, such dog shall be released to an animal shelter, as such term is defined in Section 10-1, or euthanized in an expeditious and humane manner. The owner may be required to pay the costs of housing and euthanasia.

**SEC. 10-54. – LIABILITY FOR ENFORCEMENT**

Under no circumstances shall a local government or any employee or official of a local government be held liable for any damages to any person who suffers an injury inflicted by a dog as a result of a failure to enforce the provisions of this article.

**SEC. 10-55. - PENALTY FOR VIOLATION**

Except as otherwise specified in this article, any person who violates any provision of this article shall be guilty of a misdemeanor.

**SEC. 10-56. – RULES FOR RABIES CONTROL (PER Decatur County Health Department)**

**Dangerous dog:** means any dog that:

- Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;

- Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph; or
- While off the owner's property, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

**Vaccine:** The word "vaccine" shall mean an injectable material containing killed or attenuated rabies virus, licensed by the United States Department of Agriculture, Veterinary Biologics Section, and approved by the Georgia Department of Human Resources. Vaccine used for the purposes of this Rule shall be stored at the temperature prescribed on the package label. Out-dated vaccine shall not be used.

**Vaccinate or "Inoculate":** The words "vaccinate" and "inoculate" shall mean the injection of a specified dose of antirabic vaccine by a veterinarian into the proper site of an animal, such vaccine having the U.S. Department of Agriculture Veterinary Biologics Control Section license number approval stamped on the label of the container and having been approved by the Georgia Department of Human Resources.

**Veterinarian:** The word "veterinarian" shall mean any person who holds a license to practice the profession of veterinary medicine in the State of Georgia, or has a degree of Doctor of Veterinarian Medicine.

**Rabies Vaccination Tag:** The term "rabies vaccination tag" shall mean a tag furnished or approved by the Georgia Department of Human Resources and which tag shall be worn by the vaccinated dog, cat, or ferret.

**Certificate:** The word "certificate" shall mean a certificate of vaccination on a form furnished or approved by the Georgia Department of Human Resources.

**Rabies Control Fee:** The term "rabies control fee" shall mean that surcharge (fee) authorized by the State Health code and levied by the county of residence at the time of rabies immunization of a pet animal in a private or public clinic. This fee is to be collected by the veterinarian and forwarded to the County Clerk of the county of the animal owner's residence. The "rabies control fee" is not to be confused with any fees associated with licensing or registering pet animals, or the fee that shall be charged by the veterinarian for performing the vaccination.

**Person:** The word "person" shall mean any individual, firm, corporation, partnership, municipality, county, society, or association.

**Owner:** The term "owner" shall mean any person having a right of property in a dog, cat or ferret, or any person who permits a dog, cat or ferret to remain on his premises.

**Health Department:** means the Decatur County Health Department or in the absence of a functioning health department, the Decatur County Board of Health.

## (1) Provisions

(A) Vaccination of Dogs, Cats or Ferrets.

Within 30 days following the passage of this Rule every owner of a dog, cat or ferret three months of age or older shall cause such animal to be vaccinated against rabies as defined by this Rule. Dogs, cats or ferrets will be re-vaccinated one year later. When dogs, cats or ferrets one (1) year of age or older are vaccinated with vaccines accepted by the Department for providing a three (3) year duration of immunity, boosters will be required every three years.

(B) Certificate of Vaccination

- 1) Evidence of vaccination shall consist of a certificate of vaccination. The certificate with each item answered shall be prepared in triplicate and signed by the veterinarian administering the vaccine. One copy of the certificate shall be given to the owner, one filed with the Decatur County Health Department, and one copy retained by the veterinarian.
- 2) Any veterinarian is authorized and required in connection with his practice to issue certificates of vaccination and vaccination tags provided he furnished one copy to the animal's owner, one copy to the Decatur County Health Department, and retains one copy for his files.
- 3) The certificates of vaccination furnished to the Decatur County Health Department shall be maintained in an orderly indexed file for a period of not less than three (3) years.
- 4) In the event a tag is lost, a duplicate may be obtained from the veterinarian who treated the animal, bearing the same expiration date as the original.

(B) Vaccination Tags

Coincident with the issuance of the certificate of vaccination, the person authorized to furnish the certificate also furnish to the owner of the vaccinated dog, cat or ferret a serially numbered tag bearing the same number and year thereon attached to the collar or harness worn by the dog, cat or ferret for which the certificate and tag have been issued.

(C) Rabies Control Fee

Veterinarians are required to collect a rabies control fee of 50¢ per animal vaccinated for rabies. This fee is in addition to, and not to be confused with, the professional veterinary fee for rabies immunizations. This fee must accompany the Health Department's file copy of the certificate of vaccination when it is submitted to the county clerk or other competent fiscal authority of the county. Both fee and file copy of the certificate should be delivered to the Health Department not later than the 15<sup>th</sup> of the month following the month of immunization.

(D) Clinics

- 1) In accordance with the direction of the Board of Commissioners and City Council as appearing on it's minutes the Director shall operate or cause to be operated county-sponsored clinics for the vaccination of dogs, cat and ferrets against

- rabies.
- 2) Vaccination will be performed by a veterinarian or under his direct supervision. Payment of services shall be derived from vaccination fees.
  - 3) The vaccination fee for such clinics, including the administering and cost of the vaccine, the issuance of certificates and tags, and other necessary expense shall be predetermined by the County Board of Health at least 15 days in advance of a scheduled clinic. Public notice of the schedule of the clinics shall be made by the Director also at least 15 days in advance of the first clinic appearing on the schedule. Such notice shall include the schedule of each clinic including the day, the hour, the place and the vaccination fee.
  - 4) In emergencies or during quarantine, the 15 days notice prior to the operation of a clinic shall not apply.

(E) Rabies Control Officer

- 1) A rabies control officer who is knowledgeable of animals shall be appointed by the Board. This official will be an employee of the county health department. Funds for his salary will be derived in part from the special rabies control fee levied at the time of the rabies vaccination of dogs, cats, ferrets and other pet animals.
- 2) Duties of the rabies control officer will include:
  - i. Investigate and maintain a record of animal bites in the county.
  - ii. Provide for proper confinement of an animal involved in a bite; or if the animal is dead or killed, preparation and submission of the head for laboratory examination.
  - iii. Enforce proper disposition of animals exposed to known rabid animals.
  - iv. Provide stray animal pickup service in relation to Rabies Control.
  - v. Assist in rabies immunization clinic
  - vi. Other duties as stated in the rabies control regulations or as ordered by the Director.

(F) Confinement of Dogs, Cats, Ferrets or Other Animals

- 1) The rabies control officer will maintain enforcement of all regulations pertaining to confinement of dogs, cats, ferrets or other animals.
- 2) The owner of any dog, cat, ferret or other animal as defined in this section shall confine or cause to be confined such dog, cat, ferret or other animal as herein prescribed:
  - i. A dog, cat, ferret or other animal, whether vaccinated or not, which has bitten a person (or other animal) shall be confined for a period of ten (10) days following the date of the bite. Before being released, the animal must be vaccinated.
  - ii. A dog, cat, ferret or other animal whether vaccinated or not, having signs suggestive of rabies shall be confined and in isolation until its

death or until its freedom from suspicion of having rabies is established and its release is authorized by the Director or his designee.

- iii. A dog, cat, ferret or other animal not vaccinated and bitten by a known or suspected rabid animal shall be immediately destroyed or if the owner is unwilling to destroy the exposed animal, strict isolation of the animal in an approved pen for 6 months shall be enforced. One month prior to release, the dog shall be vaccinated according to prescribed methods.
- iv. Any dog, cat, ferret or other animal, the rabies vaccination of which is current as evidenced by the certificate of vaccination and which is bitten by a known or suspected rabid animal, may be revaccinated, confined in an approved manner for forty-five (45) days, and then released if no signs of rabies are evident.
- v. Every dog, cat and ferret whether vaccinated or not in a quarantined area shall be kept confined to the owner's or custodian's premises during the entire quarantine period.
- vi. Any dog, cat or ferret less than three (3) months old shall be confined to the owner's premises or kept on leash.
- vii. Any dog, cat or ferret brought into Decatur County for a permanent stay from outside the county shall be confined or on leash until vaccinated as provided for by this rule except, however, that when the owner of such dog, cat or ferret produces evidence satisfactory to the Director that such animal has been vaccinated in a manner and by procedures comparable to the requirements of this Rule, then a certificate of vaccination and a vaccination tag may be issued for the current vaccination year.
- viii. Any dog, cat or ferret brought into Decatur County on temporary stay not exceeding fourteen (14) days shall be confined or on a leash at all times; except, however, that if the owner or custodian of such dog, cat or ferret submits evidence to the Director that such dog, cat or ferret has been vaccinated in a manner and by procedures comparable to the requirements of this Rule, the Director may waive the requirement that said dog, cat or ferret be confined or on a leash.
- ix. Any dog, cat, ferret or other animal running at large shall be impounded for a minimum of three (3) days unless reclaimed earlier by the owner. If the animal bears vaccination and /or license tags, a reasonable effort to locate the owner shall be made. Any unvaccinated (and/or unlicensed) dog, cat or ferret may be reclaimed by its owners during the period of impoundment by payment of prescribed pound fees and by the giving of satisfactory assurances of compliance with the rabies vaccination requirements of this ordinance within 72 hours of release. Any vaccinated dog, cat or ferret impounded because of lack of a rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.

(G) Confinement Area Facility

The area or facility to which any dog, cat, ferret or animal is confined in compliance with the provisions of this Rule shall be subject to the approval of the Director. The confinement area or facility may include either a pound, a kennel, an animal hospital, or other place which provides:

- 1) Construction and management which will keep the animal dry and clean and prevent its escape.
- 2) A method and procedure for the identification of the animal and the recording of the date of its admission to the area or facility.
- 3) Assurance that the animal will have safe and adequate water and food.
- 4) Adequate space for the animal's exercise.
- 5) Protection against excessive heat and cold.
- 6) Space, cages, pens, and other necessary equipment to isolate the animal for its protection against injury and infectious disease.

(H) Reporting

The owner or custodian of any animal having signs suggestive of rabies shall confine the animal and immediately notify the Director, reporting any information regarding any persons bitten or attacked by said animals.

## **(2) ADMINISTRATION AND ENFORCEMENT**

(A) Enforcement

- 1) The Board of Health hereby instructs the rabies control officer to enforce the above rules and regulations. The rabies control officer is authorized and instructed to make cases against anyone who violates one or more provisions of these regulations.
- 2) The rabies control officer is authorized to make whatever inquiry is deemed necessary to ensure compliance with the provisions of these rules and regulations. Law enforcement agencies of local governments and the sheriff of the county shall cooperate with the rabies control officer in enforcing the provisions of these rules and regulations.
- 3) Enforcement of this rule will be in accordance with O.C.G.A. 31-5-1 et.seq. and Rule I adopted and promulgated by the County Board of Health.

(B) Penalty

Any person who violates any provision of these rules and regulations shall be guilty of a misdemeanor as stated under O.C.G.A., § 31-19-10.

## **(3) REPEAL.**

All Rules and Regulations or any part thereof in conflict with the above and foregoing Rules and Regulations are hereby repealed.

**(4) SEVERANCE CLAUSE:**

If any action, subsection, clause, provision or portion of this regulation shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision, or portion of this regulation which is not in and of itself invalid or unconstitutional.

**(5) POWER TO ENTER**

It shall be the duty of the representative of the Board of Health to enforce these rules and the Health Officer, Public Health Engineer or Sanitarian, County Environmental Health Specialist or District Environmentalist for the County, or authorized person accompanying a Board of Health representative is hereby authorized to enter at any reasonable time, any premises as may be necessary for its enforcement.

**(6) EFFECTIVE DATE.**

These Rules and Regulations shall become effective

the 17<sup>th</sup> day of March, 2005

Date Adopted February 15, 2005

Signed Paul C. P. Davis  
Chairman, Decatur County Board of Health

Signed Shaundra Jenkins  
Secretary, Decatur County Board of Health

Signed J. Paul Newell, MD  
J. Paul Newell, MD, District Health Director, 8-2

**LEGAL AUTHORITY:**

The Georgia Health Code - O.C.G.A. 31-19-1 et. seq. and O.C.G.A, 31-5-1 et. seq. as amended.

SEC. 10-57. – OPERATIONAL PROCEDURES FOR DOG BITE CASES

Once a call is received from 911, Law Enforcement, Rabies Officer or any other County Official dealing with a dog bite case against a human being or other animals from an aggressive, potential dangerous, dangerous or vicious dog, the following procedures will take place. OCGA 4-8-41.

1. The Law Enforcement Officer will do a Bite Report and the Animal Control Officer/Dog Control Office will investigate case, i.e. interview and take statements from victim, witnesses, and owner of animal.
2. Animal Control Officer/Dog Control Officer may quarantine the dog at the owner's property or impound dog for a time period consistent with Animal Control Ordinance. (The dog will be located at the Humane Society Shelter/ Animal Shelter). In the absence of the Animal Control Officer, a Law Enforcement Officer will have the authority to impound the dog. (Note: Alternate quarantine location can be decided by the Animal Control Officer after investigation of the bite case.)
3. The dog will be observed for rabies by the Decatur County Environmental Health Office, consistent with O.C.G.A. § 31-19-4, and by the Animal Control Officer/Dog Control Officer for aggressive behavior for a time period consistent with Animal Control Ordinance.
4. After the time limit wait period is over and the animal is free of signs of rabies and dog is not labeled as a potential dangerous, dangerous, vicious dog the owner will pay fees to the shelter, and the Animal Control Officer/Dog Control Officer will release the animal after the Rabies Officer signs the release.
5. If the dog is labeled as a potential dangerous, dangerous or vicious dog the Animal Control Officer/Dog Control Officer will notify in writing and deliver by certified mail the classification of the dog to the owner. The owner will have to comply with the following rules within 20 days of the ruling. If he wishes to appeal it must be done at the local governing body at a scheduled meeting within 15 days of notification:
  - a. House the dog in a properly fenced area big enough for the dog to have room to move around, a top and a bottom to prevent escape, provide proper shelter food and water.
  - b. Signs posted notifying of the dangerous dog
  - c. Surety Bond of at least \$75,000
  - d. Pay all fees associated with the impoundment and registration requirements set by Animal Control Ordinance.
  - e. Must be vaccinated and registered with the Planning Department.
  - f. Must meet all other requirements of the Decatur County Animal Control Ordinance.
6. If the dog is not vaccinated the owner will do so within twenty-four hours of release and give the Animal Control Officer/Dog Control Officer a copy of the certificate of vaccination. If the owner does not comply he shall be cited for not complying with the State Rabies Control Law, Rule II and the Decatur County Animal Control Ordinance.

ARTICLE IV. – BAINBRIDGE-DECATUR COUNTY ANIMAL CONTROL FINES/FEEES

SEC. 10-58. – ANIMAL CONTROL FINES/FEEES

Offense/Violation	Fine/Fee
Animal Running At Large (Sec. 10-2)	\$135
Public Nuisance of Animal (Sec. 10-1)	\$130
Dog Tethering (Sec. 10-36)	\$500 Minimum
Vicious Animal (Sec. 10-7)	\$130
Impounded Animal (Sec. 10-6)	\$130
Leash Law Violation (Bainbridge) (Sec. 10-4)	\$135
Rabies Vaccination (Sec. 10-19)	\$130
Animal Care (Sec. 10-20)	\$500 Minimum
Cruelty to Animals (Sec. 10-9)	\$655 Minimum
Improper Disposal of Animal (Sec. 10-10 & 10-11)	\$275



APPLICATION FOR ONE-DAY ALCOHOL LICENSE

LICENSE# 8/66

CITY COUNCIL MEETING 3/15/2022

Applicant Name: Gerard Kwilecki

Manager Name: \_\_\_\_\_

Business Name: Bainbridge Rotary Club

Address: 2500 E. Shotwell Street

Date of the Event: 3/19/2022

- Completed application ✓
- Paid License fee ✓ (per Christobby ok to use fee paid last yr. event was canceled in 2021)
- Signature of applicant and/or property owner OK
- Distance statement from Chief Marshal J. James
- Personal Statement ✓
- Notarized Affidavits ✓
- Fingerprint payment (if applicable) ✓ YES     NO
- Privacy Rights ✓
- Approval by Director of Public Safety W. D. D.
- Approval by Director of Administration Services R. H. H.
- Approval by City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1355

CITY COUNCIL MEETING DATE 3/15/2022

NEW  RENEWAL  AMENDED

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	<input checked="" type="checkbox"/> Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine <input checked="" type="checkbox"/> Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100

NAME OF BUSINESS All-N-One Seafood

STREET ADDRESS OF BUSINESS 710 DOTHAN RD

NAME OF APPLICANT/OWNER Thawanda McBride

NAME OF MANAGER Thawanda McBride

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official   *A*
- Personal Statement
- Notarized Affidavits if applicable (*required for new owner and manager*)
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety   *W.F.N*
- Approval by Director of Administrative Services   *R.H*
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

**Debeaux/Smith Wedding at firehouse gallery**

Gail Smith &lt;sunshines3841@gmail.com&gt;

Sun 3/6/2022 9:32 PM

To: Allie Godwin &lt;allieg@bainbridgecity.com&gt;

Ms Allie per our conversation Wednesday March 2.2022 we are having a wedding at Firehouse Gallery. Guest will be coming in from Alabama Georgia Florida And North Carolina. Many of these family will be elderly and we understand prom is the same day but we are asking that we can get the city to close off Crawford Street and Water street so that we can allow our daughter a peaceful and safe wedding day. We do understand prom is that day and we appreciate families wanting to make fond memories however we booked this a year ago with this date as her fiancé was in Syria /Kauwit serving a deployment. So we are asking that the city please allow these roads to be blocked for safety so that we don't run the risk of anyone getting hurt . We appreciate your time and effort and the support you have shown to us I can be reached at 229-205-8609 and you have my email again many thanks and much appreciation in this most important event in the lives of our children.

Sent from my iPhone

3.19.2022 Wedding  
Noon → 9:00 PM

**Re: Street Closure Request Class of 1971 50th Reunion. March 26, 2022**

Ed McComb &lt;papamacs@windstream.net&gt;

Tue 3/1/2022 8:30 AM

To: Allie Godwin &lt;allieg@bainbridgecity.com&gt;

Cc: Stephanye Peek &lt;peek.stephanye3@gmail.com&gt;; Alicia McComb &lt;papamacs@windstream.net&gt;; rpalmer@bellsouth.net &lt;rpalmer@bellsouth.net&gt;

Sent from my iPad

On Feb 28, 2022, at 1:15 PM, Allie Godwin <allieg@bainbridgecity.com> wrote:

Ms. McComb,

Can you please email me a description of your event (please include date and time), which streets you would like to close, as well as the start and end time of the street closure request. Once received, I will make sure to have it on the Agenda for Council consideration at the March 15<sup>th</sup> Council Meeting.

Thank you!

Hello to all Bainbridge, Councilman  
March 15: 2021 Councilman Meeting

Re: Firehouse (Request Crawford & Water Street to be closed)  
Bainbridge High Class of 1971. 50th Reunion  
March 26, 2022  
5:00 pm - 12:00 ~~pm~~am

It is great pleasure from the Bainbridge's High School class of 1971 to recognize it's been 51 years celebrating our High School Graduation (50th postponed last year due to COVID.)

As Co-Chairmans Stephayne Inlow Peek, Marietta, Ga. & myself Alicia Humphrey McComb, Canton, Ga. we would like to request approval for the closure of Crawford Street from Broughton Street to Water Streets & Crawford side street Broughton to Water at the Firehouse to be closed during the time of our event...Would ask for the roads to be closed 45 minutes before & after the event....

We have had the opportunity to bring numerous classmates together & prefer for it to be safe for all that will be attending..

We would appreciate approval & city employees to make our event safe.

If you have any questions please contact me.

Alicia Humphrey McComb

3/11/2022

Mail - Allie Godwin - Outlook

111 Golf Course Road  
Canton, Georgia 30114  
770-401-9600 Cell



*Gather - Sip - Shop - Eat*

March 01, 2022

Good afternoon,

We are requesting a road closure of East Water Street between North West Street and North Broad Street on April 9<sup>th</sup>, 2022 between the hours of 10:30 AM AND 6 PM. We are asking to do this in order to facilitate an antique car show and Live music. We hope this will continue to bring awareness and business to our downtown Historic Square area and the blossoming business that have opened in this beautiful city.

Thank you for consideration of this request.

Sincerely,

Sio's on the Square.

# BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

March 8, 2022

6:00 p.m.

City Council Chambers

## MINUTES

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Zach McLendon, Alan Davis, Lachanda Mackey, Valerie Stubbs, Kennan Adams

**MEMBERS ABSENT:** none

**OTHERS PRESENT:** Steve O'Neil, Phillip Santora, Tim Norris, Chandler Ray

### I. CALL TO ORDER

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

### II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Minutes from the February 8, 2022 meeting were presented to the Planning Commission. Commissioner Davis made a motion to approve the minutes, seconded by Commissioner Marshall and passed unanimously.

### III. NEW BUSINESS

**ITEM 1: VAR-2022-001: ITEM 1: VAR-2022-001:** Applicant Chandler Ray is requesting a variance from the rear and side setback requirements for accessory structures in an SR-3 zoning district from 10 ft to 5ft for a detached garage. The property (Parcel ID: 0069c053) is located at 1528 Richmond Lane and is approximately 0.5 acres.

Mr. Ray came forward to explain his request and need for the variance. He explained that he had tried to converse with his neighbor that would be most impacted however there was a language barrier due to the fact that he does not speak Spanish.

Steve O'Neil gave staff opinion and stated that he believed that the applicant met at least one of the required criteria to make the request approvable and stated that the planning commission may make a case for the applicant meeting more criteria.

With no more discussion, Chairman Flowers called for a motion.

Commissioner McLendon made a motion to approve the variance based on the applicants request meets the following requirement under Section 15.2.7(d) *"The requested variance will be in harmony with the purpose and intent of this zoning ordinance and will not be injurious to the neighborhood or to the general welfare."* Commissioner Mackey seconded the motion and the vote past unanimously for approval of the requested variance.

**ITEM 2: ZONE-22-001:** Applicant WCP III Rivertowne, LLC is requesting a zoning change from RR-1 to UR-9. The property (Parcel #B0420032) is approximately 90 acres located off of Hwy 97. The applicant is proposing a phased subdivision with approximately 204 homes on the property in question.

Phillip Santora of Northstar Engineering came forward representing the WCP III Rivertowne, LLC to explain the request for the rezoning for the 204 home, multiphase subdivision.

Mr. O'Neil gave his staff opinion and discussed the reasoning for the UR-9 zoning designation.

After further discussion of housing in general, Chairman Flowers asked for a motion. Commissioner Davis made a motion to recommend approving the rezoning, seconded by Commissioner Adams. The vote was unanimous.

**IV. Old Business:** none

**V. Adjournment:** There being no more business, the meeting was adjourned.

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Dr. Frank Flowers, Chairman

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

March 8th, 2022

6:00 p.m.

City Hall Council Chambers

- I. DETERMINATION OF A QUORUM
- II. CALL TO ORDER AND INVOCATION
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING
- IV. NEW BUSINESS:

**ITEM 1: VAR-2022-001:** Applicant Chandler Ray is requesting a variance from the rear and side setback requirements for accessory structures in an SR-3 zoning district from 10 ft to 5ft for a detached garage. The property (Parcel ID: 0069c053) is located at 1528 Richmond Lane and is approximately 0.5 acres.

**ITEM 2: ZONE-22-001:** Applicant WCP III Rivertowne, LLC is requesting a zoning change from RR-1 to UR-9. The property (Parcel #B0420032) is approximately 90 acres located off of Hwy 97. The applicant is proposing a phased subdivision with approximately 204 homes on the property in question.

- V. OLD BUSINESS:
- VI. ADJOURNMENT

101 South Broad Street | Bainbridge, Georgia 39817  
P.O. Box 158 | Bainbridge, Georgia 39818  
(P) 22.248.2000 | (F) 22.246.7311 | [www.bainbridgecity.com](http://www.bainbridgecity.com)

**BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION**

**February 8, 2022**

**6:00 p.m.**

**City Council Chambers**

**MINUTES**

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Zach McLendon, Alan Davis, Lachanda Mackey

**MEMBERS ABSENT:** Valerie Stubbs, Kennan Adams

**OTHERS PRESENT:** Steve O'Neil, Rachel Trolinger, Edith Miller, Guillermoi Sanchez, America Lenza

**I. CALL TO ORDER**

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

**II. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Minutes from the January 11, 2022 meeting were presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Davis and passed unanimously.

**III. NEW BUSINESS**

**ITEM 1: CU-2022-001:** Applicants Guillermo Sanchez and America Lenza (Sanchez Lenza LLC) are requesting a conditional use for a Short Term Rental in a UR-6 zone. The property (Parcel ID: B0510039) is located at 1101 Tallahassee Road and is 0.71 acres.

Ms. Lenza came forward and spoke on the request for approval of a conditional use for a Short-Term Rental in a UR-6 zone. Ms. Lenza stated that they were from Miami and were relocated to Bainbridge for Taurus. They bought the house 3 years ago but decided to move back to Miami. Ms. Lenza explained to the commission that her husband would be coming to Bainbridge 10 days out of each month to stay in the house but they would like to rent it out as an Airbnb the remaining days of each month to help pay on the mortgage. Chairman Flowers asked her if she had a population that she was targeting and she stated that she was targeting families with children and pets.

Steve O'Neil gave staff opinion. Mr. O'Neil stated that there is a great market for Airbnbs in this area.

With no more discussion, Chairman Flowers called for a motion.

Commissioner McLendon made a motion to conditional use for a Short-Term Rental in a UR-6 zone. Commissioner Marshall seconded the motion, and the vote was passed unanimously.

- IV. **Old Business:** The Avenue C Overlay District draft was discussed and reviewed to make sure it is acceptable when it is presented to City Council.

Commissioner Marshall made a motion to accept the Avenue C Overlay draft to be presented to City Council, Commissioner McLendon seconded the motion, and the vote was passed unanimously.

- V. **Adjournment:** There being no more business, the meeting was adjourned.

---

Dr. Frank Flowers, Chairman

City of  
**BAINBRIDGE**  
GEORGIA

P.O. Box 158  
Bainbridge, Ga. 39818

www.bainbridgecity.com

Phone: 229-248-2000  
Fax: 229-246-7311

APPLICATION #: \_\_\_\_\_

FEE: \$100.00

**VARIANCE REQUEST APPLICATION**

**NOTICE:** State Law O.C.G.A. 36-66-4 requires, "a local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action at least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation, within the territorial boundaries of the local government, a notice of hearing."

Said notice shall state the time, place, and purpose of the hearing; therefore, applicants must submit their complete application, an application complying with the procedural requirements of the city's zoning ordinance and found to be complete with regard to application materials, payment of fees, supportive material and any other application requirements specified prior to the newspaper public notice advertising deadline date needed to fulfill the requirements of O.C.G.A. 36-66-4. The zoning administrator and/or his representative shall have at least 10 days prior to the advertising deadline date to determine whether an application is complete and eligible for advertisement. Applications submitted less than 10 days prior to the advertising deadline date are not guaranteed to be reviewed or included in the required advertising. Such applications shall be held until the next application cycle.

**APPLICATION INFORMATION**

APPLICANT(S): Chandler Ray  
ADDRESS: 1528 Richmond Lane Bainbridge GA 39817  
PHONE(S): 229 894 3946

**PROPERTY INFORMATION**

PROPERTY OWNER(S): Chandler + Jennifer Ray  
ADDRESS: 1528 Richmond Lane Bainbridge GA 39817  
PHONE(S): 229 894 3946  
LOCATION OF SUBJECT PROPERTY: 1528 Richmond Lane Bainbridge GA 39817

**PROPERTY INFORMATION (continued)**

TAX MAP: Bainbridge      PARCEL: 0069C053      SIZE (ACRES): \_\_\_\_\_

ZONING DESIGNATION OF SUBJECT PROPERTY: Residential

---

**SETBACK REQUIREMENTS:**

FRONT: \_\_\_\_\_      REAR: \_\_\_\_\_

SIDE: \_\_\_\_\_      LOT AREA: \_\_\_\_\_

MINIMUM LOT WIDTH: \_\_\_\_\_

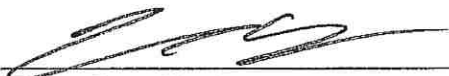
DESCRIBE REQUESTED VARIANCE (BRIEF): This request is concerning a 20'x31' detached garage that is currently in the planning stages. The use of the garage is to provide storage for a boat that will require backing in from the street. Without an approved variance, backing the trailer around the house from the street will be much more difficult. In addition to the practical use of the subject garage, the placement, with approved variance, will have better curb appeal than a garage that is partially behind the residence. The proposed variance is to allow the garage to be constructed 5' from the northern and eastern property borders.

**ADDITIONAL REQUIREMENTS**

All applications for a variance shall be made as required by the zoning administrator and shall at minimum contain the following information:

- a. Application fee.
- b. Application form furnished by the zoning administrator, which at minimum shall describe the requested variance and zoning district in which the subject property is located.
- c. Survey plat of the property showing all property lines with metes and bounds and dimensions.
- d. Site plan of the subject property at an appropriate engineering scale showing the proposed use and relevant information regarding the proposed variance.
- e. Site analysis and topographic map, at an appropriate scale, including information on significant man-made and natural features and features to be retained, moved or altered.
- f. Written analysis of how the proposed development compares favorably with the criteria for granting variances as established in this chapter.
- g. Other information as may be required by the zoning administrator

Where in the opinion of the zoning administrator the requested variance involves a minor change, the zoning administrator may vary or waive any of the Information requirements of this section for variance applications.

 Property Owner Signature	<u>Chandler Ray</u> Application Submitted By:
<u>2-8-22</u> Date	<u>2-8-22</u> Date

<b><u>DEPARTMENT USE ONLY</u></b>	
SUBMITTAL DATE: _____	DATE CERTIFIED COMPLETE: _____
Department Representative Signature: _____	


**CONFLICT OF INTEREST IN ZONING DECISIONS~**

**CAMPAIGN CONTRIBUTIONS**

36-67A-3.

- a. When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b. The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c. When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the Respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d. The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

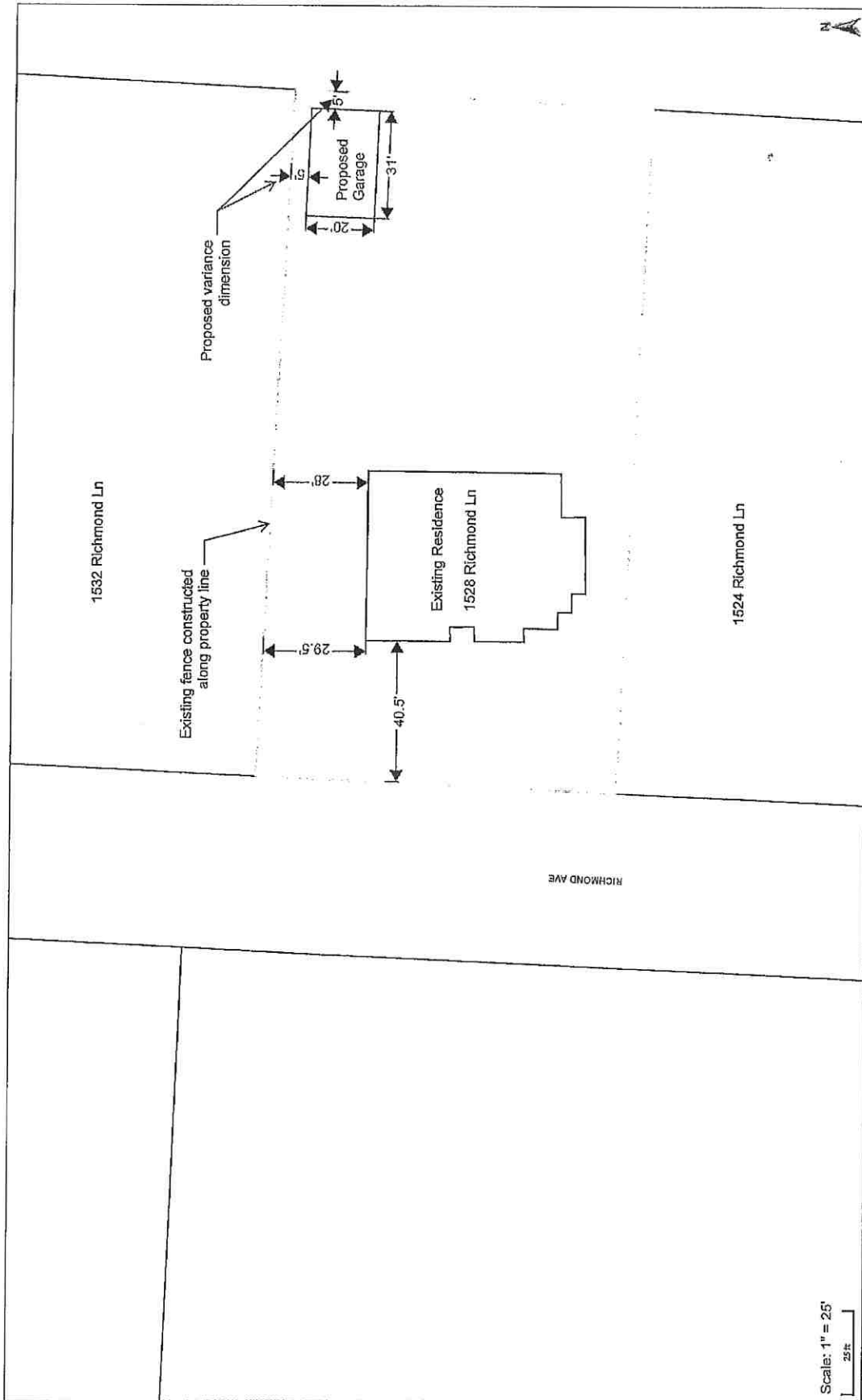
**I CERTIFY THAT ALL STATEMENTS FURNISHED IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AM AWARE OF THE PROVISIONS CONTAINED IN O.C.G.A. 36-67A-3.**

Property Owner(s) Signature: 

**PUBLIC HEARING DATE**

DATE OF PLANNING COMMISSION MEETING: \_\_\_\_\_ @ 6:00p.m.

*Planning Commission meetings are held at 6:00 p.m. at City Hall in the City Council Chambers located upstairs.*



# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### Staff Analysis

**DATE:** March 2, 2022

**TO:** Bainbridge-Decatur County Planning Commission

**FROM:** Steve O'Neil, Planning Director

**SUBJECT:** VAR-2022-001

**APPLICANT:** Chandler Ray

**REQUEST:** The applicant wishes to reduce the side and rear setbacks on his property at 1528 Richmond Lane from 10 ft to 5 ft so he can place Carolina Carport type building in a position that makes it easier to back his boat under the structure.

Variance Request #1: Table 6.2 Dimensional Requirements for Residential Zoning Districts: *In an SR-3 zoning district the side and rear setbacks for accessory structures are 10 feet. Mr. Ray is proposing to reduce that by half.*

#### Criteria for Approval of Variances (Sec. 15.2.7)

Any applicant requesting consideration of a variance to any provision of this zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. **The planning commission shall not approve the variance application unless it shall have adopted findings that one or more of the following conditions exist.**

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.
- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.
- (d) The requested variance will be in harmony with the purpose and intent of this zoning ordinance and will not be injurious to the neighborhood or to the general welfare.
- (e) The special circumstances are not the result of the actions of the applicant.
- (f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.
- (g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

101 South Broad Street | Bainbridge, Georgia 39817  
P.O. Box 158 | Bainbridge, Georgia 39818  
(P) 22.248.2000 | (F) 22.246.7311 | [www.bainbridgecity.com](http://www.bainbridgecity.com)

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### Staff Opinion:

The Planning Commission needs to find that at least one of the above criteria have been met in order to make a finding on the requested variance. Staff opinion is that the applicants request meets the criteria list in (d) which reads as follows:

**“The requested variance will be in harmony with the purpose and intent of this zoning ordinance and will not be injurious to the neighborhood or to the general welfare.”**

The Planning Commission may feel that the requested variance meets more than just letter (d). If the Planning Commission chooses to approve the request, the decision is the final decision and the City Council will not hear the case. If the Planning Commission were to deny the request for a variance, the applicant could choose to appeal the decision of the Planning Commission to the City Council.



P.O. Box 158  
Bainbridge, Ga. 39818

www.bainbridgecity.com

Phone: 229-248-2000  
Fax: 229-246-7311

APPLICATION #: ZONE-22-001

FEE: \$100.00

## ZONING CHANGE APPLICATION

WE, the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Map of the City of Bainbridge as hereinafter requested. In support of this application the following facts are submitted:

APPLICANT(S): WCP III Rivertowne, LLC

ADDRESS: 229 E Jefferson St, Thomasville, GA 31792

PHONE NUMBER(S): 229-977-3335

NOTICE: State Law O.C.G.A. 36-66-4 requires, "a local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action at least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation, within the territorial boundaries of the local government, a notice of hearing."

Said notice shall state the time, place, and purpose of the hearing; therefore, applicants must submit then **complete** application, an application complying with the procedural requirements of the city's zoning ordinance and found to be complete with regard to application materials, payment of fees, supportive material and any other application requirements specified prior to the newspaper public notice advertising deadline date needed to fulfill the requirements of O.C.G.A. 36-66-4. The zoning administrator and/or his representative shall have at least 10 days prior to the advertising deadline date to determine whether an application is complete and eligible for advertisement. Applications submitted less than 10 days prior to the advertising deadline date are not guaranteed to be reviewed or included in the required advertising. Such applications shall be held until the next application cycle.

### INFORMATION ON PROPERTY DESIRED TO BE ZONED:

STREET ADDRESS: West side of State Route 97 (Faceville Hwy); located just south of intersection of Old Quincy Road & State Route 97

TAX MAP PAGE: 7904

PARCEL: B0420032

SUBDIVISION (IF APPLICABLE): NA

FRONTAGE: S.R. 97: +/-980 ft  
Cox Ave: +/-1045 ft

DEPTH: North Property Line: 2,090 ft  
Max. Depth: 2,363 ft

ACRES: +/-90.16 ac.

PRESENT ZONING OF PROPERTY: RR-1  
PRESENT USE OF PROPERTY: Vacant  
PROPOSED ZONING OF PROPERTY: UR-9  
PROPOSED USE OF PROPERTY: Residential Subdivision

**ZONING CHANGE REQUIREMENTS:**

Zoning change applications *must* include the following:

- 1. APPLICATIONS REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.1) ..... Page 5
- 2. PLAN REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.2) ..... Page 5
- 3. ANALYSIS REQUIREMENTS (Forms provided on page 3)  
(ZONING ORDINANCE TABLE 14.2.3) ..... Page 6

**OWNERSHIP INFORMATION:**

THE FOLLOWING ARE ALL OF THE PERSONS, FIRMS, OR CORPORATIONS OWNING PROPERTY INCLUDED WITHIN THE AREA DESIRED FOR ZONING CHANGE:

<u>NAME:</u>	<u>MAILING ADDRESS:</u>
Jon Wayne Properties, LLC	1609 E. Shotwell St. Bainbridge, GA 39819

**TIME SCHEDULE FOR DEVELOPMENT:**

Begin construction as soon as rezoning, preliminary plat, construction plans, etc. are approved by the City of Bainbridge.

<b><u>DEPARTMENT USE ONLY</u></b>	
SUBMITTAL DATE: _____	DATE CERTIFIED COMPLETE: _____
Department Representative Signature: _____	

# ZONING CHANGE APPLICATION

## TABLE 14.2.3 - ANALYSIS REQUIREMENTS

1. Existing zoning of property contiguous with or located within 100 feet of subject property:  
RR-1, INS, HC, UR-6

---

2. Does the proposed zoning change request permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)?  Yes  No  
Explain: There are other residential developments near this property.

---

3. Will the proposed zone change result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools?  Yes  No  
Explain: The existing roads, utilities, etc. appear to be adequate to serve this development.

---

4. Is the proposed zoning change in conformity with the policy and intent of the comprehensive plan\* including use element?  Yes  No
5. Are there other existing or changing conditions affecting the use and development of property which give supporting grounds for either approval or disapproval of the proposal?  Yes  No
6. Length of time the property has been vacant or unused as currently zoned? This property has always been vacant

---

7. Does the property to be affected by the proposed conditional use have a reasonable economic use as currently zoned?  Yes  No
8. Description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district classification: The existing zoning of RR-1 is not an appropriate zoning for this type of development.

---

9. Does the proposed zoning change create a possible isolated zoning district unrelated to adjacent and nearby districts?  Yes  No

\*A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the City Hall map room and on the city's website at [www.bainbridgecit.com](http://www.bainbridgecit.com).

**CONFLICT OF INTEREST IN ZONING DECISIONS**  
**CAMPAIGN CONTRIBUTIONS**

36-67A-3.

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the Respective local government showing:  
The name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

**I CERTIFY THAT ALL STATEMENTS FURNISHED IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AM AWARE OF THE PROVISIONS CONTAINED IN O.C.G.A. 36-67A-3.**

Property Owner(s) Signature: \_\_\_\_\_

**PUBLIC HEARING DATES**

DATE OF PLANNING COMMISSION MEETING: \_\_\_\_\_ @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: \_\_\_\_\_ @ 6:30 p.m.

*Planning Commission meetings are held at 6:00 p.m. at City Hall in the City Council Chambers located upstairs.  
City Council meetings are held at 6:30 p.m. at City Hall in the City Council Chambers located upstairs.*

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Application Requirement</b>	<b>Amendment to Official Zoning Map</b>
Application fee as established by resolution	Required - \$100.00
Application form furnished by the zoning administrator, including the applicant's signature and the property owner's signature	Required <i>CONDITIONAL USE APPLICATION</i>
Legal description of the property	Required
A survey plat of the property prepared by a registered land surveyor or, if the property is recorded on an existing plat in the land records of Decatur County, a copy of the correct county tax map found in the current tax mapping system of the county	Required
Letter of intent describing the proposed use of the property and/or other action requested	Required
Site plan of the property at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements (see Section 14.2.8, "Plan Requirements")	Required
Description of efforts of any special conditions voluntarily made a part of the request	Required
Other information required by the zoning administrator	Maybe

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Site Plan Requirement</b>	<b>Amendment to Official Zoning Map</b>
Footprints of existing and proposed buildings and structures	Required
Dimensions and locations of parking areas including internal circulation and driveway approaches	Required
Tree protection survey (if applicable)	Maybe
Dimensions and general location of any landscaping and/or buffers (if applicable)	Required
Preliminary drainage plans (if applicable)	Required
Method of water supply and sewage disposal if not available on-site (if applicable)	Required
Dimensional requirements by zoning district	Required
Specific use provisions (if applicable)	Required
General dimensional provisions (if applicable)	Required
General development requirements (if applicable)	Required
Application requirements (if applicable)	Required
Other Information as required by the Zoning Administrator	Maybe

**TABLE 14.2.3  
ANALYSIS REQUIREMENTS**

Criteria Required to be Analyzed by Applicant and Review Bodies	Application to Amend the Official Zoning Map
1. Existing use(s) and zoning of subject property	Required
2. Existing zoning of nearby property	Required
3. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)	Maybe
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools	Required
5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element ***	Required
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal	Required
7. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned	Required

\*\*\* A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the map room at City Hall.

**CONFLICT OF INTEREST IN ZONING DECISIONS**  
**CAMPAIGN CONTRIBUTIONS**

36-67A-3.

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.


(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the Respective local government showing:

The name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

**I CERTIFY THAT ALL STATEMENTS FURNISHED IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AM AWARE OF THE PROVISIONS CONTAINED IN O.C.G.A. 36-67A-3.**



Property Owner(s) Signature: \_\_\_\_\_

**PUBLIC HEARING DATES**

DATE OF PLANNING COMMISSION MEETING: \_\_\_\_\_ @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: \_\_\_\_\_ @ 6:30 p.m.

*Planning Commission meetings are held at 6:00 p.m. at City Hall in the City Council Chambers located upstairs.  
City Council meetings are held at 6:30 p.m. at City Hall in the City Council Chambers located upstairs.*

LEGAL DESCRIPTION:

COMMENCING at the Northeast corner of Tract 2 of the Kenneth Newberry Plat as found recorded in the Office of the Clerk of the Superior Court of Decatur County, Georgia, in Plat Cabinet B, Slide 161, Page 10 and being on the West right of way (R/W) of State Route 97 (100' R/W) as marked by an existing concrete monument (ECM) (4"x4"); thence along said West R/W bearing N 31°21'21" E a distance of 692.36 FT to an ECM (4"x4") and being the POINT OF BEGINNING (P.O.B.); thence depart said West R/W bearing S 86°38'15" W a distance of 2875.20 FT to an ECM (6"x6", USCE); thence N 37°12'52" E a distance of 2660.74 FT to the East R/W of Cox Avenue (40' R/W) as marked by an existing iron pin (EIP) (HLSNC GA2033); thence depart said East R/W bearing S 57°47'47" E a distance of 2089.80 FT to said West R/W as marked by an EIP (HLSNC GA2033); thence along said West R/W bearing S 31°13'50" W a distance of 978.39 FT to the P.O.B. Said parcel being located in the City of Bainbridge in Land Lots 322 and 319 of District 20 of Decatur County, Georgia, and containing 90.16 acres, more or less.

ABBF  
E---  
EIP--  
FB---  
FT---  
N---  
PG---  
P.O.E  
P.O.C  
R/W--  
S---  
W---  
."  
"---

# A REZONING REQUEST FOR

## WCP III RIVERTOWNE, LLC

LOCATED IN LAND LOTS #219 & #220 OF DISTRICT 20 OF  
DECATUR COUNTY, GEORGIA, AND CONTAINING 90.16± ACRES

CURRENT ZONING: RR-1  
PROPOSED ZONING: UR-9

FEBRUARY 7, 2022

### OWNER

JON WAYNE PROPERTIES LLC  
1609 EAST SHOTWELL STREET  
BAINBRIDGE, GA 39819

### DEVELOPER

WCP III RIVERTOWNE, LLC  
229 EAST JEFFERSON STREET  
THOMASVILLE, GA 31792

PROPOSED BUILDING SETBACKS: UR-9  
FRONT YARD: 10 FT  
SIDE YARD: 5 FT  
REAR YARD: 10 FT  
MINIMUM LOT WIDTH AT BUILDING LINE: N/A  
MAXIMUM BUILDING AREA: 40 %  
MAXIMUM BUILDING HEIGHT (FEET/STORIES): 35 FT/ 3 STORIES



# Developments of Regional Impact

[DRI Home](#)[DRI Rules](#)[Thresholds](#)[Tier Map](#)[FAQ](#)[Apply](#)[View Submissions](#)[Login](#)

## DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the Rules for the DRI Process and the DRI Tiers and Thresholds for more information.

### Local Government Information

Submitting Local Government: \_\_\_\_\_

Individual completing form: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

### Project Information

Name of Proposed Project: Rivertowne Subdivision

DRI ID Number: \_\_\_\_\_

Developer/Applicant: WCP III Rivertowne, LLC, Thomasville, GA 31792

Telephone: 229-977-3335

Email(s): jbwinderost@roso.net

### Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)  (not selected)  Yes  No

If yes, has that additional information been provided to your RDC and, if applicable, GRTA?  (not selected)  Yes  No

If no, the official review process can not start until this additional information is provided.

### Economic Development

Estimated Value at Build-Out: \$14,000,000

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development: \_\_\_\_\_

Is the regional work force sufficient to fill the demand created by the proposed project?  (not selected)  Yes  No

Will this development displace any existing uses?  (not selected)  Yes  No

If yes, please describe (including number of units, square feet, etc):

### Water Supply

Name of water supply provider for this site:

What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)?

Is sufficient water supply capacity available to serve the proposed project?  (not selected)  Yes  No

If no, describe any plans to expand the existing water supply capacity:

Is a water line extension required to serve this project?  (not selected)  Yes  No

If yes, how much additional line (in miles) will be required?

### Wastewater Disposal

Name of wastewater treatment provider for this site:

What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)?

Is sufficient wastewater treatment capacity available to serve this proposed project?  (not selected)  Yes  No

If no, describe any plans to expand existing wastewater treatment capacity:

Is a sewer line extension required to serve this project?  (not selected)  Yes  No

If yes, how much additional line (in miles) will be required?

### Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day? (If only an alternative measure of volume is available, please provide.)

Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project?  (not selected)  Yes  No

Are transportation improvements needed to serve this project?  (not selected)  Yes  No

If yes, please describe below:

### Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)?

2147 tons/year

Is sufficient landfill capacity available to serve this proposed project?

(not selected)  Yes  No

If no, describe any plans to expand existing landfill capacity:

Will any hazardous waste be generated by the development?

(not selected)  Yes  No

If yes, please explain:

### Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?

25%

Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management:

Detention or retention ponds will be constructed to mitigate the increase in stormwater.

### Environmental Quality

Is the development located within, or likely to affect any of the following:

1. Water supply watersheds?  (not selected)  Yes  No
2. Significant groundwater recharge areas?  (not selected)  Yes  No
3. Wetlands?  (not selected)  Yes  No
4. Protected mountains?  (not selected)  Yes  No
5. Protected river corridors?  (not selected)  Yes  No
6. Floodplains?  (not selected)  Yes  No
7. Historic resources?  (not selected)  Yes  No
8. Other environmentally sensitive resources?  (not selected)  Yes  No

If you answered yes to any question above, describe how the identified resource(s) may be affected:

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# Developments of Regional Impact

[DRI Home](#)

[DRI Rules](#)

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[Tier Map](#)

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## DEVELOPMENT OF REGIONAL IMPACT Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

### Local Government Information

Submitting Local Government:

Individual completing form:

Telephone:

E-mail:

\*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

### Proposed Project Information

Name of Proposed Project:

Rivertowne Subdivision

Location (Street Address, GPS Coordinates, or Legal Land Lot Description):

30D53'03.83" N, 84D35'55.89" W

Brief Description of Project:

residential subdivision development

### Development Type:

(not selected)

Office

Commercial

Wholesale & Distribution

Hospitals and Health Care Facilities

Housing

Industrial

Hotels

Mixed Use

Airports

Attractions & Recreational Facilities

Post-Secondary Schools

Waste Handling Facilities

Quarries, Asphalt & Cement Plants

Wastewater Treatment Facilities

Petroleum Storage Facilities

Water Supply Intakes/Reservoirs

Intermodal Terminals

Truck Stops

Any other development types

If other development type, describe:

Project Size (# of units, floor area, etc.):

Developer:

Mailing Address:

Address 2:

City:  State:  Zip:

Telephone:

Email:

Is property owner different from developer/applicant?  (not selected)  Yes  No

If yes, property owner:

Is the proposed project entirely located within your local government's jurisdiction?  (not selected)  Yes  No

If no, in what additional jurisdictions is the project located?

Is the current proposal a continuation or expansion of a previous DRI?  (not selected)  Yes  No

If yes, provide the following information:

Project Name:

Project ID:

The initial action being requested of the local government for this project:

Rezoning

Variance

Connect Sewer

Connect Water

Permit

Other

Is this project a phase or part of a larger overall project?  (not selected)  Yes  No

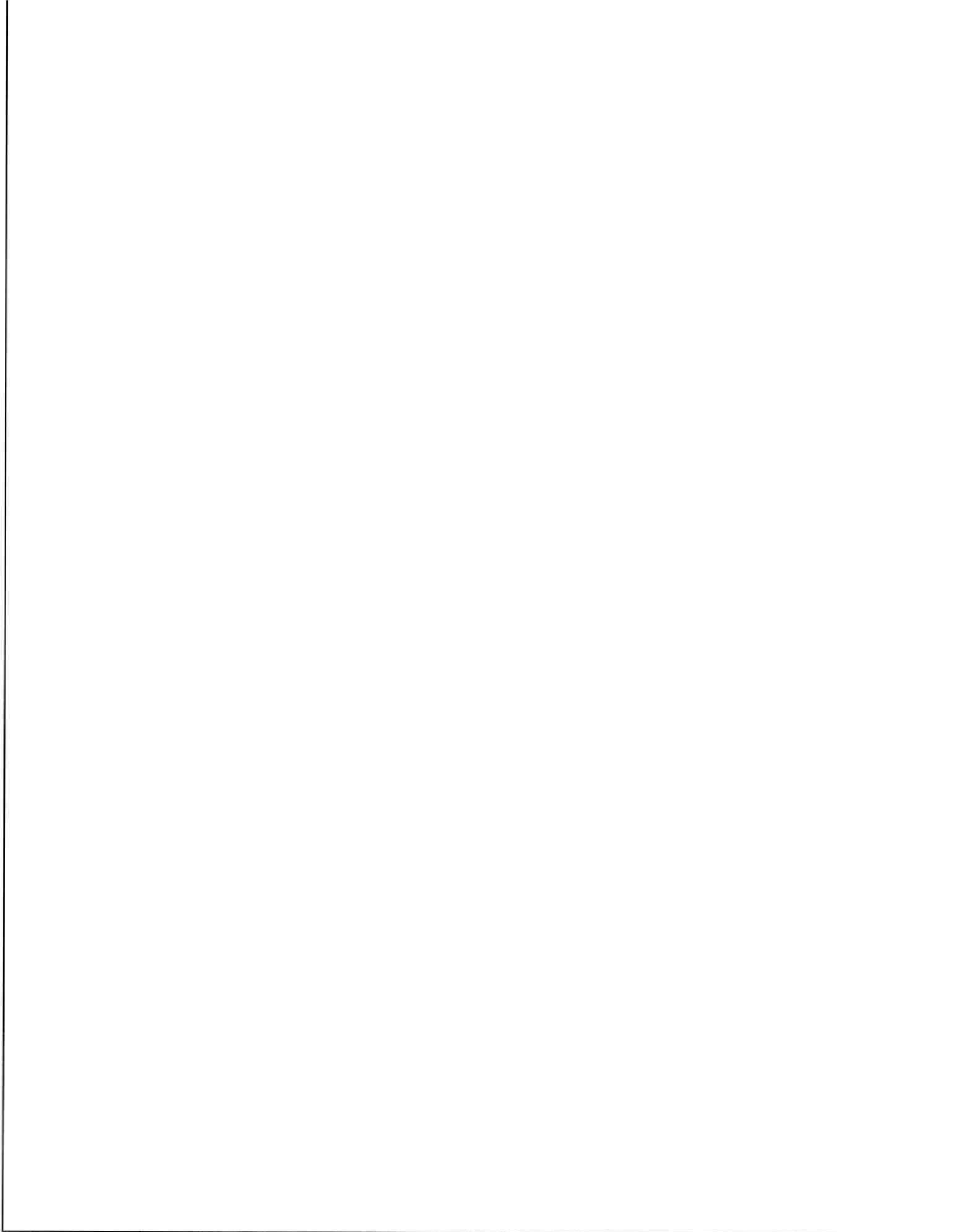
If yes, what percent of the overall project does this project/phase represent?

Estimated Project Completion Dates:

This project/phase:

Overall project:

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# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

arise, in this instance tremendous pressure in residential and commercial development and the market pressure for smaller lot residential development.

**6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal:** The area is beginning to develop as the pressure has increased for different types of residential development. There is a multifamily development proposed to the north of the proposed rezoning.

**7. Length of time the property has been vacant or unused as currently zoned:** Unknown.

**8. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned:** The property has reasonable economic return as currently zoned.

**9. Description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district classification:** Unknown

**10. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts:** No.

**RECOMMENDATION:** The proposed location for the Rivertowne Subdivision is an acceptable location given the surrounding uses and the transportation network that the major ingress and egress points will have access to on the Hwy 97 corridor. Preliminary indications of the Housing Market Study commissioned by the City of Bainbridge with assistance from our consultant (Mosaic Community Planning) indicate that the City of Bainbridge's level of workforce house is below appropriate levels. According to the preliminary housing report, 31.1% of the housing in the City of Bainbridge was built prior to 1960.

Based on the information provided, City staff recommends approval of the request to rezone parcel B0420032 to Urban Residential 9 for phases 1-3 of the proposed Rivertowne Subdivision. Urban Residential 9 (UR-9) is most appropriate zoning district based on the proposed lot sizes which average 6,000 square feet. The minimum lot size required in the UR-9 district is 5,000 square feet.



Carter & Sloope  
CONSULTING ENGINEERS

March 10, 2022

Mr. Chris Hobby  
City of Bainbridge  
101 South Broad Street  
Bainbridge, GA 39818

Re: City of Bainbridge, Georgia  
Proposed Gas Main Improvements to Serve Proposed Industrial Park  
C&S Project No.: B0095.016

Mr. Hobby,

As you are aware, bids were received and opened for the City's Proposed Gas Main Improvements to Serve Proposed Industrial Park project at 1:00 P.M. on Thursday, March 3, 2022. A total of three bids were received and read aloud. Southeast Connections, LLC, with a total base bid of \$3,785,575.88, was determined to be the low bidder. A copy of the Bid Tabulation with all bids is enclosed for the City's records.

Carter & Sloope, Inc. has not previously worked with Southeast Connections, LLC. To determine their ability to construct and complete the project, references were contacted. The references considered Southeast Connections, LLC qualified and capable of completing the proposed work as prescribed. Therefore, we recommend that you proceed with the execution of the enclosed Notice of Award to Southeast Connections, LLC.

Enclosed are three copies of the Notice of Award for signature. Please have the Notice of Award signed where indicated, do not date, and return all three copies to our Moultrie office. Other contract documents will be forthcoming in the following weeks. Once contract documents have been executed, we will schedule a preconstruction meeting and set a Notice to Proceed on the above referenced project.

If you should have any questions, feel free to give me a call at (229) 668-0663.

Sincerely,  
CARTER & SLOOPE, INC.

Charlie Tucker, P.E.

Encl: Bid Tabulation (1 copy)  
Notice of Award (3 copies)

Cc: Kyle Ormsby, Southeast Connections, LLC (w/Bid Tab)  
File (w/encl.)

BID TABULATION FOR ALL BIDS  
 RECEIVED AT CITY OF BAINBRIDGE PURCHASING OFFICE  
 ON THURSDAY, MARCH 3, 2022  
 PROJECT: PROPOSED GAS MAIN IMPROVEMENTS TO SERVE PROPOSED INDUSTRIAL PARK  
 C&S PROJECT NO.: B0095.016

	Southeast Connections, LLC, 1231 Carriage Ridge Rd. Greensboro, GA 30642	Equix Energy Services, LLC, 32410 Blue Star Hwy Midway, FL 32343	Cleary Construction, Inc. 2006 Edmonton Rd. Tompkinsville, KY 42167
--	--	--	---

Item No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	8.625" O.D., .219" W.T., F.B.E., Coated, ERW X52 Steel Line Pipe	26,000	LF	\$ 110.00	\$ 2,860,000.00	\$ 106.00	\$ 2,756,000.00	\$ 171.00	\$ 4,446,000.00
2	8" ANSI Class 300 Steel Sch 40 Weld x Weld Ball Valve w/ Valve Box	16	EA	\$ 15,500.00	\$ 248,000.00	\$ 18,000.00	\$ 288,000.00	\$ 28,500.00	\$ 456,000.00
3	Connect to Rectifier	1	EA	\$ 13,766.71	\$ 13,766.71	\$ 15,000.00	\$ 15,000.00	\$ 9,000.00	\$ 9,000.00
4	Cathodic Protection Bond/Test Stations	12	EA	\$ 4,635.01	\$ 55,620.12	\$ 500.00	\$ 6,000.00	\$ 6,000.00	\$ 72,000.00
5	8.625" O.D., .219" W.T. Steel Pipe Tie-In to existing 6" .188" W.T. Steel Pipe Per Detail (includes saddle, 8" Fx F Ball Valve and insulating joint)	1	EA	\$ 42,940.62	\$ 42,940.62	\$ 50,000.00	\$ 50,000.00	\$ 49,000.00	\$ 49,000.00
6	Abandonment of Existing Meter at Station 64+00 Per Detail	1	EA	\$ 24,020.19	\$ 24,020.19	\$ 25,000.00	\$ 25,000.00	\$ 41,000.00	\$ 41,000.00
7	Fabrication and Installation of New Meter Set Per Design Drawing	1	EA	\$ 136,378.24	\$ 136,378.24	\$ 183,500.00	\$ 183,500.00	\$ 148,000.00	\$ 148,000.00
8	12.75" O.D., .250" W.T. Dual FBE Coated Casing Pipe including Casing Spacers, Casing Seals and Anodes Per Design Drawings	1,300	LF	\$ 280.00	\$ 364,000.00	\$ 350.00	\$ 455,000.00	\$ 535.00	\$ 695,500.00
9	Rock bore addition to Item 1 above	50	LF	\$ 250.00	\$ 12,500.00	\$ 250.00	\$ 12,500.00	\$ 250.00	\$ 12,500.00
10	Rock bore addition to Item 8 above	50	LF	\$ 300.00	\$ 15,000.00	\$ 300.00	\$ 15,000.00	\$ 300.00	\$ 15,000.00
11	Squeegie/Pad Material	100	LF	\$ 5.00	\$ 500.00	\$ 5.00	\$ 500.00	\$ 5.00	\$ 500.00
12	Hard Surface Haul-off	100	SF	\$ 4.00	\$ 400.00	\$ 4.00	\$ 400.00	\$ 4.00	\$ 400.00
13	Type C Silt Fence	2,600	LF	\$ 3.00	\$ 7,800.00	\$ 3.00	\$ 7,800.00	\$ 3.00	\$ 7,800.00
14	Hay Bales (staked)	50	EA	\$ 10.00	\$ 500.00	\$ 10.00	\$ 500.00	\$ 10.00	\$ 500.00
15	Tree Protection and Buffer Delineation Orange Fencing	50	LF	\$ 3.00	\$ 150.00	\$ 3.00	\$ 150.00	\$ 3.00	\$ 150.00
16	Per foot of Extra Depth where required	50	LF	\$ 10.00	\$ 500.00	\$ 10.00	\$ 500.00	\$ 10.00	\$ 500.00
17	Solid Rock Excavation	10	CY	\$ 200.00	\$ 2,000.00	\$ 200.00	\$ 2,000.00	\$ 200.00	\$ 2,000.00
18	Asphalt/concrete replacement	100	SF	\$ 15.00	\$ 1,500.00	\$ 15.00	\$ 1,500.00	\$ 15.00	\$ 1,500.00
<b>TOTAL BASE BID</b>				\$	<b>3,785,575.88</b>	\$	<b>3,819,350.00</b>	\$	<b>5,957,350.00</b>

I hereby certify that this is a true and accurate Bid Tabulation of bids received Thursday, March 3rd, 2022.

*Charles Tucker*  
 Charles Tucker, P.E.

SECTION 00510

NOTICE OF AWARD

PROJECT DESCRIPTION:

**PROPOSED GAS MAIN IMPROVEMENTS TO SERVE PROPOSED INDUSTRIAL PARK**

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated **January 28, 2022** and Instruction to Bidders.

You are hereby notified that your BID has been accepted for items in the amount of **Three million, seven hundred eighty-five thousand, five hundred seventy-five and 88/100's Dollars (\$3,785,575.88)**.

You are required by the Instructions to Bidders to execute the Agreement and furnish the required CONTRACTOR's Performance BOND, Payment BOND and Certificates of Insurance with fifteen (15) calendar days from the date of the Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within fifteen (15) days from the date of this notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE of AWARD to the OWNER.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by:

**Southeast Connections, LLC** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_



Carter & Sloope  
CONSULTING ENGINEERS

March 10, 2022

Mr. Chris Hobby  
City of Bainbridge  
101 South Broad Street  
Bainbridge, GA 39818

Re: City of Bainbridge, Georgia  
Sanitary Sewer System Improvements  
C&S Project No.: B0095.019

Mr. Hobby,

As you are aware, bids were received and opened for the City's Sanitary Sewer System Improvements project at 1:00 P.M. on Thursday, March 3, 2022. A total of two bids were received and read aloud. Doyle Hancock and Sons Construction Company, Inc., with a total Base Bid B of \$8,777,926.00, was determined to be the low bidder. A copy of the Bid Tabulation with all bids is enclosed for the City's records.

Carter & Sloope, Inc. has worked with Doyle Hancock and Sons Construction Company, Inc. on past projects and it is our opinion that they are qualified to complete the proposed project in accordance with the plans and specifications and within the required contract time period. Therefore, we recommend the City proceed with the execution of the enclosed Notice of Award to Doyle Hancock and Sons Construction Company, Inc.

Enclosed are four copies of the Notice of Award for signature. Please have the Notice of Award signed where indicated, do not date, and return all four copies to our Moultrie office. Other contract documents will be forthcoming in the following weeks. Once contract documents have been executed, we will schedule a preconstruction meeting and set a Notice to Proceed on the above referenced project.

If you should have any questions, feel free to give me a call at (229) 668-0663.

Sincerely,  
CARTER & SLOOPE, INC.

Charlie Tucker, P.E.

Encl: Bid Tabulation (1 copy)  
Notice of Award (4 copies)

Cc: Andy Hancock, Doyle Hancock and Sons Construction Company, Inc. (w/Bid Tab)  
File (w/encl.)

BID TABULATION FOR ALL BIDS  
 RECEIVED AT CITY OF BAINBRIDGE PURCHASING OFFICE  
 ON THURSDAY, MARCH 3, 2022  
 PROJECT: SANITARY SEWER SYSTEM TO SERVE PROPOSED INDUSTRIAL PARK  
 C&S PROJECT NO.: B0095.019

Doyle Hancock & Sons  
 Construction, Inc.  
 4182 GA Hwy 33 S.  
 Doerun, GA 31744

Popco, Inc.  
 1705 Krug Street  
 Albany, GA 31705  
 P.O. Box 526 Sylvester, GA 31791

BASE BID A:

Item No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price
1	21" PVC Sanitary Sewer (10'-14' cut), PS115	121	LF	\$ 360.00	\$ 43,560.00	\$ 356.00	\$ 43,076.00
2	21" PVC Sanitary Sewer (14'-18' cut), PS115	657	LF	\$ 385.00	\$ 252,945.00	\$ 386.00	\$ 253,602.00
3	21" PVC Sanitary Sewer (18'-22' cut), PS115	1,105	LF	\$ 407.00	\$ 449,735.00	\$ 411.00	\$ 454,155.00
4	21" PVC Sanitary Sewer (22'-26' cut), PS115	1,110	LF	\$ 437.00	\$ 485,070.00	\$ 456.00	\$ 506,160.00
5	18" PVC Force Main, DR18	29,010	LF	\$ 145.50	\$ 4,220,955.00	\$ 179.00	\$ 5,192,790.00
6	10" PVC Force Main, DR18	683	LF	\$ 64.00	\$ 43,712.00	\$ 76.00	\$ 51,908.00
7	18" FPVC Force Main by Directional Drill, DR18	2,185	LF	\$ 412.00	\$ 900,220.00	\$ 425.00	\$ 928,625.00
8	30" Jack & Bore Steel Casing (railroad)	460	LF	\$ 925.00	\$ 425,500.00	\$ 937.00	\$ 431,020.00
9	24" Jack & Bore Steel Casing (non-railroad)	980	LF	\$ 660.00	\$ 646,800.00	\$ 820.00	\$ 803,600.00
10	Directional Drill of Flint River (18" FPVC, DR18)	1	LS	\$ 656,000.00	\$ 656,000.00	\$ 1,054,600.00	\$ 1,054,600.00
11	Standard Manhole Construction (5' diameter)	199	VF	\$ 750.00	\$ 149,250.00	\$ 1,882.00	\$ 374,518.00
12	Doghouse Manhole Construction (5' diameter)	18	VF	\$ 1,500.00	\$ 27,000.00	\$ 2,003.45	\$ 36,062.10
13	Standard Manhole Ring & Cover	11	EA	\$ 1,050.00	\$ 11,550.00	\$ 526.50	\$ 5,791.50
14	Air Release Valve Manhole (include 6' diameter doghouse manhole, stone bedding, cover, valves inside manhole, fittings, coating)	17	EA	\$ 19,500.00	\$ 331,500.00	\$ 10,748.15	\$ 182,718.55
15	18" Plug Valve	17	EA	\$ 13,700.00	\$ 232,900.00	\$ 12,316.00	\$ 209,372.00
16	10" Plug Valve	1	EA	\$ 7,000.00	\$ 7,000.00	\$ 6,086.00	\$ 6,086.00
17	DI Fittings	8,700	LBS	\$ 12.50	\$ 108,750.00	\$ 18.55	\$ 161,385.00
18	Manhole Markers	28	EA	\$ 125.00	\$ 3,500.00	\$ 90.00	\$ 2,520.00
19	Classified Excavation-Rock Removal	20	CY	\$ 65.00	\$ 1,300.00	\$ 65.00	\$ 1,300.00
20	Classified Excavation-Rock Removal Premium	20	CY	\$ 150.00	\$ 3,000.00	\$ 117.00	\$ 2,340.00
21	Trench Stabilization	50	TON	\$ 83.00	\$ 4,150.00	\$ 70.20	\$ 3,510.00
22	Class "A" Pavement Replacement	100	SY	\$ 100.00	\$ 10,000.00	\$ 93.60	\$ 9,360.00
23	Curb & Gutter Replacement	20	LF	\$ 40.00	\$ 800.00	\$ 117.00	\$ 2,340.00
24	Asphalt Driveway Replacement	30	SY	\$ 100.00	\$ 3,000.00	\$ 93.60	\$ 2,808.00
25	Gravel Driveway Replacement	250	SY	\$ 30.00	\$ 7,500.00	\$ 40.95	\$ 10,237.50
26	Silt Fence (SD1-NS)	3,330	LF	\$ 2.80	\$ 9,324.00	\$ 4.68	\$ 15,584.40
27	Check Dam Haybale (CD-HB)	8	EA	\$ 60.00	\$ 480.00	\$ 409.50	\$ 3,276.00
28	Grassing via Seeding	7.5	AC	\$ 3,200.00	\$ 24,000.00	\$ 2,106.00	\$ 15,795.00
29	Traffic Control	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 23,400.00	\$ 23,400.00
30	Clearing & Grubbing	1	LS	\$ 60,000.00	\$ 60,000.00	\$ 17,550.00	\$ 17,550.00
31	Dewatering	1	LS	\$ 40,000.00	\$ 40,000.00	\$ 35,100.00	\$ 35,100.00
32	Mobilization/Bonding	1	LS	\$ 308,000.00	\$ 308,000.00	\$ 645,000.00	\$ 645,000.00
33	Railroad Provisions Allowance	1	LS	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
34	Supplemental Work Addition	1	LS	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00
<b>TOTAL BASE BID</b>				<b>\$</b>	<b>9,787,501.00</b>	<b>\$</b>	<b>11,785,590.05</b>

I hereby certify that this is a true and accurate Bid Tabulation of bids received Thursday March 3rd, 2022.



Charles Tucker, P.E.

BID TABULATION FOR ALL BIDS  
 RECEIVED AT CITY OF BAINBRIDGE PURCHASING OFFICE  
 ON THURSDAY, MARCH 3, 2022  
 PROJECT: SANITARY SEWER SYSTEM TO SERVE PROPOSED INDUSTRIAL PARK  
 C&S PROJECT NO.: B0095.019

Doyle Hancock & Sons  
 Construction, Inc.  
 4182 GA Hwy 33 S.  
 Doerun, GA 31744

Popco, Inc.  
 1705 Krug Street  
 Albany, GA 31705  
 P.O. Box 526 Sylvester, GA 31791

BASE BID B:

Item No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price
1	21" PVC Sanitary Sewer (10'-14' cut), PS115	121	LF	\$ 360.00	\$ 43,560.00	\$ 356.00	\$ 43,076.00
2	21" PVC Sanitary Sewer (14'-18' cut), PS115	657	LF	\$ 385.00	\$ 252,945.00	\$ 386.00	\$ 253,602.00
3	21" PVC Sanitary Sewer (18'-22' cut), PS115	1,105	LF	\$ 407.00	\$ 449,735.00	\$ 411.00	\$ 454,155.00
4	21" PVC Sanitary Sewer (22'-26' cut), PS115	1,110	LF	\$ 437.00	\$ 485,070.00	\$ 456.00	\$ 506,160.00
5	16" PVC Force Main, DR18	29,010	LF	\$ 119.00	\$ 3,452,190.00	\$ 157.00	\$ 4,554,570.00
6	10" PVC Force Main, DR18	683	LF	\$ 64.00	\$ 43,712.00	\$ 76.00	\$ 51,908.00
7	16" FPVC Force Main by Directional Drill, DR18	2,185	LF	\$ 351.00	\$ 766,935.00	\$ 425.00	\$ 928,625.00
8	30" Jack & Bore Steel Casing (railroad)	460	LF	\$ 925.00	\$ 425,500.00	\$ 937.00	\$ 431,020.00
9	24" Jack & Bore Steel Casing (non-railroad)	980	LF	\$ 660.00	\$ 646,800.00	\$ 820.00	\$ 803,600.00
10	Directional Drill of Flint River (18" FPVC, DR18)	1	LS	\$ 656,000.00	\$ 656,000.00	\$ 1,054,600.00	\$ 1,054,600.00
11	Standard Manhole Construction (5' diameter)	199	VF	\$ 750.00	\$ 149,250.00	\$ 1,882.00	\$ 374,518.00
12	Doghouse Manhole Construction (5' diameter)	18	VF	\$ 1,500.00	\$ 27,000.00	\$ 2,003.45	\$ 36,062.10
13	Standard Manhole Ring & Cover	11	EA	\$ 1,050.00	\$ 11,550.00	\$ 526.50	\$ 5,791.50
14	Air Release Valve Manhole (include 6' diameter doghouse manhole, stone bedding, cover, valves inside manhole, fittings, coating)	17	EA	\$ 18,500.00	\$ 314,500.00	\$ 10,748.15	\$ 182,718.55
15	16" Plug Valve	17	EA	\$ 12,000.00	\$ 204,000.00	\$ 10,997.00	\$ 186,949.00
16	10" Plug Valve	1	EA	\$ 7,000.00	\$ 7,000.00	\$ 6,086.00	\$ 6,086.00
17	DI Fittings	5,770	LBS	\$ 12.50	\$ 72,125.00	\$ 25.00	\$ 144,250.00
18	Manhole Markers	28	EA	\$ 125.00	\$ 3,500.00	\$ 90.00	\$ 2,520.00
19	Classified Excavation-Rock Removal	20	CY	\$ 65.00	\$ 1,300.00	\$ 65.00	\$ 1,300.00
20	Classified Excavation-Rock Removal Premium	20	CY	\$ 150.00	\$ 3,000.00	\$ 117.00	\$ 2,340.00
21	Trench Stabilization	50	TON	\$ 83.00	\$ 4,150.00	\$ 70.20	\$ 3,510.00
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23	Curb & Gutter Replacement	20	LF	\$ 40.00	\$ 800.00	\$ 117.00	\$ 2,340.00
24	Asphalt Driveway Replacement	30	SY	\$ 100.00	\$ 3,000.00	\$ 93.60	\$ 2,808.00
25	Gravel Driveway Replacement	250	SY	\$ 30.00	\$ 7,500.00	\$ 40.95	\$ 10,237.50
26	Silt Fence (SD1-NS)	3,330	LF	\$ 2.80	\$ 9,324.00	\$ 4.68	\$ 15,584.40
27	Check Dam Haybale (CD-HB)	8	EA	\$ 60.00	\$ 480.00	\$ 409.50	\$ 3,276.00
28	Grassing via Seeding	7.5	AC	\$ 3,200.00	\$ 24,000.00	\$ 2,106.00	\$ 15,795.00
29	Traffic Control	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 23,400.00	\$ 23,400.00
30	Clearing & Grubbing	1	LS	\$ 60,000.00	\$ 60,000.00	\$ 17,550.00	\$ 17,550.00
31	Dewatering	1	LS	\$ 40,000.00	\$ 40,000.00	\$ 35,100.00	\$ 35,100.00
32	Mobilization/Bonding	1	LS	\$ 283,000.00	\$ 283,000.00	\$ 643,500.00	\$ 643,500.00
33	Railroad Provisions Allowance	1	LS	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
34	Supplemental Work Addition	1	LS	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00
<b>TOTAL BASE BID</b>				<b>\$</b>	<b>8,777,926.00</b>	<b>\$</b>	<b>11,106,312.05</b>

BID TABULATION FOR ALL BIDS  
 RECEIVED AT CITY OF BAINBRIDGE PURCHASING OFFICE  
 ON THURSDAY, MARCH 3, 2022  
 PROJECT: SANITARY SEWER SYSTEM TO SERVE PROPOSED INDUSTRIAL PARK  
 C&S PROJECT NO.: B0095.019

Doyle Hancock & Sons  
 Construction, Inc.  
 4182 GA Hwy 33 S.  
 Doerun, GA 31744

Popco, Inc.  
 1705 Krug Street  
 Albany, GA 31705  
 P.O. Box 526 Sylvester, GA 31791

ALTERNATE BID ITEMS

Item No.	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price
A1	24" HDPE Force Main, DR9	29,010	LF	\$ 222.00	\$ 6,440,220.00	\$ 206.00	\$ 5,976,060.00
A2	12" HDPE Force Main, DR9	683	LF	\$ 86.00	\$ 58,738.00	\$ 102.00	\$ 69,666.00
A3	24" HDPE Force Main by Directional Drill, DR9	2,185	LF	\$ 606.00	\$ 1,324,110.00	\$ 677.00	\$ 1,479,245.00
A4	In lieu of Jack & Bore, Directional Drill 24" FPVC Casing, DR18	980	LF	\$ 690.00	\$ 676,200.00	\$ 707.00	\$ 692,860.00
A5	Fiberglass Manhole Construction (5' diameter, include anti-flotation assuming groundwater at grade)	199	VF	\$ 1,500.00	\$ 298,500.00	\$ 3,905.00	\$ 777,095.00
A6	HDPE Lined Manhole (5' diameter)	199	VF	\$ 1,410.00	\$ 280,590.00	\$ 994.50	\$ 197,905.50
A7	Standard Manhole Construction w/ Spray-in Epoxy Coating (5' diameter)	199	VF	\$ 1,320.00	\$ 262,680.00	\$ 936.00	\$ 186,264.00
A8	Composite Manhole Cover & Frame	11	EA	\$ 2,000.00	\$ 22,000.00	\$ 2,106.00	\$ 23,166.00
A9	18" DIP Force Main, Class 350	29,010	LF	\$ 250.00	\$ 7,252,500.00	\$ 280.00	\$ 8,122,800.00
A10	16" DIP Force Main, Class 350	29,010	LF	\$ 208.00	\$ 6,034,080.00	\$ 245.00	\$ 7,107,450.00

SECTION 00510

NOTICE OF AWARD

PROJECT DESCRIPTION:

**SANITARY SEWER SYSTEM IMPROVEMENTS TO SERVE PROPOSED INDUSTRIAL PARK**

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated **January 28, 2022** and Instruction to Bidders.

You are hereby notified that your BID has been accepted for items in the amount of **Eight million, seven hundred seventy-seven thousand, nine hundred twenty-six Dollars (\$8,777,926.00)**.

You are required by the Instructions to Bidders to execute the Agreement and furnish the required CONTRACTOR's Performance BOND, Payment BOND and Certificates of Insurance with fifteen (15) calendar days from the date of the Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within fifteen (15) days from the date of this notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE of AWARD to the OWNER.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by:

**Doyle Hancock and Sons Construction Company, Inc.** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_

City of Bainbridge  
Sanitary Sewer System Improvements  
to Serve Proposed Industrial Park

C & S No.: B0095.019  
January 2022



BID TABULATION

March 09, 2022

FUEL TO BE PROVIDED FOR AUTOMATED FUEL DISPENSING/MANAGEMENT SYSTEM FOR CITY VEHICLES AND EQUIPMENT FOR A FOUR-YEAR PERIOD:

<u>COMPANY</u>	<u>UNLEADED REGULAR</u>	<u>#2 DIESEL</u>
Total Petroleum, LLC/Inland Bainbridge, GA	.05 Plus Cost	.05 Plus Cost
Home Oil Bainbridge, GA	NO BID	NO BID



BID TABULATION

March 08, 2022

**TWIN LAKES GAS MAIN EXTENSION**

<b><u>COMPANY</u></b>	<b><u>DELIVERY TIME</u></b>	<b><u>TOTAL BID PRICE</u></b>
RPI Underground, Inc Valdosta, GA	Within 75 calendar days from date of Notice to Proceed.	\$98,765.00
Equix Energy Services, LLC Midway, FL	Within 75 calendar days from date of Notice to Proceed.	\$127,558.00
C & H Pipeline, Inc. Roberta, GA		NO BID

Gas Department  
515-4700-54.1401

Award to be made to:  
RPI Underground, Inc.  
Valdosta, GA



BID TABULATION

March 11, 2022

**(COUNTY) CONTAINERS: 1.000 EACH STANDARD 95 GALLON  
FULLY RECYCLABLE GREEN AUTOMATED COLLECTION CONTAINERS.**

<u>COMPANY</u>	<u>MAKE &amp; MODEL</u>	<u>PRICE</u>
Rehrig Pacific Co. Lawrenceville, GA	Rehrig Pacific ROC-95 EG Warranty: 10 year non-prorated/ with a buyback program.	\$65.00 ea. = \$65,000.00 Terms: Net 30 days Delivery: Within 30 days
Schaefer Charlotte, NC	Schaefer USD95M Warranty: 10 year/with a buy back program.	\$65.67 ea. = \$65,670.00 Terms: net 30 days Delivery: Within 30 days
Otto Environmental Systems Charlotte, NC	Otto MSD-95E "Edge" Warranty: 10 year non-prorated/ with a buyback program.	\$73.00 ea. = \$73,000.00 Terms: Net 30 days Delivery: Within 45 days

**VENDOR'S THAT NO BID**

Toter Incorporated – Statesville, NC  
Ingram Equipment Co. – Pelham, AL

General Fund 100-0000-11.3601  
Replace Stock

Award to be made to: #1  
Rehrig Pacific Company  
Lawrenceville, GA