

ORDINANCE NO. 2023-18

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF FORT OGLETHORPE AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FORT OGLETHORPE, CHAPTER 50, HISTORIC PRESERVATION, SEC. 50-2 THROUGH SECTION 50-7 SO AS TO INCORPORATE THE DUTIES, POWERS AND RESPONSIBILITIES OF THE CITY OF FORT OGLETHORPE HISTORIC PRESERVATION COMMISSION INTO THE CITY OF FORT OGLETHORPE PLANNING ADVISORY BOARD; TO AMEND THE CITY OF FORT OGLETHORPE CODE OF ORDINANCES, UNIFORM DEVELOPMENTAL CODE, APPENDIX A – CHAPTER 8, ARTICLE 1 - CREATION OF ADVISORY BOARDER TO REFLECT THE INCORPORATION OF THE POWERS AND DUTIES OF THE HISTORIC PRESERVATION COMMISSION INTO THE PLANNING ADVISORY BOARD; TO INCREASE THE MEMBERSHIP OF THE PLANNING ADVISORY BOARD WITH MEMBERS WHO HAVE DEMONSTRATED SPECIAL INTEREST, EXPERIENCE OR EDUCATION IN HISTORY, ARCHITECTURE OR THE PRESERVATION OF HISTORIC RESOURCES; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR ALL OTHER RELATED PURPOSES.

WHEREAS, the duly elected governing authority of the City of Fort Oglethorpe, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia, the Official Code of Georgia Annotated, § 36-35-3, and the Charter of the City of Fort Oglethorpe, Georgia, to adopt reasonable ordinances to protect and improve the public health, safety, welfare, and aesthetics of the citizens of the City of Fort Oglethorpe, Georgia; and

WHEREAS, the duly electing governing authority of the City of Fort Oglethorpe, Georgia is vested in the City Council composed of a Mayor and five Council Members; and

WHEREAS, it is found and declared that there exists similar duties between the Historic Preservation Commission and the Planning Advisory Board in advising the city council regarding planned growth and development of the city through a comprehensive and continuous planning program to accomplish a coordinated and harmonious development of the city, which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, history and the general welfare, as well as efficiency and economy in the process of development within the city.

WHEREAS, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

WHEREAS, that if any part of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of the ordinance

unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

IT IS NOW THEREFOR ORDAINED that the Fort Oglethorpe Code Of Ordinances, Appendix A – Unified Developmental Code, Chapter 8, Procedures and Permits, Article 1 – Creation of Advisory Board is hereby amended as follows:

Article 1 – CREATION OF ADVISORY BOARD

Sec. 1.1. - Planning Advisory Board.

(a) Established.

(1) Pursuant to the city's home rule powers granted in the Ga. Const. art. IX, § II, ¶ 1(a) and ¶ 4, the city council establishes the Planning Advisory Board, for the purpose of advising the city council regarding planned growth and development of the city through a comprehensive and continuous planning program to accomplish a coordinated and harmonious development of the city, which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

(2) The planning advisory board shall be governed by the provisions of this article.

(b) Membership. The planning advisory board shall consist of seven members. Members shall be residents of the city, business owners in the city, and individuals who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources and shall be appointed by the city council. The terms of the members shall be for four years. Any vacancy in membership shall be filled for the unexpired term by the city council, which shall also have the authority to remove any city-appointed member for cause, on written charges, after a public hearing. All members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties. The Mayor and City Council shall not serve on the Planning Advisory Council and shall not serve in any advisory or quasi-advisory role.

(c) Organization, rules, staff, and finances.

(1) The Planning Advisory Board shall elect its chairman from among its members. The term of the chairman shall be one year with eligibility for reelection. The chairman shall be a voting member of the board.

(2) The city's building official shall serve as secretary to the planning advisory board, shall provide for public notice of any public hearing of the board, shall draft an agenda for each meeting subject to board adoption at the meeting, and shall record and keep the minutes of board meetings. The city's building official shall post timely

notice of any cancellation or change of venue of a scheduled meeting at the direction of the chairperson of the board.

(3) The Planning Advisory Board may adopt rules of procedure consistent with the procedures established for its official duties under this chapter.

(4) The Planning Advisory Board shall meet at the time and place established on an annual schedule by the Planning Advisory Board, except that any official meeting may be cancelled by the chairperson of the board if there is no official business to be considered. All meetings of the Planning Advisory Board at which official action is taken shall be open to the public, and all records of the Planning Advisory Board shall be public records.

(5) The expenditures of the Planning Advisory Board, exclusive of gifts, shall be within the amounts appropriated by the city council.

Sec. 1.2- Powers & Duties

The planning advisory board shall have the following powers and duties:

(a) To review applications and make findings and recommendations for rezoning requests, special exceptions, and historic preservation certificate of appropriateness requests as set forth in this development code and Chapter 50 Historic Preservation Code.

(b) To review proposals and make findings and recommendations for code amendments in accordance with the review standards herein.

(c) To make recommendations to city council on variance requests and appeals referred to it by the building official in accordance with the provisions, procedures and review standards contained in Chapter 9, Appeals and the provisions, procedures, and review standards of Chapter 50 Historic Preservation Code.

(d) To carry out such other duties, responsibilities or activities as may be directed or requested by the city council.

Sec. 1.3. - Decisions by the planning advisory board.

A final decision by the Planning and Advisory Board shall require at least four members that must concur. Each official action shall contain a statement of the grounds and findings forming the basis for said decision, and the text of the motion and record of members' votes shall be incorporated in the minutes of the Planning Advisory Board.

IT IS FURTHER THEREFOR ORDAINED that the Fort Oglethorpe Code Of Ordinances, Chapter 50, Historic Preservation, Sec. 50-2 through 50-7 are hereby amended as follows:

Sec. 50-2. 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:

Certificate of appropriateness means a document evidencing approval by the Planning Advisory Board of an application to make a material change in the appearance of a designated historic property or of a property located within a designated historic district.

Exterior architectural features mean the architectural style, general design, and general arrangements of the exterior of a building or other structure, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details, or elements relative to the foregoing.

Exterior environmental features mean all those aspects of the landscape or the development of a site which affects the historical character of the property.

Historic district means a geographically definable area designated by the city as an historic district pursuant to the criteria established in section 50-4.

Historic property is an individual building, structure, site, object, or work of art including the adjacent area necessary for the proper appreciation thereof designated by the city as an historic property pursuant to the criteria established in section 50-4.

Material change in appearance means a change that will affect either the exterior architectural or environmental features of an historic property or any building, structure, site, object, landscape feature or work of art within an historic district, such as:

- (1) A reconstruction or alteration of the size, shape, or facade of an historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details, or elements;
- (2) Demolition or relocation of an historic structure;
- (3) Commencement of excavation for construction purposes;
- (4) A change in the location of advertising visible from the public right-of-way; or
- (5) The erection, alteration, restoration, or removal of any building or other structure within an historic property or district, including walls, fences, steps and pavements, or other appurtenant features, except exterior paint alteration.

(Code 1986, § 8-8-2)

Sec. 50-3. Planning Advisory Board.

- (a) *Created.* There is created a Planning Advisory Board pursuant to Appendix A – Uniform Developmental Code.

(b) *Statement of powers.* The Planning Advisory Board shall be authorized to:

- (1) Prepare and maintain an inventory of all property within the city having the potential for designation as historic property;
- (2) Recommend to the city council specific places, districts, sites, buildings, structures, objects, or works of art to be designated by this chapter as historic properties or historic districts;
- (3) Review applications for certificates of appropriateness, and grant or deny them in accordance with the provisions of this chapter;
- (4) Recommend to the city council that the designation of any place, district, site, building, structure, objects, or work of art as an historic property or as an historic district be revoked or removed;
- (5) Restore or preserve any historic properties acquired by the city;
- (6) Promote the acquisition by the city of facade easements and conservation easements in accordance with the provisions of the Facade and Conservation Easements Acts of 1976 (O.C.G.A. §§ 44-10-1—44-10-5);
- (7) Conduct educational programs on historic properties located within the city and on general historic preservation activities;
- (8) Make such investigations and studies of matters relating to historic preservation, including consultation with historic preservation experts, as the city council or the Planning Advisory Board itself may, from time to time, deem necessary or appropriate for the purposes of preserving historic resources;
- (9) Seek out local, state, federal and private funds for historic preservation, and make recommendations to the city council concerning the most appropriate uses of any funds acquired;
- (10) Submit to the historic preservation section of the department of natural resources a list of historic properties or historic districts designated;
- (11) Perform historic preservation activities as the official agency of the city historic preservation program;
- (12) Contract with persons, if necessary, to carry out the responsibilities of the Planning Advisory Board; but prior approval of the city council is required before persons are contracted by the Planning Advisory Board;
- (13) Receive donations, grants, funds, or gifts of historic property and make recommendations to the city council to acquire and sell historic properties; but the Planning Advisory Board shall not obligate the city without prior consent of the city council;
- (14) Review and make comments to the historic preservation section of the department of natural resources concerning the nomination of properties within its jurisdiction to the National Register of Historic Places;

- (15) Participate in private, state, and federal historic preservation programs and with the consent of the city council enter into agreements to do so; and
- (16) Exercise such other powers that are necessary to carry out the purposes of this chapter.

Sec. 50-4. Recommendation and designation of historic districts and properties.

(a) *Preliminary research.*

- (1) *Mandate to conduct a survey of local historical resources.* The Planning Advisory Board shall compile and collect information and conduct surveys of historic resources within the city.
- (2) *Power to recommend districts and buildings to the city council for designation.* The Planning Advisory Board shall present to the city council recommendations for historic districts and properties.
- (3) *Documentation of proposed designation.* Prior to the Planning Advisory Board's recommendation of an historic district or historic property to the city council for designation, the Planning Advisory Board shall prepare a report consisting of:
 - a. A physical description;
 - b. A statement of the historical, cultural, architectural and/or aesthetic significance;
 - c. A map showing district boundaries and classification (i.e., historic, no historic, intrusive) of individual properties in the district, or showing boundaries of individual historic properties;
 - d. A statement justifying district or individual property boundaries; and
 - e. Representative photographs.

(b) *Designation of a historic district.*

- (1) *Criteria for selection of historic districts.* An historic district is a geographically definable area, which contains buildings, structures, sites, objects, landscape features and works of art or a combination thereof, which:
 - a. Have special character or special historic/aesthetic value or interest;
 - b. Represent one or more periods, styles, or types of architecture typical of one or more eras in the history of the city, county, state, or region; and
 - c. Cause such area, by reason of such factors, to constitute a visibly perceptible section of the city or county.

- (2) *Boundaries of a historic district.* Boundaries of an historic district shall be included in the separate chapters designating such districts and shall be shown on the city's official zoning map or, in the absence of such a map, on an official map designated as a public record.
- (3) *Evaluation of properties within historic districts.* Individual properties within historic districts shall be classified as:
 - a. Historic (contributes to the district);
 - b. Nonhistorical (does not contribute but does not detract from the district, as provided for in subsection (b)(1)); or
 - c. Intrusive (detracts from the district as provided for in subsection (b)(1)).
- (c) *Designation of historic property.*
 - (1) *Criteria for selection of historic properties.* An historic property is a building, structure, site, object, work of art, including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of value to the city, state, or local region, for one of the following reasons:
 - a. It is an outstanding example of a structure representative of its era;
 - b. It is one of the few remaining examples of past architectural style;
 - c. It is a place or structure associated with an event or persons of historic or cultural significance to the city, state, or the region;
 - d. It is a site of natural or aesthetic interest that continues to contribute to the cultural or historical development and heritage of the city, county, state, or region.
 - (2) *Boundary description.* Boundaries shall be included in the separate chapters designating such properties and shall be shown on the city's official zoning map or, in the absence of such a map, on an official map designated as a public record.
- (d) *Requirements for adopting an ordinance for the designation of historic districts and historic properties.*
 - (1) *Application for designation of historic districts or property.* Designations may be proposed by the city council, the Planning Advisory Board, or:
 - a. For historic districts, an historical society, neighborhood association or group of property owners may apply to the Planning Advisory Board for designation;
 - b. For historic properties, a historical society, neighborhood association or property owner may apply to the Planning Advisory Board for designation.
 - (2) *Required components of a designation chapter.* Any ordinance designating any property or district as historic shall:

- a. List each property in a proposed historic district or describe the proposed individual historic property;
 - b. Set forth the name of the owner of the designated property;
 - c. Require that a certificate of appropriateness be obtained from the Planning Advisory Board prior to any material change in appearance of the designated property; and
 - d. Require that the property or district be shown on the city's official zoning map, or other designated map in the absence of such a map and kept as a public record, to provide notice of such designation.
- (3) *Required public hearings.* The Planning Advisory Board and the city council shall hold a public hearing on any proposed ordinance for the designation of any historic district or property. Notice of the hearing shall be published in at least three consecutive issues in the principal newspaper of local circulation, and written notice of the hearing shall be mailed by the Planning Advisory Board to all owners and occupants of such properties. All such notices shall be published or mailed not less than ten or more than 20 days prior to the date set for the public hearing. A notice sent via the United States mail to the last known owner of the property shown on the city tax roll and a notice sent via United States mail to the address of the property to the attention of the occupant shall constitute legal notification to the owner and occupant under this chapter.
- (4) *Recommendations on proposed designations.* A recommendation to affirm, modify or withdraw the proposed ordinance for designation shall be made by the Planning Advisory Board within 15 days following the public hearing and shall be in the form of a resolution to the city council.
- (5) *City council's action on Planning Advisory Board recommendations.* Following receipt of the Planning Advisory Board's recommendation, the city council may adopt the ordinance as proposed, may adopt the ordinance with any amendments it deems necessary, or reject the ordinance. The city council shall act on the Planning Advisory Board's recommendations within 60 days.
- (6) *Notification of historic preservation section.* No less than 30 days prior to making a recommendation on any ordinance designating a property or district as historic, the Planning Advisory Board must submit the report required in subsection (a)(3) to the historic preservation section of the department of natural resources.
- (7) *Notification of adoption of ordinance for designation.* Within 30 days following the adoption of the ordinance for designation by the city council, the owners and occupants of each designated historic property, and the owners and occupants of each structure, site or work of art located within a designated historic district, shall be given written notification of such designation by the city council, which notice shall apprise the owners and occupants of the

necessity of obtaining a certificate of appropriateness prior to undertaking any material change in appearance of the historic property designated or within the historic district designated. A notice sent via the United States mail to the last known owner of the property shown on the city tax roll and a notice sent via United States mail to the address of the property to the attention of the occupant shall constitute legal notification to the owner and occupant under this chapter.

- (8) *Notification of other agencies regarding designation.* The Planning Advisory Board shall notify the city planning Advisory Board of the ordinance for designation, including the local historical organization.
- (9) *Moratorium on applications for alteration or demolition while ordinance for designation is pending.* If an ordinance for designation is being considered, the Planning Advisory Board shall have the power to freeze the status of the involved property. In no event shall a freeze on the status of the involved property exceed 60 days.

(Code 1986, § 8-8-4)

Sec. 50-5. Application to Planning Advisory Board for certificate of appropriateness.

- (a) *Approval of alterations or new construction in historic districts or involving historic properties.* After the designation by chapter of an historic property or of an historic district, no material change in the appearance of such historic property or of a structure, site, object, or work of art within such historic district, shall be made or be permitted to be made by the owner or occupant unless the application for a certificate of appropriateness has been submitted to and approved by the Planning Advisory Board.
- (b) *Approval of new construction within designated districts.* The Planning Advisory Board shall issue certificates of appropriateness to new structures constructed within designated historic districts if these structures conform in design, scale, building materials, setback, and landscaping to the character of the district specified in the design criteria developed by the Planning Advisory Board. All new construction must also comply with other applicable city chapters, including building and zoning codes.
- (c) *Guidelines and criteria for certificates of appropriateness.* When considering applications for certificates of appropriateness to existing buildings, the secretary of the interior's Standards for Historic Preservation Projects, including the secretary's Standards for Rehabilitation, shall be used as a guideline along with any other criteria adopted by the Planning Advisory Board.
- (d) *Submission of plans to Planning Advisory Board.* An application for a certificate of appropriateness shall be accompanied by such drawings, photographs, plans or other documentation as may be required by the Planning Advisory Board.

Applications involving demolition or relocation shall be accompanied by post-demolition or relocation plans for the site.

- (e) *Acceptable Planning Advisory Board reaction to applications for certificate of appropriateness.*
 - (1) The Planning Advisory Board shall approve the application and issue a certificate of appropriateness if it finds that the proposed material changes in the appearance would not have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district. In making this determination, the Planning Advisory Board shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design arrangement, texture and material of the architectural features involved, and their relationship to the exterior architectural style, and pertinent features of the other structures in the immediate neighborhood.
 - (2) The Planning Advisory Board shall deny a certificate of appropriateness if it finds that the proposed material changes in appearance would have substantial adverse effects on the aesthetic, historic or architectural significance and value of the historic property or the historic district.
- (f) *Public hearings on applications for certificates of appropriateness, notices and right to be heard.* At least seven days prior to review of a certificate of appropriateness, the Planning Advisory Board shall take such action as may reasonably be required to inform the owners of any property likely to be affected by reasons of the application and shall give the applicant and such owners an opportunity to be heard. In cases where the Planning Advisory Board deems it necessary, it may hold a public hearing concerning the application.
- (g) *Interior alterations.* In its review of applications for certificates of appropriateness, the Planning Advisory Board shall not consider interior arrangement or use having any effect on exterior architectural features.
- (h) *Technical advice.* The Planning Advisory Board shall have the power to seek technical advice from outside its members on any application.
- (i) *Deadline for approval or rejection of application for certificate of appropriateness.*
 - (1) The Planning Advisory Board shall approve or reject an application for a certificate of appropriateness within 30 days after its filing by the owner or occupant of an historic property, or of a structure, site, object, or work of art located within an historic district. Evidence of approval shall be by a certificate of appropriateness issued by the Planning Advisory Board. Notice of the issuance or denial of a certificate of appropriateness shall be sent by United States mail to the applicant and all other persons who have requested such notice in writing filed with the Planning Advisory Board.

- (2) Should the Planning Advisory Board fail to act within 30 days, the applicant may file an appeal with the city council. The city council shall approve or reject the application within 30 days of the filing.
- (j) *Necessary actions to be taken by the Planning Advisory Board upon rejection of application for certificate of appropriateness.*
- (1) If the Planning Advisory Board rejects an application, it shall state its reasons for doing so and shall transmit a record of such actions and reasons, in writing, to the applicant. The Planning Advisory Board may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he so desires, may make modifications to the plans, and may resubmit the application at any time after doing so.
 - (2) In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of the application for a certificate of appropriateness by the Planning Advisory Board shall be binding upon the building inspector or other administrative officer charged with issuing building permits; and, in such a case, no building permit shall be issued.
- (k) *Undue hardship.* Whereby reason of unusual circumstances the strict application of any provision of this chapter would result in the exceptional practical difficulty or undue hardship upon any owner of a specific property, the Planning Advisory Board shall have the power to vary or modify strict adherence to such provisions. Concerning variances, the Planning Advisory Board may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this chapter. A written record stating the reason for each variance shall be maintained by the Planning Advisory Board with final approval from the city council.
- (l) *Requirement of conformance with certificate of appropriateness.*
- (1) All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate. If work is performed not in accordance with such a certificate, the Planning Advisory Board shall recommend that the city council issue a cease-and-desist order; and all work shall cease.
 - (2) The city council shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district, except those changes made in compliance with the provision of this chapter or to prevent any illegal act or conduct with respect to such historic property or historic district.
- (m) *Certificate of appropriateness void if construction does not commence.* A certificate of appropriateness shall become void unless construction is commenced within six

months of date of issuance. Certificates of appropriateness shall be issued for a period of 18 months and may be renewable.

- (n) *Recording of applications for certificate of appropriateness.* The Planning Advisory Board shall keep a public record of all applications for certificates of appropriateness, and of all the Planning Advisory Board's proceedings in connection with the application.
- (o) Reserved.
- (p) *Appeals.*
 - (1) Any person adversely affected by any determination made by the Planning Advisory Board relative to the issuance or denial of a certificate of appropriateness may appeal such determination to the city council. Any such appeal must be filed with the Clerk of the City within 15 days after the issuance of the determination or, in the case of a failure of the Planning Advisory Board to act, within 15 days of the expiration of the 30-day period allowed for Planning Advisory Board action.
 - (2) Upon hearing the appeal, the council may approve, modify, or reject any determination made by the Planning and Advisory Board. Appeals from decisions of the city council may be taken to the superior court of competent jurisdiction in the manner provided by law.

(Code 1986, § 8-8-5; Ord. of 2-24-1992, § 1)

Sec. 50-6. Demolition or relocation of an historic property within a historic district.

- (a) *Applications for certificates of appropriateness for demolition or relocation.* The Planning Advisory Board shall have the authority to deny certificates of appropriateness for demolition or relocation.
- (b) *Public hearing.* A public hearing shall be scheduled for each application for a certificate of appropriateness for demolition or relocation.
- (c) *Consideration of post-demolition or post-relocation plans.* The Planning Advisory Board shall not grant certificates of appropriateness for demolition or relocation without reviewing at the same time the post-demolition or post-relocation plans for the site.
- (d) *Demolition/relocation criteria.* Upon receipt of an application for a certificate of appropriateness for demolition or relocation, the Planning Advisory Board shall use the criteria described in section 50-5 to determine whether to deny the application or issue a certificate of appropriateness for demolition or relocation.

(Code 1986, § 8-8-6)

Sec. 50-7. Maintenance of historic properties and building and zoning code.

- (a) *Ordinary maintenance or repair.* Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property to correct deterioration, decay, or damage, or to sustain the existing form, and that does not involve a material change in design, material, or outer appearance, does not require a certificate of appropriateness.
- (b) *Failure to provide ordinary maintenance or repair.* Property owners of historic properties or properties within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. The Planning Advisory Board shall be charged with the following responsibilities regarding deterioration by neglect:
- (1) The Planning Advisory Board shall monitor the condition of historic properties and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such conditions as broken windows, doors and openings which allow the elements and vermin to enter, the deterioration of exterior architectural features, or the deterioration of a building's structural system shall constitute failure to provide ordinary maintenance or repair.
 - (2) If the Planning Advisory Board determines a failure to provide ordinary maintenance or repair, the Planning Advisory Board will notify the owner of the property and set forth the steps which need to be taken to remedy the situation. The owner of such property will have 30 days in which to respond to the Planning Advisory Board.
 - (3) If the condition is not remedied in 90 days after the initial 30 days as provided in this section, the owner shall be penalized as provided in section 50-9; and, at the direction of the city council, the Planning Advisory Board may perform such maintenance or repair as is necessary to prevent deterioration by neglect. The owner of the property shall be liable for the cost of such maintenance and repair performed by the City.
- (c) *Affirmation of existing building and zoning codes.* Nothing in this chapter shall be construed as to exempt property owners from complying with existing city building and zoning codes, nor to prevent any property owner from making any use of his property not prohibited by other statutes, ordinances, or regulations.

(Code 1986, § 8-8-7)

BY: Earl L. Gray
Honorable Earl Gray, Mayor

ATTEST:
Carol Murray
Carol Murray, Clerk

First Reading: 06/26/23

Second Reading: 07/10/23

Public Hearing: 07/24/23

Final Reading: 07/23/23