

ORDINANCE No. 2010-11

AN ORDINANCE OF THE CITY OF SMYRNA, GEORGIA, PROVIDING THAT THE CODE OF ORDINANCES, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, CITY OF SMYRNA, GEORGIA, BE AMENDED TO ADD SECTION 18-13, TEMPORARY PERIMETER SITE FENCING AND SCREENING. BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SMYRNA, GEORGIA:

That Sec. 18-13, Temporary perimeter site fencing and screening, Chapter 18, Buildings and Building Regulations, Code of Ordinances, City of Smyrna, Georgia, be added to read as follows:

18-13. Temporary perimeter site fencing and screening: Temporary perimeter site fencing and screening shall be required for all commercial construction sites greater than 10 acres in size in order to protect a construction site from: vandalism, unauthorized entry, illegal dumping, to prevent dust, debris and litter intrusion to adjacent properties and rights-of-way; to mitigate the impacts of construction and to improve the visual appearance of the site pursuant to the following guidelines:

1. The temporary perimeter site fence shall be made of chain link, be no less than six (6) feet in height, with support poles anchored into the ground (not just sitting on top the ground using “feet” supports) and have screening material attached to the outside of the fence or install landscaping that is approved by the Community Development Director.
2. The fence and screening material or fencing and landscaping material shall be installed and maintained at ground level on all exterior sides of the construction site prior to the issuance of a land disturbance permit or a building permit. A fencing plan shall be submitted along with the required civil drawings for the site work. No permit for said fencing is required. If the construction work is to be done in phases, the fencing and screening/landscaping requirement may be installed around each phase as opposed to the entire perimeter of the property.
3. Screening material shall be black or green in color. The screening material shall cover the entire fence and shall be maintained and kept in good repair by the developer.
4. Gates may be installed on any side of the property deemed necessary. Gates may open inward, slide open or open outward only if the gate when opened does not block any right-of-way or sidewalk. The gate shall be the same height as the fence with an allowance of up to 4” on the bottom of the gate to allow for clearance from the ground to open.
5. Landscaping may be used in place of the screening material and shall be installed in front of the fence at a rate of one (1) deciduous tree and three (3) evergreen trees per forty (40) linear feet of fencing along the exterior sides of the construction site. Plant material may be spaced evenly along the fence or grouped to allow views into the site. Deciduous trees shall be a minimum 3” caliper and evergreen trees shall be a minimum of 6’ tall. Required street trees may be used in addition to the evergreen tree requirement to accomplish screening. Street tree plantings must conform to requirements of Section 106.31 of the Smyrna Tree Ordinance.

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6. All construction materials, dumpsters and portable toilets are required to be placed within the fenced area at all times; and all construction sites shall be secured at night and on weekends when no work is being performed.
7. The area outside of the fence, especially between the fence and the street pavement, must be kept clean, level and free of any debris or construction material at all times.
8. The temporary site fence and screening and/or landscaping shall remain on the property until a final certificate of occupancy is issued or the above safety, litter, visual concerns, etc. have been met as determined by the Community Development Director.
9. An opaque wood privacy (or similar material) may be allowed in lieu of the chain link and screening material required above. However, if a wooden fence is used, landscaping on the outside of the fence shall be required. A wooden fence may also be substituted if required by Section 503 (Buffer Strip Requirements) of the Zoning Ordinance or is a stipulation that was approved with the zoning classification.
10. Existing sidewalks must be maintained throughout the construction process. Construction related damage will require the replacement of damaged sidewalks by the developer to the specifications of the Public Works Department. In situations where construction fences have been approved to encroach upon public right-of-way, such fences will require that a temporary sidewalk be constructed and maintained. The design of such sidewalk(s) must be approved by Public Works prior to any permits being issued.

Approved by Mayor and Council this 1st day of November, 2010.

A. Max Bacon, Mayor

Attest:

Susan D. Hiott, City Clerk
City of Smyrna

Approved as to form:

Scott A. Cochran, City Attorney