AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
September 20, 2018
7:00 pm

*Please turn off or turn to mute all electronic devices during the Planning Commission Meetings

1. Consideration of the Minutes of the meeting held on September 6, 2018.

NEW BUSINESS

2. Consideration of a Minor Subdivision Plat of Jacqueline Eubanks. The property will consist of three residential lots zoned A-R, is located in Land Lot 158 of the 4th District and front(s) on Rising Star Road.

3. Consideration of a Minor Subdivision Plat of Thomas L. Davis. The property will consist of two residential lots zoned A-R, is located in Land Lot 37 of the 7th District and front(s) on Huiet Drive.

4. Consideration of a Preliminary Plat of Liberty North. The property will consist of 28 residential lots zoned R-50, is located in Land Lots 230 of the 13th District and fronts on S.R. 279.

5. Discussion of family cemeteries.

OLD BUSINESS

6. Discussion of tourist accommodations.
To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: September 13, 2018
Subject: Minor Subdivision Plat to be considered on September 20, 2018

MINOR SUBDIVISION PLAT

MSP of Jacqueline M. Eubanks

Recommend APPROVAL for the Minor Subdivision Plat.

OWNER/APPLICANT

Jacqueline M. Eubanks
MINOR SUBDIVISION PLAT
FOR
JACQUELINE M. EUBANKS

SURVEYORS CERTIFICATION
AS REQUIRED BY SUBSECTION (b) OF O.C.G.A. SECTION 16-6-60, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY ANY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNMENTAL AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

FINAL SURVEYOR'S CERTIFICATE
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS 'FUTURE' AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT (O.C.G.A. SECTION 74-7).

BY: BRANDON E. GABRIEL, G.S. GEORGIA REGISTERED LAND SURVEYOR NO. 1620
DATE: 9/12/18

OWNER'S CERTIFICATION
I, THE UNDERSIGNED OWNER/REPRESENTATIVE OF THE JACQUELINE M. EUBANKS SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAN:

OWNER

SOILS CLASSIFICATION DELINEATION
I, M. BRANNON WILES DO HEREBY CERTIFY THAT THE LEVEL I SOIL SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY RESURANCE ENGINEERS, INC. IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF SOILS AND WATER MANAGEMENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

DATE

SIGNATURE OF SOIL CLASSIFIER

S.A. GASKINS & ASSOCIATES, LLC

PROPERTY LOCATION
Land Lot 158 Of The 4th Land District
Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC
surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
578-571-3254
rgbekins75@gmail.com

GENERAL NOTES
1. OWNER
JACQUELINE M. EUBANKS
107 BEING STAR ROAD
BROOKS, GA 30205

2. SURVEYOR:
S.A. GASKINS AND ASSOCIATES, LLC.
P.O. BOX 321 BROOKS, GA 30205
578-571-3254
rgbekins75@gmail.com

3. TOTAL ACREAGE: 35.03 ACRES

4. SEWER TO BE AN ON-SITE SEWAGE DISPOSAL SYSTEM

5. WATER TO BE PROVIDED BY INDIVIDUAL WELL

6. FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP MAINTENANCE, OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN OR THE LACK OF ONE INDICATED ON THIS PLAT

7. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

8. THERE ARE NO RECORDED EASEMENTS FOUND ASSOCIATED WITH THIS PROPERTY.

9. THERE IS NO GROUNDWATER RECHARGE AREA ON THIS PROPERTY.

10. 1/27 REINFORCING RODS SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.

11. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 131102055, DATED SEPTEMBER 25, 2020, NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.

12. EACH RESIDENTIAL LOT HAS A CONTIGUOUS AREA OF AT LEAST TWO ACRES THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERPROOF PROTECTION BUFFER AND SETBACKS, JURISDICTIONS, WETLANDS, AND EASEMENTS OF ANY KIND.

13. THERE IS NO VISIBLE BURIAL OR SURAL GROUNDS ON THIS PROPERTY.

14. THERE ARE NO STATE WATERERS ON THIS PROPERTY.

15. THERE ARE NO WETLANDS LOCATED ON THIS PROPERTY.

16. LOT 3 EITHER CONTAINS OR IS ADJACENT TO A SPECIAL FLOOD HAZARD AREA IDENTIFIED IN THE FAYETTE COUNTY 2015 LIMITED DETAIL FLOOD STUDY. AS REQUIRED BY ART. 65 OF THE DEVELOPMENT REGULATIONS, A MINIMUM FLOOD PROOF ELEVATION IS ESTABLISHED FOR THE LOWEST FLOOR ELEVATION INCLUDING A BASEMENT BY THIS STUDY.

Prepared For:
JACQUELINE M. EUBANKS
To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: September 13, 2018
Subject: Minor Subdivision Plat to be considered on September 20, 2018

MINOR SUBDIVISION PLAT
MSP of Thomas L. Davis

Recommend APPROVAL for the Minor Subdivision Plat.

OWNER/APPLICANT
Thomas L. Davis
MINOR SUBDIVISION PLAT
FOR
THOMAS L. DAVIS

FINAL PLAT APPROVAL CERTIFICATION

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

DATE:_9-13-18_ SIGNED:_P. Moore (Environmental Health Specialist)

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT

DATE:_9-13-18_ SIGNED:_P. Moore (Environmental Management Director)

APPROVED BY FAYETTE COUNTY ENGINEER

DATE:_9-11-18_ SIGNED:_P. Moore (County Engineer)

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION

DATE:_9-11-18_ SIGNED:_SECRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

DATE:_9-11-18_ SIGNED:_ZONING ADMINISTRATOR

APPROVED BY FAYETTE COUNTY FIRE MARSHAL

DATE:_9-28-18_ SIGNED:_FIRE MARSHAL

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION 50 OF O.C.G.A. SECTION 18-6-17, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS PLAT MAP, OR PLAN HAS BEEN APPROVED FOR FILING BY WRITING AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL/COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNMENTAL AUTHORITY OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

PLOT A. GASKINS, B. GEORGIA REGISTERED LAND SURVEYOR. NO. 1820

DATE:_9-11-18_

OWNERS CERTIFICATION

I, THE UNDERSIGNED OR REPRESENTATIVE OF THE THOMAS L. DAVIS SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAN.

OWNER

DATE

SOILS CLASSIFICATION DELINEATION

I, J. A. SHANNON HURDINGS, DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED ON THIS PLAN WAS PERFORMED IN ACCORDANCE WITH THE PROCEduRES SPECIFIED IN THE GEORGIA DEPARTMENT OF ENVIRONMENTAL PROTECTION's SOIL MANAGEMENT SYSTEMS

DATE

SIGNED: J. A. SHANNON HURDINGS

REGISTRATION NO.: 147

SOIL PROFIL, INC.

125 CONWAY STREET

CONWAY, GA 38915

(678) 571-3324

S.A. GASKINS & ASSOCIATES, LLC

surveyors, planners, developers, consultants

P.O. BOX 321
BROOKS, GA 30205

(770) 577-3504

rdgaskins79@gmail.com

Job No: 18-085

Prepared By: M.A. HURDINGS

Issue Date: 07/19/18

F.W.P.D.: 09/11/18

Revisions

County Comments: 09/18/18

PAGE 1 OF 3
To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: September 14, 2018
Subject: Preliminary Plat to be considered on September 20, 2018

PRELIMINARY PLAT
Liberty North

OWNER/APPLICANT
Fayette Liberty North, LLC & House Control, LLC

Recommend APPROVAL

PRELIMINARY PLAT FOR LIBERTY NORTH LAND LOT 230 13th DISTRICT FAYETTE COUNTY, GEORGIA

DEVELOPMENT DATA

1. SOURCE: FAYETTE LIBERTY NORTH, LLC
   2. PROPERTY OWNERS: FAYETTE LIBERTY NORTH, LLC (PARCEL 1303 004) AND HOUSE CONTROL, LLC (PARCEL 1303 024)

2. SUBDIVISION CONFIGURATION
   1. SOURCE OF DATA: BOUNDARY SURVEY PERFORMED BY MOORE BASS CONSULTING, INC., DATED 05-21-2018
   2. PROPERTY OWNERS: FAYETTE LIBERTY NORTH, LLC (PARCEL 1303 004) AND HOUSE CONTROL, LLC (PARCEL 1303 024)

3. SUBDIVISION DESCRIPTION
   1. ADDRESS FOR FAYETTE LIBERTY NORTH, LLC: 270 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214
   2. ADDRESS FOR HOUSE CONTROL, LLC: 270 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214

4. SURVEYOR INFORMATION
   1. DRAWN BY: ROB DEBIEN, R.L.S.
   2. FILE #: PE032281

SURVEYOR INFORMATION

1. ROB DEBIEN, R.L.S.
   2. MOORE BASS CONSULTING, INC.

ENGINEER INFORMATION

1. ANTHONY WIGGIN, P.E.
   2. MOORE BASS CONSULTING, INC.

OWNERS INFORMATION

1. FAYETTE LIBERTY NORTH, LLC
   2. 270 N. JEFF DAVIS ROAD
   3. FAYETTEVILLE, GA 30214
   4. 770-441-4478

2. HOUSE CONTROL, LLC
   3. 270 N. JEFF DAVIS ROAD
   4. FAYETTEVILLE, GA 30214
   5. 770-441-4478

FLOOR NOTES

1. AS SHOWN ON FLOOR PLANS FOR PURPOSES OF FAYETTE COUNTY, BUILDING CODES AND EXPERTS.

NOTES

1. BOUNDARIES AND WAYS OF ACCESSES LOCATED SUBTERRANEAN.
2. PERconstraints OF WATER MAINS AND SEWER LINES.
3. PERLEVELS OF OBLIGATION.
4. IN ALL PARTS OF THE PROPERTY, THERE WILL BE NO MINOR DEVIATIONS FROM FAYETTE COUNTY STANDARDS AND SHOWN.
5. LEVEL III SOILS OVERLAY MAP

PRELIMINARY PLAT

1. FOR LIBERTY NORTH LAND LOT 230
2. 13th DISTRICT
3. FAYETTE COUNTY, GEORGIA
Soils are located in a landscape position that renders them unsuitable for on-site wastewater disposal due to flooding and/or storm events. Soils are unsuitable for conventional absorption fields due to seasonal high water table conditions. Soils are generally suitable for conventional absorption field installation. The Bt horizon shows some evidence of slow percolation, substratum is well drained. Trenches installed at the recommended depth should function effectively. Environmental Health Department may require further inspection utilizing backhoe test pits prior to installation.

Soil conditions shown herein are based on a Level II soils analysis performed by Applied Environmental Sciences, Inc., dated 05-17-2018. The information contained herein is for the property owner's use in the development of proposed site plans and does not supersede any applicable building codes or state environmental regulations. The performance of any particular system installed is dependent upon the topography, soil conditions, the quality of the installation, and the type of system selected. No guarantee is given or implied as to the performance of any particular system installed. System installation should not occur under saturated or wet soil conditions. System installation is recommended for seasonal high water table conditions. Surface drainage should be diverted away from absorption field lines. System performance cannot be guaranteed, and results may vary. It is possible that a different system configuration may be required or appropriate for the parcel(s) of property. System performance cannot be guaranteed or implied as to the performance or results of any particular system configuration.

Notes:
- Soil information shown herein is based on a Level II soils analysis performed by Applied Environmental Sciences, Inc., dated 05-17-2018.
- System installation should not occur under saturated or wet soil conditions.
- Absorption fields shall not be installed on contour slopes greater than 3:1.0. Therefore, system should be installed away from contour slope.
- Surface drainage should be diverted away from absorption field lines.
- System performance cannot be guaranteed, and results may vary. It is possible that a different system configuration may be required or appropriate for the parcel(s) of property. System performance cannot be guaranteed or implied as to the performance of any particular system configuration.
m. Cemetery, human or pet. Allowed in A-R and C-H zoning districts. A human cemetery is also allowed in conjunction with a church or other place of worship.

1. Human cemetery.

   (i) The facility shall comply with all requirements of the state.

   (ii) Minimum lot area shall be ten acres.

   (iii) A crematorium or mausoleum shall be allowed only in conjunction with a cemetery.

   (iv) A crematorium shall be set back 300 feet from all property lines.

   (v) Grave sites shall meet the setbacks and buffers applicable to the underlying zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.

   (vi) Landscape areas shall be required and planted in accordance with chapter 104.

   (vii) Graves for pets shall meet the requirements of subsection (2)j.2(ii), (iii) and (iv) of this section.
Sec. 8-200. - Definitions.

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

_A-R Bed and Breakfast Inn_ shall mean an establishment which serves food to its registered guests and not to the public at large. This term shall include establishments serving breakfast or a similar early morning meal and an appropriate light snack in which the price of the food is included in the price of the overnight accommodation. The length of stay for an A-R Bed and Breakfast Inns as defined is limited to not more than 30 consecutive days or less. For the purposes of this article, this term shall mean an establishment in which the predominant relationship between the occupants thereof and the owner or operator of the establishment is that of guest and innkeeper.

Bedroom shall mean an attached room which is intended, arranged, or designed to be occupied by one or more persons primarily for sleeping purposes and shall have an area of not less than 70 square feet or be less than seven (7) feet in any dimension with a closet opening on it or within it.

_County_ shall mean unincorporated Fayette County, Georgia.

_Guestroom_ means a room occupied or intended, arranged or designed for occupancy by one or more occupants and used for that purpose and where overnight occupancy is allowed.

_Innkeeper_ shall mean any person who is furnishing for value to the public any room(s), lodging, or accommodations.

_Occupancy, transient_ shall mean occupancy or use by a paying guest or tenant for a period of less than 30 consecutive days or less or by the offering or advertising of a residence as being available in whole or in part to be used for such occupancy. Such occupancy is characteristic of tourist accommodations or other establishments, by whatever name called.

_Operator_ shall mean any person operating a tourist accommodation (as defined in this section) in unincorporated Fayette County, including but not limited to the owner or proprietor of the premises, lessee, sub-lessee, lender in possession, or any other person otherwise operating a tourist accommodation.

_Overnight guest_ shall have the same meaning as the term "tourist".

_Premises_ shall mean and include all physical buildings, appurtenances, parking lots, and all property owned and/or used by and for the tourist accommodation.

_Residential purpose_ means a property being used primarily for a single-family residential use.

_Special event_ or private function shall mean an organized activity for profit or non-profit having as its purpose entertainment, recreation and/or education, including but not limited to a festival, party, reception, celebration or assembly. occasion such as a social function (ie. wedding, reception, reunion, retreat, meeting, etc.)

_Tourist_ shall mean anyone who has a home address somewhere other than where he or she is spending the night and other than where he or she pays a fee for accommodations.

_Tourist accommodation_ shall mean any property facility, or structure providing overnight accommodations for value to the public for not more than 30 consecutive days or less excluding a hotel, campground facility, or planned retreat and lodge as regulated in Chapter 110 - Zoning.

_Traveler_ shall have the same meaning as the term "tourist".

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2017-06, § 1, 3-23-2017)
Sec. 8-201. - Permit required.

(a) Every person engaging in or about to engage in business as an operator of a tourist accommodation in the county shall immediately apply and obtain approval for the business with code enforcement on the forms provided by the same for such business. Persons engaged in such business must obtain a permit no later than 30 days after this section becomes effective; but such grace period for registration after the effective date of this section shall not relieve any person from the obligation of payment or collection of such permit fee on and after the date of imposition thereof. The required permit hereunder shall set forth the name under which the operator transacts business, and other such information as would be required by code enforcement. The permit application shall be signed by the owner if a natural person, by a member or partner in case of ownership by partnership, or an officer in the case of corporation.

(b) A separate permit will be required for each individual location of business a tourist accommodation.

(c) An A-R Bed and Breakfast Inn shall be permitted subject to the following:

1. The A-R Bed and Breakfast Inn is compliant with Chapter 110 – Zoning, Sec. 110-169.
2. Meal service may be provided to registered guests and not open to the public at large, provided they obtain all state and local permits for the operation of a food service establishment and comply with all state and local rules and regulations for the operation of food service establishments.
3. No food preparation, except beverages, is permitted within individual guestrooms.
4. Reserved.

(d) Operators of tourist accommodations, other than operators of an A-R Bed and Breakfast Inn, shall not be permitted to serve food to guests for sale or otherwise and no food preparation, except beverages, is permitted within individual guestrooms, provided they obtain all state and local permits for the operation of a food service establishment and comply with all state and local rules and regulations for the operation of food service establishments.

(e) No detached structures or recreational vehicles shall be used as a tourist accommodation.

(f) Only a bedroom shall be used as a guestroom.

(g) There shall be no more than two overnight guests per guestroom.

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2017-06, §§ 2, 3, 3-23-2017)

Sec. 8-202. - Application for permit.

(a) Each person seeking to obtain a permit to operate a tourist accommodation shall submit an application to code enforcement on a form provided by the same. Said application shall include:

1. A statement that each applicant is a citizen or legal resident of the United States;
2. The address of the tourist accommodation;
3. The current set room rates and fees;
4. Consent by each applicant to undergo a criminal background check;
5. Complete set of fingerprints for the applicant(s) taken by the county sheriff's office;
6. A copy of a deed showing the applicant to be the owner of the premises for which the permit is sought or a copy of a lease showing any interest the owner of the premises has in the tourist accommodation for which the license is sought;
(7) All state and local permits pertaining to the operation of tourist accommodations, including approvals, as applicable, from of Fayette County Health Department, and Fayette County Fire Marshal as to maximum permitted capacity, approvals by the Fayette County Planning & Zoning Department as to zoning of the premises, and approvals of the Fayette County Building Safety Permits & Inspections Department as to compliance with all property maintenance and building codes;

(8) Certified As built scaled plans of the property and structure;

(9) Copy of the guest occupancy agreement as required by O.C.G.A. § 43-21-3.2;

(10) Documents showing compliance with state and local occupation taxes, excise taxes and sales taxes; and

(11) Any other information as required by code enforcement or the board of commissioners.

(b) All applications for a permit to operate a tourist accommodation shall be accompanied by the payment of a permit fee as set in a schedule of fees adopted by the board of commissioners.

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2017-06, § 2, 3-23-2017; Ord. No. 2018-05, § 1, 3-22-2018)

Sec. 8-203. - Issuance of permit.

(a) Upon approval of the application for the permit and the timely payment of the permit fee, code enforcement shall issue the appropriate permit for the year in which approval was granted.

(b) No permit shall be issued for any tourist accommodation where any individual having interest either as an operator, owner, partner, principal stockholder, or licensee, whether such interest is direct or indirect, or beneficial or absolute, has been convicted or has taken a plea of nolo contendere within five years for a felony or any crime involving moral turpitude, or has been convicted or has taken a plea of nolo contendere within two years for any misdemeanor of any state or of the United States or any municipal or county ordinance which would have any effect on the applicant's ability to properly conduct such business, except traffic offenses. The term "conviction" as used in this section shall include adjudication of guilty plea, plea of nolo contendere or forfeiture of a bond when charged with a crime.

(c) The board of commissioners may, on appeal, waive any conviction as a disqualification if it finds that it would have no material effect upon the applicant's ability to properly conduct its business if such license were granted.


Sec. 8-204. - Annual renewal of permits.

All permits issued pursuant to this article are annual permits that run from January 1 to December 31 of each year. Holders of existing permits in good standing shall apply to code enforcement for renewal for the next calendar year by filing a renewal application in proper form and tendering the required fees. Fees for renewal of permits shall be according to a schedule of fees adopted by the board of commissioners.

(Ord. No. 2014-08, § 1, 4-24-2014)

Sec. 8-205. - Transfer of permits.

No permit issued pursuant to this article shall be transferred from one owner to another. Any violation of this section shall constitute due cause for probation, suspension, or revocation of the permit.

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2018-05, § 3, 3-22-2018)
Sec. 8-206. - Display of permit.

Every holder of a permit issued pursuant to this article shall keep such permit conspicuously displayed at all places where such business is conducted.

(Ord. No. 2014-08, § 1, 4-24-2014)

Sec. 8-207. - Revocation of permit.

(a) **Grounds.** Any permit issued pursuant to this article may be revoked by the board of commissioners, after notice and hearing, for any of the following causes:

(1) Any fraud, misrepresentation or false statement contained in the application for the permit;

(2) Any fraud, misrepresentation or false statement made in connection with any transaction;

(3) Any violation of this article; or

(4) The conducting of the business permitted under this article in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health safety or general welfare of the public.

(b) **Hearing.**

(1) Notice of hearing for the revocation of a permit issued pursuant to this article shall be given by the county administrator in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. The notice shall be served on the holder of the permit by handing the same personally to the person operating the permitted business, or by mailing the same, postage prepaid, to the holder of the permit at his or her last known address at least five days prior to the date set out for the hearing.

(2) The giving of such notice shall suspend the permit pending the outcome of the hearing, and any business conducted under the permit shall cease during said period of suspension.

(Ord. No. 2014-08, § 1, 4-24-2014)

Sec. 8-208. - Records.

Each operator of a tourist accommodation is required to keep a guest register. Each guest shall register on the date of their arrival, stating their names, current residence, address and description and license plate number of the vehicle they are using. Each operator of a tourist accommodation shall keep for a period of at least three years the above-described register, along with all records, receipts, invoices and other pertinent papers setting forth rental charged for each occupancy, the date or dates of occupancy, and such other information as required by code enforcement. Said records shall be made available for examination by code enforcement, the county health department, or any authorized law enforcement agency.

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2017-06, § 2, 3-23-2017)

Sec. 8-209. - Standards for health, sanitation and safety.

(a) All operators of tourist accommodations shall comply with all rules and regulations promulgated by the Georgia Department of Public Health and the Fayette County Health Department for the operation of tourist accommodations.
(b) Toilet, lavatory and bathing facilities shall be provided at all tourist accommodations. Such facilities shall be easily accessible, convenient and available to patrons at all times and operated pursuant to all applicable rules and regulations promulgated by the Georgia Department of Public Health and the Fayette County Health Department.

(c) Public sewer is not available in unincorporated Fayette County, therefore sewage disposal shall be provided to efficiently dispose of all water carried wastes in a sanitary manner pursuant to all applicable rules and regulations promulgated by the Georgia Department of Public Health and the Fayette County Health Department.

(d) All plumbing in tourist accommodations shall comply with all applicable state and local rules and regulations.

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2017-06, § 2, 3-23-2017)

Sec. 8-210. - Alterations to structure; and signage.

No exterior alterations may be made to a residence to indicate that it is being used as a tourist accommodation. **Signage for a tourist accommodation is regulated in Chapter 108.**

(Ord. No. 2014-08, § 1, 4-24-2014)

Sec. 8-211. - Reserved.

**Editor's note**— Ord. No. 2017-06, § 4, adopted March 23, 2017, repealed § 8-211, which pertained to parking and derived from Ord. No. 2014-08, § 1, 4-24-2014.

Sec. 8-212. - Special events.

Special events or private functions are not permitted at tourist accommodations located in a residential or A-R zoning district with the exception of an A-R wedding/event facility that is compliant with Chapter 110. Zoning, Sec. 110-169. that contains an A-R Bed and Breakfast that is compliant with Sec. 110-169.

(Ord. No. 2014-08, § 1, 4-24-2014; Ord. No. 2017-06, § 5, 3-23-2017)

Sec. 8-213. - Violations.

(a) It shall be unlawful for any operator to commit any of the following acts:

1. Failure to obtain a permit as required under Article VI;
2. Fail to keep the guest register and any other records required by this article for the time period so specified;
3. Make any false entry therein;
4. Falsify, obliterate, destroy or remove from his or her place of business such register or records;
5. Refuse to allow any duly authorized law enforcement officer after proper identification to inspect such register or records during the ordinary hours of business or at other reasonable time; or
5. Fail to obtain from any guest the identification required by this article.

(b) Any person violating any provision of this article shall be subject to a fine not exceeding $1,000.00 and costs or to imprisonment for a term not exceeding 60 days, or to both such fine and
imprisonment, any or all of such penalties to be imposed at the discretion of the judge. The infliction of a penalty under the provisions of this section shall not prevent the revocation of any permit or the taking of other punitive or remedial action where called for or permitted under the provisions of this Code.

(Ord. No. 2014-08, § 1, 4-24-2014)

Secs. 8-214—240. - Reserved.