COUNCIL MEETING
AGENDA
3:00 P.M.
January 7, 2010
City Hall Council Room

1. INVOCATION

2. MINUTES

3. UNFINISHED BUSINESS

4. SPECIAL PRESENTATIONS:

5. PLANNING AND ZONING:
   5-1-0. Variance Petition #2009-050-H. Request by Johnny Lee Williams, owner of 900 Granger Drive and is in Zoning District R-4 (Single Family Dwelling District) to allow his carport to be located at the side of his house rather than in the rear of his house as the ordinance requires.
   Action Item

6. SERVICE DELIVERY STRATEGY: The City of Walthourville request revision to their Service Delivery Strategy Plan.
   Action Item

   Informational Item

8. AZALEA STREET COMMUNITY CENTER: Status report.
   Informational Item

9. MAYOR’S REPORT
   9-1-0. Report
10. COUNCILMEMBER SHAW’S REPORT
  10-1-0. Report

11. COUNCILMEMBER JENKINS’ REPORT
  11-1-0. Report

12. COUNCILMEMBER ANDERSON’S REPORT
  12-1-0. Monthly Business License Report

13. COUNCILMEMBER RYON’S REPORT
  13-1-0. Report

14. MAYOR PRO TEM FRASIER’S REPORT
  14-1-0. Report

15. CITY MANAGER’S REPORT

  15-1-0. SIGN ORDINANCE #2010-01: To amend the Code of the City of Hinesville, Georgia, Article III (Definitions) and Article VIII (Sign Regulations). To be presented for discussion/adoption at the February 4, 2010 Council Meeting.

  15-2-0. ZONING ORDINANCE #2010-02: To amend the code of the City of Hinesville, Georgia, Appendix A. Article V (Specific Zoning District Regulations) (Family Day Care Homes). To be presented for discussion/adoption at the February 4, 2010 Council Meeting.

  15-3-0. NOVEMBER 2009 BUDGET TO ACTUAL FINANCIAL REPORTS:

  15-4-0. LOCAL OPTION SALES TAX HISTORY (LOST): The 2009 detail of the Local Option Sales Tax receipts through December 2009.

Informational Items
COUNCIL MEETING
AGENDA
3:00 P.M.
January 7, 2010
City Hall Council Room

PUBLIC RELATIONS PRESENTATIONS

15-5-0. Branding Report

15-6-0. City of Hinesville Health Fair

15-7-0. Small World Festival Meeting

15-8-0. Martin Luther King Jr. Celebration

Informational Items

16. ADJOURN
PURPOSE: To make presentations to City employees.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

PREVIOUS COUNCIL DISCUSSION:
PURPOSE:

Request by Johnny Lee Williams, owner of 900 Granger Drive, to be allowed a variance in order to place a metal carport in the side yard rather than in the rear yard as the Ordinance requires.

BACKGROUND:

Property is located in Belmore Subdivision and is zoned R-4 (Single Family Dwelling District). The property is a corner lot and is located at the intersection of Granger Drive and Wrenwood Lane. Corner lots have two street frontages and do not have a true rear yard as the two other sides that are not abutting a street, abut the sideyard of the adjoining property and are therefore considered side yards (thus: two front yards and two side yards, no rear yard). Also, depending on which street the house is facing, the rear of the house would be in a different location.

RECOMMENDATION:

December 15, 2009. LCPC recommends APPROVAL with standard conditions

ATTACHMENTS:

05-1-1 GIS map
05-1-2 Aerial
05-1-3 Applicant’s Narrative
05-1-4 Survey of 900 Granger Dr
05-1-5 Excerpt out of the Zoning Ordinance
05-1-6 Various lot configurations
05-1-7 Site photos (three)
05-1-8 Conditions for granting a variance
05-1-9 LCPC Recommendation with standard conditions

PREVIOUS COUNCIL DISCUSSION: None
GIS Map of Site
Aerial Map of Site
10:30 AM

When I brought the compost I thought the installer was going to get the permit. The only time I saw the sales copy was after they put the compost up. The dealer only discussed the first payment and the final payment, he never said that I needed to get a permit. I signed the paper only acknowledging the above issues.

Signed: [Signature]
Survey of property

The carport is 18 ft wide by 21 ft long.
The side yard is 36 ft wide vs 25 ft rear yard.
There is ample space on the side to accommodate the carport and meet the side yard setback requirements of 10 ft.
Also, at this location the visual impact is minimal.
“Accessory buildings and structures customarily incidental to permitted principal uses and on the same parcel, provided it is located to the rear of said parcel (i.e. behind the primary structure).”
Corner Lots do not have true rear yards

Best Laid Schemes

Lot Depth

Lot depth is measured from the lot's shortest frontage...

...through the midpoint of the line that defines the lot's width...

...to the midpoint of the property line that is most opposite and parallel to the lot's width line.

Lot widths are measured at the minimum front setback line.

Lot depth measured at a right angle to width when there is no property line approximately opposite and parallel to the lot width.
Site Photo- Side Yard

12/01/2009
## Conditions for granting a variance

- There are extraordinary and exceptional conditions pertain to the particular piece of property in question
  - The backyard is much smaller than the side yard

- The application of the Ordinance to this particular piece of property would create an unnecessary hardship
  - There is no other feasible relocation opportunity for the carport without encroaching into setback requirements

- Such conditions are peculiar to the particular piece of property involved
  - Yes

- Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the ordinance
  - No
LCPC Recommendation
Petition 2009-050-H

APPROVAL WITH STANDARD CONDITIONS
Standard Conditions

1. The applicant must obtain all required local, state and federal licenses and permits prior to commencement of any construction.

2. All plans, documents, materials, and statements contained or implied in this application are considered to be a condition of this action.

3. No change or deviation from the conditions of approval are allowed without prior notification and approval of the Director of the LCPC or the Planning Commission, and the approving governmental authority.
PURPOSE: The City of Walthourville request revision to their Service Delivery Strategy Plan.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

06-1-1 Service Delivery Strategy Certifications (copy)
   Resolution #2009-12-01 – Resolution by the Mayor and Council of the City of Walthourville (copy)

PREVIOUS COUNCIL DISCUSSION:
SERVICE DELIVERY STRATEGY CERTIFICATIONS

Instructions:
This page must, at a minimum, be signed by an authorized representative of the following governments: 1) the county; 2) the city serving as the county seat; 3) all cities having 1990 populations of over 9,000 residing within the county; and 4) no less than 50% of all other cities with a 1990 population of between 500 and 9,000 residing within the county. Cities with 1990 populations below 500 and authorities providing services under the strategy are not required to sign this form, but are encouraged to do so. Attach additional copies of this page as necessary.

SERVICE DELIVERY STRATEGY FOR THE CITY OF WALTHOURVILLE IN LIBERTY COUNTY

We, the undersigned authorized representatives of the jurisdictions listed below, certify that:

1. We have executed agreements for implementation of our service delivery strategy and the attached forms provide an accurate depiction of our agreed-upon strategy (O.C.G.A. 36-70-21);
2. Our service delivery strategy promotes the delivery of local government services in the most efficient, effective, and responsive manner (O.C.G.A. 36-70-24 (1));
3. Our service delivery strategy provides that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider (O.C.G.A. 36-70-24 (2)); and
4. Our service delivery strategy ensures that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. 36-70-24 (3)).

<table>
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<tr>
<th>SIGNATURE:</th>
<th>NAME: (Please print or type)</th>
<th>TITLE:</th>
<th>JURISDICTION:</th>
<th>DATE:</th>
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</thead>
<tbody>
<tr>
<td>Daisy S. Pry</td>
<td>Daisy S. Pry</td>
<td>Mayor</td>
<td>WALTHOURVILLE</td>
<td>12/07/09</td>
</tr>
</tbody>
</table>
RESOLUTION NO 2009- 1

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF WALTHOURVILLE TO
AMEND THE SERVICE DELIVERY STRATEGY

WITNESSETH:

WHEREAS, the Georgia General Assembly adopted legislation in 1997 known as House Bill 489 (the Service Delivery Strategy law) codified in Chapter 70 of Title 36 of the Official Code of Georgia Annotated;

WHEREAS, the intent of this Act was to minimize any inefficiencies resulting from duplication of services and competition between local governments and to provide a mechanism to resolve disputes over local government service delivery, funding equity, and land use;

WHEREAS, the City of Walthourville is part of a County Wide Service Delivery Strategy, last modified in October 2008;

WHEREAS, it has become necessary to amend the Service Delivery Strategy for the inclusion of additional services provided by the City of Walthourville;

WHEREAS, the changes delineated below shall promote the delivery of these additional services in the most efficient, effective and responsive manner; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Walthourville, and it is hereby resolved by the authority of same, that the Service Delivery Strategy is modified in the following particulars:

1. That the Municipal Court of the City of Walthourville shall be reflected as operating solely within the City of Walthourville and is funded by the General Fund of the City.

2. That the Walthourville Police Department shall be reflected as operating solely within the City of Walthourville and is funded by General Fund of the City.

3. That mosquito spraying is provided within the City of Walthourville in conjunction with the City of Hinesville and Liberty County and is funded by the General Fund of the City.

4. That the City of Walthourville is part of an Emergency Management Agency with Liberty County, the operating funds of which come from the General Fund for the City.
5. That Recreational and Leisure Services for the City of Walthourville shall be funded by the General Fund of the City.

6. That the City of Walthourville cleans and mows the sides of the roads within the City, the funds of which shall come from the General Fund of the City.

7. The City of Walthourville water system is to be funded from the City of Walthourville Water Fund.

BE IT FURTHER RESOLVED, The Mayor and City Council of Walthourville authorizes the Mayor to sign the updated “Certifications” page indicating the changes to the existing strategy;

BE IT FURTHER RESOLVED that the modified Service Delivery Strategy is adopted and approved and the Mayor of the City of Walthourville is authorized to execute the same.

BE IT FURTHER RESOLVED that any and all resolutions in conflict with this resolution be and the same are hereby repealed;

Adopted and approved this 10th day of December, 2009

CITY OF WALTHOURVILLE, GEORGIA:

Daisy S. Ray
Mayor

Larry D. Baker, Council Member

James Hebsey, Council Member

Charlie Anderson
Charlie L. Anderson, Council Member

Patricia Green
Patricia Green, Council Member

Lucila Lackey Lovette
Lucila Lackey Lovette, Council Member

ATTEST:

Juanita Johnson, City Clerk
PURPOSE:  To inform Mayor and Council that Bud Frankenthaler resigned from the Historic Preservation Commission.

BACKGROUND:  Mr. Frankenthaler’s term expires May 2, 2010.

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

07-1-1  Board Appointment Spreadsheet

PREVIOUS COUNCIL DISCUSSION:
<table>
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<tr>
<th>ORGANIZATION</th>
<th>APPOINTED BY</th>
<th>CURRENT APPOINTEES</th>
<th>RESIDES IN DISTRICT</th>
<th>TERMS SERVED</th>
<th>LENGTH OF TERM</th>
<th>TERM BEGAN</th>
<th>TERM EXPIRES</th>
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<td>Electrical Advisory and Appeals Board</td>
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<td>Lonnie Hutchinson (Elec. Engr) N/A</td>
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<td>(5 members) (4 year term)</td>
<td>Don Lee (Elec. Engr) N/A</td>
<td>4 years until replaced</td>
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<tr>
<td></td>
<td>Paul Hawkins (Elec. Contr.) N/A</td>
<td>4 years until replaced</td>
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<td></td>
<td>Lorenzo Dawson (Elec. Contr.) N/A</td>
<td>4 years until replaced</td>
<td></td>
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<td></td>
<td>James McKinnon (HVAC) N/A</td>
<td>4 years until replaced</td>
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<td>Construction Board of Adjustments &amp; Appeals</td>
<td>All individuals appointed by Mayor and Council (with Code Guidance)</td>
<td>Paul Simonton (P.E.) 4</td>
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<td>(7 members) (4 year term)</td>
<td>Lloyd Busby (Contr.) N/A</td>
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<td>Claude Dryden (Contr.) N/A</td>
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<td></td>
<td>Terry Jenkins (Plumber) 4</td>
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<td></td>
<td>Allen George (HVAC) N/A</td>
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<td>Kenneth Fussell (Con at Large) N/A</td>
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<td>False Alarm Review Board</td>
<td>All individuals appointed by Mayor and Council (with Code Guidance)</td>
<td>Willie Swint 3</td>
<td>N/A At pleasure of Mayor and Council 10/04/2007</td>
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<td>(7 members)</td>
<td>Joan Hollingsworth 2</td>
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<td>William Goodwin 5</td>
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<td>Barbara Weaver 1</td>
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<td>Julian Hodges N/A</td>
<td>N/A At discretion of Chief 07/21/2005</td>
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<td>Historic Preservation Commission</td>
<td>Mayor Thomas S.E. (Bud) Frankenthaler 5</td>
<td>1 3 years 05/02/2007 05/02/2010</td>
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<td>(6 members) (3 year term)</td>
<td>CM Frasier Carolyn Smith Carter 1</td>
<td>3 years 05/02/2007 05/02/2010</td>
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<td></td>
<td>CM Ryon Jon Collins 2</td>
<td>3 years 05/02/2007 05/02/2010</td>
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<td>CM Anderson Walter Taylor 3</td>
<td>3 years 05/02/2007 05/02/2011</td>
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<td></td>
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<tr>
<td></td>
<td>CM Jenkins Pete Clark 4</td>
<td>3 years 05/02/2007 05/02/2011</td>
<td></td>
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<td></td>
<td>CM Shaw John Pinkle 2</td>
<td>3 years 05/02/2008 05/02/2011</td>
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PURPOSE: To present a status report of the efforts made.

BACKGROUND: A petition supporting the construction of a community center in the Azalea Street neighborhood was presented at the December 17 Council Meeting. The Community Development Department was tasked with making a recommendation on the matter. Letters were mailed to all residents in the area to ensure that each has an opportunity to state his or her preference.

Residents may reply through January 11 and a recommendation is scheduled to be made at the January 21 Council Meeting pending responses received.

FUNDING: N/A

RECOMMENDATION: N/A

ATTACHMENTS: 08-1-1 Poll Letter

PREVIOUS COUNCIL DISCUSSION: December 17, 2009
December 23, 2009

Sample Letter
Sample Address
Hinesville, GA 31313

Dear Mr. Sample:

The City of Hinesville is considering building a facility within the Azalea Street area in the future. This community center would be available to the public to hold meetings and small gatherings. Additional amenity details have not been determined at this time.

Before proceeding, we are requesting input as to whether residents would like this type of facility in the neighborhood. I encourage you to voice your opinion in this important matter. Please indicate your preference below and return the form by January 11, 2010. For your convenience, responses may be returned in person or by mail in the enclosed return stamped envelope.

_____ I would like a community center in the Azalea Street area
_____ I would not like a community center in the Azalea Street area

The Community Development Department will review the information received and make a recommendation to the Mayor and Council at the January 21 Council Meeting. You are welcomed to attend this session which is held at City Hall and begins at 3:00 pm.

I look forward to receiving your input. Please feel free to contact me at (912) 876-3164 if you have any questions or concerns.

Sincerely,

Kenneth K. Howard, ICMA-CM
Assistant City Manager
City of Hinesville, Georgia Council Meeting

Date: January 7, 2010

Agenda Item: 09-0-0 Mayor Thomas Coversheet

Prepared by: Rose M. Kenner

Presented by: Mayor Thomas

ACTION ITEMS:

None

INFORMATIONAL ITEMS:

None
City of Hinesville, Georgia Council Meeting
Date: Jan. 7, 2009
Agenda Item: 10-0-0 Monthly CH2M HILL/OMI Operational Status Report
Prepared by: Darlene Parker
Presented by: Council Member Kenneth Shaw

ACTION ITEMS: None

INFORMATION ITEMS: None
ACTION ITEMS:

None

INFORMATIONAL ITEMS:

None
ACTION ITEMS:

NONE

INFORMATIONAL ITEMS:

12-1-0  Monthly Business License Report
PURPOSE: To inform Mayor and Council of new Business License Applications received December 1, 2009 to December 31, 2009.

BACKGROUND: The attached list shows all Business License Applications processed from December 1, 2009 thru December 31, 2009. The list includes businesses that have started and/or completed the process to obtain a City of Hinesville Business License

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

12-1-1 Business License Report

PREVIOUS COUNCIL DISCUSSION:
## Monthly Business License Report

<table>
<thead>
<tr>
<th>Status</th>
<th>Start Date</th>
<th>Trade Name</th>
<th>BL Address</th>
<th>Nature of Business</th>
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<tbody>
<tr>
<td>P</td>
<td>12/3/2009</td>
<td>QTC MEDICAL GROUP</td>
<td>514A S MAIN ST</td>
<td>MEDICAL EVALUATION CLINIC</td>
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<tr>
<td>C</td>
<td>12/8/2009</td>
<td>HIGH RISE CLEANING SERVICE</td>
<td>112 CENTRAL DR</td>
<td>56172 CLEANING</td>
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<tr>
<td>C</td>
<td>12/11/2009</td>
<td>CLEVELAND AND SONS</td>
<td>1401 FOREST LAKE DR</td>
<td>23611 HANDYMAN MAINTENCE</td>
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<td>P</td>
<td>12/14/2009</td>
<td>US PATRIOT LLC</td>
<td>108 W HENDRY ST</td>
<td>45299 RETAIL MILITARY AND LAW ENFORCEMENT EQUIPMENT</td>
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<tr>
<td>C</td>
<td>12/21/2009</td>
<td>REDBOX AUTOMATED RETAIL LLC</td>
<td>1 TOWER LANE Ste# 1200</td>
<td>53223 AUTOMATED DVD RENTAL KIOSK</td>
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<tr>
<td>C</td>
<td>12/28/2009</td>
<td>TRI STATE REALTY LLC</td>
<td>401 S MAIN ST</td>
<td>53121 REAL ESTATE</td>
</tr>
</tbody>
</table>
City of Hinesville, Georgia Council Meeting
Date: January 7, 2010
Agenda Item: 13-0-0 Councilmember Ryon’s Report
Prepared by: Linda Smith
Presented by: Councilmember Ryon

ACTION ITEMS:
None

INFORMATIONAL ITEMS:
None
City of Hinesville, Georgia Council Meeting
Date: January 7, 2010
Agenda Item: 14-0-0. Mayor Pro Tem Frasier’s Report
Prepared by: Linda Blanchard
Presented by: Mayor Pro Tem Frasier

ACTION ITEMS:
None

INFORMATIONAL ITEMS:
None
ACTION ITEMS:
NONE

INFORMATIONAL ITEMS:
15-1-0  Sign Ordinance #2010-01
15-2-0  Zoning Ordinance #2010-02
15-3-0  November 2009 Budget to actual Financial Reports
15-4-0  Local Option Sales Tax History (LOST)

PUBLIC RELATIONS (PR)
15-5-0  Branding Report
15-6-0  City of Hinesville Health Fair
15-7-0  Small World Festival Meeting
15-8-0  Martin Luther King Jr. Celebration
PURPOSE: To present proposed Ordinance #2010-01, to amend the Code of the City of Hinesville, Article III (Definitions) and Article VIII (Sign Regulations) for review and discussion.

BACKGROUND: Proposed Ordinance #2010-01 will be presented to Council for discussion/adoption at the February 4, 2010 Council Meeting.

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

15-1-1 Proposed Ordinance #2010-01

PREVIOUS COUNCIL DISCUSSION:
ORDINANCE NO. #2010-01

AN ORDINANCE

An Amendment to the Sign Ordinance as published in the Zoning Ordinance of the City of Hinesville, Georgia

AN ORDINANCE TO AMEND ARTICLE III (DEFINITIONS) AND ARTICLE VIII (SIGN REGULATIONS) OF THE ZONING ORDINANCE OF THE CITY OF HINESVILLE, GEORGIA; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

WITNESSETH:

IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Hinesville, Georgia, and by the authority thereof, that The Code of the City of Hinesville, Georgia, be amended as follows:

SECTION I
ORDINANCE TEXT

(1) Article VIII (Sign Regulations) of the Zoning Ordinance of the City of Hinesville, Georgia is hereby amended as follows:

(A) Section 801 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 801 is substituted therefore and adopted to read as follows:

Sec. 801. In general.

(a) Findings and Purpose.

(1) The City of Hinesville finds that signs and advertising are proper and necessary uses of private property, are a means of personal free expression, are a necessary component of a commercial environment, and constitute a legitimate business enterprise. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of signs tends to proliferate, with property owners desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. The manner of the erection, location, and maintenance of signs affects the public health, safety, morals, and welfare of the citizens of Hinesville. The safety of motorists, pedestrians, cyclists, and other users of the public streets is affected by the number, size, location, lighting and movement of signs that divert the attention of drivers. The size and location of signs may, if uncontrolled, constitute an obstacle to effective fire-fighting techniques. Competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners’ original purpose of presenting a clear message of its idea or identification of its
premises. Uncontrolled and unlimited signs may degrade the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation, and permanent economic growth. The City of Hinesville finds further that regulation of signs is consistent with the City’s efforts to revitalize its central business district, its downtown development area, and its urban redevelopment area.

(2) Regulation of the size, height, number and spacing of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the City’s citizens. The purpose of the Mayor and City Council in enacting these sign regulations is to create a comprehensive and balanced system of sign control that accommodates both the need for a well maintained, safe and attractive community, and the need for effective business identification, advertising and communication.

(3) Regulation of the changeable electronic variable message signs have been shown to create possible threats to public safety. These signs allow operators to change content from remote location in a matter of seconds. Such signs are erected for the purpose of trying to hold the attention of motorists by changing messages and pictures for short durations using a series of bright, colorful images produced mainly via LED (light emitting diode) technologies. Brightly kit signs that change messages every few seconds compel motorists to notice them, and lure the attention of motorists away from what is happening on the road and onto the sign. Such signs pose public safety threats because if they attract a motorists’ attention the motorist will look at the sign and not at the road. Changeable electronic variable message signs are also a threat to public safety because of their brightness, making them visible from great distances. Due to their nature of brightness and changing displays, changeable electronic variable message signs are more distracting than signs which do not vary the message. Some such signs could, if unregulated, have the appearance of large, plasma-screen televisions. An electronic LED display contains brightly-lit text and graphics which can bee seen from hundreds of feet away, drawing the attention of everyone within view. Unless otherwise regulated, such displays can be extremely bright since they are designed to be visible in bright sunlight and at night. Furthermore, the human eye is drawn to them far more strongly than to traditional illuminated signs. Such electronic LED displays can be seen from as far away as six-tenths of a mile, making them distracting. It takes a minimum of six seconds to comprehend the message on an electronic sign, which is three times the safe period for driver distraction. For these reasons, it is the intent of the City Council to allow changeable electronic variable signs subject to acceptable criteria.

(4) Scope. This Article is adopted to serve substantial governmental interests of correcting and avoiding multiple problems that would occur without the regulation of signs. The regulations contained herein are no more extensive than necessary to serve the substantial governmental interests identified in the Article. It is not the intent of this Article to regulate the content of signs, but only their composition, type, location, distance from right-of-way, height, size, illumination, and, in some cases, the duration they may be displayed, or other non-content based restrictions implied in this Article. It is not the intent of this Article to foreclose important
and distinct mediums of expression for political, religious, or personal messages, on any sign permitted to be erected by this Article. These regulations shall not be construed as limiting the message content of any sign.

(5) The City’s aim in regulating signage in the City is directed primarily toward commercial speech, as businesses are by far the most frequent users of signs in Hinesville. The City recognizes the rights of property owners and occupants outside commercial areas of the City to signage of their choosing and further recognizes that courts require protection of all individuals’ rights to erect signs as an inexpensive and effective means of communicating ideas. However, it is not the intention of the City to regulate any and all possible means of expressing ideas. The City’s regulatory structure for signs is therefore directed to those devices traditionally identifiable as signs and is not intended to reach holiday decorations, architectural elements of buildings, flags, works of art or other physical manifestations of concepts unrelated to traditional signage. Through its sign ordinance the City is further not attempting to regulate traditional free speech activities such as parading, picketing or handbilling that do not involve the physical installation of signs on property.

(6) The City has chosen to exempt from permitting requirements certain minor signs that are primarily safety oriented. Studies have shown, for instance, that posting of alarm company signs on residential property has a substantial detrimental effect on residential burglaries. Directional signs are utilized to move vehicular traffic safely in and out of business driveways in an expeditious manner, eliminating or vastly reducing the number of traffic accidents that might otherwise result from unregulated movements. Posting of address numerals is absolutely essential to rapid public safety response in event of emergency and is a service to persons trying to locate unfamiliar properties. It is the City’s considered judgment that such signs directly facilitate the public safety and have little or no impact on expressive speech.

(a) Authority. This Article is enacted pursuant to Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, the Charter of the City of Hinesville, Georgia, the general police powers of Hinesville and other authority provided by Federal, State or local laws applicable hereto.

(b) Administration. All of the provisions of this Ordinance shall be administered and enforced by the Department of Inspections whose duties shall include rendering interpretations as to the requirements of this Ordinance, issuing permits, inspecting signs (both existing and installed) under the provisions of this Ordinance, and enforcement of all provisions of this Ordinance.

(c) Applicability. The requirements of this Article shall apply to all properties in the City of Hinesville, Georgia, regardless of zoning district. The requirements of this Article shall apply to all signs that are visible from a street, public right-of-way, or property in public ownership. The requirements of this Article shall not apply to signs that are not visible from a street, public right-of-way, or property in public ownership.

(d) Sign placement. A sign may be erected, placed, created or maintained in the City only in conformance with the standards, procedures, exemptions, and other requirements of
(c) **Sign construction and maintenance.** All signs shall be constructed and maintained in conformance with applicable building and electrical codes, State laws and sound engineering practices. All signs, together with their supports, braces, guys and anchors, shall be kept in good repair and, unless constructed of galvanized or non-corroding metal, shall be given a protective coating as necessary to maintain a clean appearance and safe condition. Defective or broken parts shall be repaired promptly.

(f) **Federal/State highways.** All signs located on sites abutting Federal or State highway rights-of-way shall conform to all applicable Federal or State regulations. In instances where the sign controls of this appendix are stricter, then these regulations shall apply.

(g) **Permit requirements.** Except where specifically exempted from obtaining a permit by other provisions of this Article, no person, firm or corporation shall post, display, erect, construct, replace, relocate, or alter any sign or billboard within the City without first obtaining all applicable State and local permits.

(B) **Section 803 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 803 is substituted therefore and adopted. It read as follows:**

**Sec. 803. Permits; Procedures.**

(a) **Permit required.** Unless specifically exempted from obtaining a permit under provisions of this Article, no person shall post, display, erect, construct, replace, restore, alter, or relocate any sign or billboard, as defined in this Article, within the City without first obtaining a permit from the city Department of Inspections in the manner set forth in this section. No permit shall be required for ordinary and necessary repairs and maintenance of an existing non-conforming sign permitted by this Article or of an existing conforming sign.

(b) **Application for permit.** Application for permits shall be made upon forms provided by the City of Hinesville Department of Inspections, and any change in the information contained in the application, such as change of address, shall be submitted to the Department within 30 days of the change. Each application shall contain or have attached thereto the following information:

1. Name, mailing address, and telephone number of the applicant;
2. Address of the building, structure, or lot to which or upon which the sign or billboard is to be attached or erected;
3. Position of the sign or billboard in relation to nearby buildings or structures and property lines;
4. One (1) accurate scale drawing of the plans, specifications, and method of
construction and attachment to the building or the ground for the sign or billboard, as well as a scale drawing of the site showing drives, structures, property lines, set back lines, and any other limiting site features;

(5) Sign installation must be certified by a structural engineer as being designed to meet or exceed a 110-m.p.h. wind load. This requirement shall not apply to temporary signs;

(6) Electrical load calculations and a wiring plan, if the proposed sign will include electrical components of any kind. The load calculations and wiring plan must be in accordance with NFPA 70 and other documents;

(7) Name of person, firm, corporation, or association erecting the structure;

(8) Written consent of the owner of the building or land to which, or on which the structure is to be erected; and

(9) Such other information as the Department of Inspections shall require to show full compliance with this and other ordinances of the City.

(c) Issuance of permit.

(1) Upon the filing of an application for a permit and the payment of all necessary fees, it shall be the duty of the City Department of Inspections to examine all plans and specifications submitted and the premises upon which the sign is proposed to be erected, replaced, restored, altered, or relocated. Such review shall be completed within thirty (30) days of submission of a completed sign application. If it appears from review of the permit application and the site that the proposed sign is in compliance with the requirements of this Article and all other ordinances and laws of the City, the Department of Inspections shall issue a permit no later than thirty (30) days from receipt of the completed application.

(2) The City shall deny permits to applicants who submit applications for signs that do not comply with the provisions of this Article, are incomplete, or contain any false material statements. Violation of any provision of this Article will be grounds for revoking a permit granted by the City for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this Article, the Director of Inspections shall revoke the permit.

(3) A current and valid sign permit shall be freely assigned or transferred to a successor as owner of the property or holder of the business license for the same premises, subject only to filing an application with the Department of Inspections and paying any applicable fees. The assignment shall be accomplished by filing and shall not require approval.

(d) Procedures upon denial of permit application or revocation of existing permit.

(1) Should the Director of Inspections deny a permit, the reasons for denial shall be stated in writing and delivered to the applicant by certified mail or by first class mail to the
address on the permit application, or to the applicant’s last known address, on or before thirty (30) days after the City’s receipt of the application. Alternatively, the City may personally serve the sign applicant with a copy of the written notice of denial within thirty (30) days after the City’s receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, instead of the date of the original submission.

(2) Should the Director of Inspections revoke an existing permit, the reasons for revocation shall be stated in writing and delivered to the permittee or sign owner by certified or by first class mail to the address on the permit application, or to the permittee’s or sign owner’s last known address. Alternatively, the City may personally serve the permittee or sign owner by in-hand delivery of the notice of revocation. Alternatively, if the permittee or sign owner cannot be located within the City and the City’s mailings are returned undeliverable, the City may notify the permittee or sign owner by posting and affixing the notice of revocation on the sign itself.

(3) No permit shall be denied or revoked, except for due cause as hereinafter defined, and after the applicant, permittee, or sign owner is given ten (10) business days written notice containing a statement of the reasons for the denial of the permit application or the revocation of a permit. “Due cause” is the violation of any provision of this Article, or other applicable ordinances, state or federal law, or the submission of an incomplete application or an application containing false material statements.

(4) An individual whose permit application has been denied or whose permit has been revoked may appeal the decision to the Citizens Sign Appeals Board, provided such appellant files a written notice of appeal with the City Clerk within ten (10) business days from the postmark date of the Director of Inspections notice, or, alternatively, within ten (10) business days of the date the notice was hand-delivered to the applicant, permittee, or sign owner or was posted to the sign itself pursuant to subsection (d)(2) above. If a notice of appeal is not timely filed, the Director of Inspections’ notice shall constitute the City’s final determination. Appeals shall be considered by the Citizens Sign Appeals Board within thirty (30) days of the receipt of the notice of appeal.

(5) The Mayor and City Council shall issue a written decision, through the City Manager, to the appellant no later than thirty (30) days following the close of the appeal hearing. Decisions of the Mayor and City Council to affirm the decision of the Director of Inspections or to overrule the decision of the Director of Inspections and grant or continue the permit for which appeal is taken shall be reduced to writing and served upon the appellant in the same manner as the original notice to deny or notice of revocation, or in any other manner allowed by this section. Such decision shall constitute a final determination by the City.

(6) If an appellant is dissatisfied with the City’s final determination, the appellant may petition for Writ of Certiorari to the Superior Court as provided by law.

(7) Except as otherwise provided by Section 805 and 819, if an individual appeals the Director of Inspections denial or revocation, no action to erect a sign or to remove an existing
sign shall be taken by either party pending an appeal to the Citizens Sign Appeals Board. After final determination to revoke an existing permit, the sign shall be removed as provided in this Article.

(8) Any person commencing work on a sign before securing the necessary permit from the City shall, in addition to other penalties provided by this Article, be subject to double permit fees under the permit fee schedule.

(e) Permit expiration. If the work authorized by a permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void. No refunds will be made of permit fees for permits that expire due to failure to erect a permitted sign; provided that, where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign but the fabrication has not yet been completed, one ninety (90) calendar day extension may be granted by the Director of Inspections on the duration of the permit. Where a permit has expired for failure to erect the sign, if an individual later desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule in effect at the time of resubmission.

(f) Display of permit: Every sign or billboard constructed, erected, or maintained for which a permit is required by this article shall be plainly marked with the permit decal issued for said structure firmly affixed thereon in such manner that the information therein contained shall be readily accessible and durable. If, however, affixing the decal to the sign is unreasonable or impracticable, the Director of Inspections, or his/her authorized designee, shall authorize the permittee to place the decal on file at his or her place of business or at the site on which the sign is physically located.

(g) Permit fees. Fees for permits shall be fixed from time to time by the Mayor and City Council and a schedule of fees and charges shall be maintained by the City Clerk. A fee for each sign permit shall be paid at the time of filing the application. An application for a permit is incomplete if it is not accompanied by payment of the required fee.

(h) Removal of temporary signs; procedures. The notice and appeal provisions set forth in this section shall apply whenever the Department of Inspections intends to remove a temporary sign from private property; no notice and appeal rights attach, however, to temporary signs erected on public property or in a public right-of-way.

(C) Section 804 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 804 is substituted therefore and adopted to read as follows:
Sec. 804. Prohibited signs.

(a) The following signs, including temporary signs, are prohibited throughout the city:

(1) Signs imitating warning signals are prohibited. No sign shall display lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, regardless of the color; nor shall any signs use the words, slogans, dimensional shape and size, or colors of governmental traffic signs in such a manner as to resemble official traffic signs;

(2) No signs, including temporary signs, except traffic signs and signals and informational signs erected by a public agency, are permitted within any street or highway right-of-way;

(3) It shall be unlawful for any person to tack, post or nail any paper, metal, wood or other signs of any character on any natural features (such as trees or rocks), fence posts, telegraph, telephone, electric or other utility type poles, located in any public right-of-way;

(4) Signs for business operations located in residential zoning districts;

(5) Roof signs and trailer-mounted signs;

(6) Rotating signs and flashing/animated signs;

(7) Signs attached to trees or utility poles or boxes; signs painted on or otherwise attached to rocks or other natural objects; signs, including temporary signs, other than those placed by a local, state or federal government, located within the public street right-of-way or within five (5) feet of the curb or closest edge of the pavement of any public street;

(8) Signs emitting or utilizing in any manner any sound capable of being detected on a public road by a person of normal hearing;

(9) Signs which obstruct any fire escape, any means of egress or ventilation, or prevent free passage from one part of a roof to any other part thereof; signs attached in any manner to any fire escape;

(10) Banner, fringe, twirling, A-frame, sandwich-type, sidewalk or curb-type signs, balloons, streamers, portable display signs, air or gas filled figures and other similar temporary signs, except as expressly permitted and provided for in this article;

(11) Signs that threaten, intimidate, or incite violence;

(12) Any sign placed or erected on a property without the permission of the property
owner;

(13) Signs that emit smoke, vapor, particles, or odor;

(14) Searchlight or spotlights, except for special promotions and attracting attention to new business “grand opening”. For each event, such device shall receive prior written approval from the Director of Inspections or his or her designee; said device shall not create a nuisance or interfere with vehicular traffic, adhere to all applicable regulations of the Federal Aviation Administration (FAA), and may be for a period not exceeding seven (7) consecutive days with a special event permit;

(15) Illuminated signs from or to which direct rays of light are projected onto a lot other than on the lot where the illumination occurs;

(16) Vehicular signs are prohibited in all districts except where the business has no reasonable alternative location on the site to park the vehicle;

(17) Abandoned signs are prohibited in all districts;

(18) Signs which contain words, pictures, or statements which are obscene, as defined by the Official Code of Georgia Annotated § 16-12-80;

(19) No sign shall otherwise be in violation of the Official Code of Georgia Annotated § 32-6-75;

(20) Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic;

(b) The provisions of this article shall not apply to the following:

(1) Signs erected by a government or government agency.

(2) Signs of public utility companies indicating danger, or which serve as an aid to public safety or identification, or which show the location of underground facilities, or of public telephones

(3) “No Trespassing” signs, or other such signs regulating the use of property, such as “No Hunting”, “No Fishing”, etc. of no more than two (2) square feet in area

(4) Names of buildings and date of erection when cut into any masonry surface, or inlaid so as to be part of the building, or when constructed of any bronze or other non-combustible materials

(5) Signs of historical societies no more than five (5) square feet in area
(D) Section 805 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 805 is substituted therefore and adopted to read as follows:

Sec. 805. Unsafe and unlawful signs.

If the City Department of Inspections shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or is a menace to the public health or safety, or is an abandoned sign, or is maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the provisions of this article, the department of inspections shall give written notice to the permittee or property owner thereof. If the permittee or property owner fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, the sign permit shall be revoked, subject to the permittee’s or owner’s right to appeal as provided by this article, and the permittee or property owner shall be subject to the penalties set forth in this article. In any case in which a sign or other advertising structure is an immediate peril to person or property, the City Department of Inspections may cause such structure to be removed summarily and without notice. Notwithstanding any provision in this Article to the contrary, there shall be no right to notice or appeal of any action taken against a sign erected on public property or in a public right-of-way.

(E) Section 806 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 806 is substituted therefore and adopted to read as follows:

Sec. 806, Special requirements, regulations and construction standards; all signs.

(a) Wind pressure and dead load requirements. All signs and billboards shall be designed and constructed to withstand a wind pressure of not less than forty (40) pounds per square foot of area, and shall be constructed to receive dead loads as required in the City Building Code or other ordinances or laws of the City.

(b) Materials required. All signs and billboards for which a permit is required by this Article shall have a facing of noncombustible material; provided however, that combustible structural trim may be used thereon.

c) Surface of signs. All signs or billboards which are constructed within ten (10) feet of a street right-of-way shall have a smooth surface, and no nails, tacks, or wires shall be permitted to protrude therefrom, except electrical reflectors and devices which may extend over the top and in front of the advertising structures.

(d) Moveable parts. Any movable part of any sign or billboard shall be securely fastened by chains or hinges.

(e) Reflectors. Gooseneck reflectors and lights shall be permitted on stanchion signs, and wall signs; provided, however, the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.
(f) **Illumination.** The light directed on, or internal to, any sign shall be so shaded, shielded and/or directed so that the light intensity or brightness shall not adversely affect surrounding or facing premises or adversely affect safe vision of operators of vehicles moving on private or public roads, highways, or parking areas, or adversely affect safe vision of pedestrians on a public right-of-way. Light shall not shine upon nor reflect into residential structures.

(g) **Internal illumination.** The illumination of signs or billboards in which the light source is concealed or contained within the structure itself and which becomes visible in darkness by shining through a translucent surface shall not exceed twelve (12) foot candles of incident light measured at a distance often (10) feet from such structure.

(h) **Floodlight illumination.** Signs or billboards illuminated by floodlights or spotlights shall be positioned in such a manner that none of the light spills over onto adjoining property or glares or shines into the eyes of motorists or pedestrians.

(i) **Fluctuating/animated/illuminated.** Any attraction device or sign which flashes, blinks, is animated, or fluctuates in light intensity shall be prohibited.

(j) **Obstruction to doors, windows, or fire escapes.** No sign shall be erected, relocated, or maintained so as to prevent free ingress to, or egress from, any door, window, or fire escape; nor shall any sign be attached to any standpipe or fire escape.

(k) **Signs not to constitute traffic hazard.** No sign or other advertising structure as regulated by this Article shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or be placed at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal, or device; or make use of the word “STOP,” “LOOK,” “DRIVE-IN,” “DANGER,” “or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

(l) **Maintenance.** All signs regulated by this article shall be kept clean, neatly painted, and free from all electrical and mechanical hazards, including, but not limited to, faulty wiring and loose connections, and the premises surrounding same shall be maintained by the owner thereof in a sanitary and inoffensive condition, free and clear of all weeds, rubbish, and debris.

(m) **Removal of certain signs.** Abandoned signs, as defined in article III, section 302 of this appendix, shall immediately be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign may be found, subject to that person’s right to appeal to the Mayor and City Council as set forth in this Article.

(n) **Stanchion signs, monument signs and billboards.**

(1) **Height and signable area limitations.** Height and signable area limitations shall be as prescribed in the section of this appendix relative to the zone in which the sign is to be erected.

(2) **Space between sign and ground.** Stanchion signs shall have an open space not less...
than two (2) feet between the base line of the sign and the ground level. This open space may be filled in with a platform or decorative lattice work that does not close off more than one-half (1/2) of any square foot of such open space.

(3) **Distance between signs.** No stanchion sign shall be nearer than twenty-five (25) feet to any other sign, and a stanchion sign which is six (6) square feet or more in area may not be closer than seventy-five (75) feet to any other stanchion sign which is six (6) square feet or more in size.

(4) **Erection standards.** Stanchion signs and billboards shall meet all construction standards as specified in the applicable section of the current State of Georgia adopted standard building code governing signs.

(5) **Spacing.** Billboards on a given street shall be spaced at least one thousand (1,000) feet apart, measured lineally along the right-of-way visible in any direction.

(6) **Setback requirement.** No stanchion or monument sign or billboard may be erected on, over, or within ten (10) feet of any public right-of-way.

(7) **Faces.** No more than two (2) faces shall be displayed per billboard site to any direction of traffic flow. No single face shall be greater than three hundred fifty (350) square feet; provided that where two faces are mounted on one support and face in the same direction of traffic, either side by side or stacked vertically, the total square footage of both faces shall not exceed six hundred (600) square feet per site. No more than five (5) faces shall be erected per lineal mile, visible in any one (1) direction. Official state highway mile-markers shall be used in determining the number of permitted sites per mile.

(8) **Public parks, etc.** No billboard shall be located or placed so as to face any public park, playground, or cemetery, or be located within one hundred fifty (150) feet of the boundary of such an area when measured along a common street right-of-way.

(o) **Wall signs.** All wall signs shall meet the following requirements.

(1) **Signs on the front surface of a building.** The total area of signs on the exterior front surface of a building shall not exceed twenty-five (25) percent of the front surface of the building, or the total amount of sign area permitted within the zoning district where the sign or signs are to be located, whichever is less.

(2) **Signs on the side and rear surface of a building.** The total area of signs on a side or rear surface of a building shall not exceed the total sign area permitted within the zoning district where the sign or signs are to be located.
(3) Combined sign area. The combined sign area on the front, side and rear surface of a building shall not exceed the total sign area permitted within the zoning district where the sign or signs are to be located.

(4) Erection standards. Wall signs shall meet all construction standards as specified in any State of Georgia adopted standard building code governing signs.

(5) Placement and signable area limitations. No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached. The signable area of any one (1) wall sign shall not exceed three hundred (300) square feet. Wall signs placed in the space between windows shall not exceed in height more than two-thirds (2/3) of the distance between the top of the window and the sill of the window above.

(6) Projection above sidewalk. Notwithstanding any other provision in this Article, if a wall sign is attached to a wall at a height of less than ten (10) feet above any sidewalk or walking path, then that wall sign shall not extend from the surface of the wall more than eight (8) inches.

(7) Illuminated signs. Illumination devices shall be so placed and so shielded that light from the sign itself will not be directly cast into any residential district, sleeping rooms in any district or the eyes of an automobile or vehicular driver.

(p) Projecting signs.

(1) Signable area limitations. The signable area of any one projecting sign shall not exceed one hundred (100) square feet each side.

(2) Projection over public property. Every projecting sign shall be placed at least twelve (12) feet above the public sidewalk over which it is erected, and a distance not greater than two (2) feet from the face of the wall to which it is attached, measuring from the point of the sign nearest thereto; and no sign or part thereof shall extend nearer the curb line than one (1) foot. Projecting signs shall not project over public driveways, alleys, and thoroughfares.

(3) Erection standards. Projecting signs shall conform to the requirements of any State of Georgia adopted Standard Building Code governing sign construction.

(q) Temporary and mobile signs.

(1) Size and signable area limitations. Size, number, and signable area limitations for temporary or mobile signs shall be as prescribed in the section of this article relative to the zone in which the sign is to be erected.

(2) Placement limitations. No temporary or mobile sign shall be placed within ten (10) feet of the edge of any public right-of-way.
(3) **Erection standards.** Each temporary sign shall meet all construction standards as specified in the applicable section of the current State of Georgia adopted Standard Building Code governing signs.

(4) **Duration of temporary or mobile signs.** Display time limitations for temporary or mobile signs shall be as prescribed in the section of this Article relative to the zone in which the sign is to be erected. Notwithstanding any provision in this article to the contrary, any sign anticipated to be displayed for more than one hundred eighty (180) days in any one calendar year is a permanent sign and shall not be considered a temporary or mobile sign.

(5) **Sign lighting.** The sign shall not be lighted either directly or indirectly.

(6) **Sign location.** The sign shall be located entirely on the property of the owner.

(7) **Prohibited signs.** Roof signs and trailer mounted signs are prohibited.

(8) **Signs in violation.** The City Department of Inspections shall have the authority to and may remove temporary signs that are in violation of this Article. The expense incurred by the City for the removal of said signs may be billed to and collected from the individual, group or organization responsible for placement of the sign.

(9) **Permitting procedures.** The requirements for a permit and permit fee are waived for temporary signs authorized by this Article.

(r) Changeable Electronic Variable Message Signs

**Definition.** For purposes of this Section, “changeable electronic variable message sign” shall mean any sign, as defined in this Article other than a public variable message sign, which is erected by a city, county, or state government for traffic communications purposes which results in the illuminated display of messages or information by the use of a matrix of electric lamps (e.g. digital, LED, (light emitting diode) or similar or refined display technology), movable discs, movable panels, light apertures, or other methods, which allow the message change to be actuated by a control mechanism rather than manually changing the message; and which changes the message more often than twice daily. It is characteristic of such signs that the sequence of messages and the rate of change can be electronically programmed and can be modified by electronic processes.

(1) **Purposes.** This Section establishes requirements associated with the changeable electronic variable message signs, including but not limited to the duration of message, transition time, light intensity, malfunction, and permitting, to ensure reasonable and safe standards are met to protect the motoring public.

(2) **Area and Height.** No such sign shall exceed the area or height specified for the type of sign for which it is defined and permitted under the terms of the Article.

(3) **Separation.** No such sign shall be located within 5,000 feet of another multiple
message sign on the same side of the highway.

(4) **Nature of Display.** Nothing in this Section shall be construed to permit or authorize the flashing or variation of light intensity of an individual message; such flashing or variation constitutes an "animated sign as defined in Article III (Definitions) and prohibited by Article VIII Section (a)(6) of this article.

(5) **Duration of Message.** Each multiple message shall remain fixed for at least the amount of time that would result in one (1) message per mile at the highest speed limit posted within the 5000 feet approaching the sign for the road from which the sign is to be viewed.

(6) **Transition Time.** When a message is changed, it shall be accomplished in less than one-tenth (1/10th) of a second and shall not use fading, swiping or other animated transition methods.

(7) **Illumination and Brightness.** No such sign shall be illuminated at an intensity of greater than twelve (12) foot-candles or illumination, measured from the nearest point of any highway or public road. All such signs shall be equipped with a dimmer control and a photo cell which shall constantly monitor ambient light conditions and adjust sign brightness accordingly.

(8) **Freeze and display when Malfunction Occurs.** Such signs shall include a default designed to freeze a display in one still position if a malfunction occurs.

(9) **Sequencing of Messages Prohibited.** Using two or more successive screens to convey a message that will not fit on one (1) screen shall be prohibited.

(10) **Permit Requirements.** In addition to those permit requirements established relative to permits for signs generally, the Director of Inspections is authorized to impose additional permit requirements specific to changeable electronic variable message signs and applications therefore, including but not limited to the following:

(1) Description or graphic depiction of the type of internal illumination technology; and

(2) A drawing or schematic prepared by an illumination engineer showing the amount of light designed to emanate from the proposed sign at the highway or public road to which the sign is directed and at any highway or public road to which the proposed sign is visible, showing measurements in foot-candles. Said drawing or schematic shall show either is of foot-candles (i.e., connecting points of equal light illumination levels, similar to a topographic contour) or a photometric grid with individual spot readings; and

(3) A statement certified by an engineer, acceptable to the Director of Inspections demonstrating that the weight of the sign upon installation has sufficient footing and other characteristics sufficient to ensure the sign will be safely secured and able to withstand wind
resistance as may be customary for similar structures according to the applicable building code; and

(4) Other information as may be reasonably required by the Director of Inspections to ensure compliance with the purpose and regulations of section of the zoning ordinance, and the purposes and intentions of this zoning (sign) ordinance generally.

These permit requirements shall be submitted on application forms prepared by the sign administrator. These permit requirements are applicable to both the construction of a new changeable electronic variable message sign and the re-facing of an existing sign with changeable electronic variable message sign.

(F) Section 807 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 807 is substituted therefore and adopted to read as follows:


(a) Permitted signs.

(1) Sign Allowance per residence. For R-1, R-2, R-3, R-4, R-A-1, R-TH, MH, and MEI-2 residential districts, any number of non-illuminated temporary signs per lot or parcel, not exceeding a combined total of sixteen (16) square feet in area nor more than five (5) feet in height, for a period not to exceed six (6) months. A permit is not required for a temporary sign as defined in this Article. Unless specifically exempted from the requirement to obtain a permit by other provisions of this Article, the normal permitting requirements and procedures apply to any sign maintained on a premises and anticipated to be displayed longer than six (6) months. Residents of the City who do not have control of land surrounding their living unit on which to erect a sign may post window signs up to the allowable sixteen (16) square feet.

(2) Residential development sign. Residential development identification structure at major entrances designed to identify residential development. Such sign shall not exceed six (6) feet in height or forty-eight (48) square feet in signable area.

(3) Temporary subdivision sign. One (1) temporary subdivision sign structure per development having a combined sign area not exceeding one hundred (100) square feet nor six (6) feet in height, provided that it is spaced not closer than one thousand (1,000) linear feet from any other sign structure on the same side of the street.

(b) Prohibited signs:

(1) All signs not expressly authorized in section 807 (a).

(G) Section 808 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in
its entirety and a new Section 808 is substituted therefore and adopted to read as follows:

Sec. 808. Signs permitted in O-I (office-institutional) district.

(a) Permitted signs.

(1) Monument sign. One (1) monument sign per lot not to exceed five (5) feet in height and thirty (30) square feet in size per lot. The sign shall be erected so that no portion of the said sign shall be less than ten (10) feet from the street right-of-way.

(2) Projecting sign, wall sign or awning sign. Either one (1) projecting sign or one wall sign or awning sign per wall, per office/institutional use. The total area of the wall sign shall not exceed six (6) square feet in size per office/institutional use.

(3) Window signs. Any number of non-illuminated window signs per exterior wall per business operation; provided that:

(A) the total area of window signage on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

(B) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(4) Temporary signs.

(A) Banner. One (1) banner, not to exceed sixty (60) square feet, shall be permitted per business or office use for a period not to exceed six (6) months, or, alternatively, for a period not to exceed sixty (60) days three (3) times per calendar year. Such banner shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(B) Temporary stanchion sign. In lieu of a banner, one (1) temporary stanchion sign no higher than six (6) feet and with a signable area no greater than thirty-two (32) square feet may be located for a period not to exceed six (6) months, or, alternatively, for a period not to exceed sixty (60) days three (3) times per calendar year. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

(C) Temporary window signs. Any number of non-illuminated temporary window signs per exterior wall per business operation; provided that:

(1) the total area of window signage, including temporary window signage, on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

(2) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.
(b) **Prohibited signs.**

(1) All signs not expressly authorized in section 808 (a).

(H) **Section 809 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 809 is substituted therefore and adopted to read as follows:**

Sec. 809. Signs permitted in 0-C (office-commercial) districts.

(a) **Permitted signs.**

(1) **Monument/stanchion signs.** One (1) stanchion or monument sign not to exceed twelve (12) feet in height or a total signable area of one hundred eighty (180) square feet. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

(2) **Wall or awning sign.** One (1) wall or awning sign per office or commercial use. The total area of the wall sign shall not exceed ten (10) square feet in area.

(3) **Window signs.** Any number of non-illuminated window signs per exterior wall per business operation; provided that:

(A) the total area of window signage on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

(B) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(4) **Temporary signs.**

(A) **Banner.** One (1) banner, not to exceed sixty (60) square feet, shall be permitted per business or office use for a period not to exceed thirty (30) days four (4) times per calendar year. Such banner shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(B) **Flags, balloons, and similar displays.** Flags, inflatable balloons, or other similar type of displays not herein before specifically identified shall be permitted for a period not to exceed thirty (30) days four (4) times per calendar year. Such displays shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(C) **Temporary stanchion signs.** In lieu of a banner, flags, balloons, or similar type of displays, one (1) temporary stanchion sign no higher than six (6) feet and with a signable area no greater than thirty-two (32) square feet may be located for a period not to exceed six (6)
months. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

(D) **Temporary window signs.** Any number of non-illuminated temporary window signs per exterior wall per business operation; provided that:

1. the total area of window signage, including temporary window signage, on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

2. the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(b) **Prohibited signs.**

1. All signs not expressly authorized in section 809 (a).

(i) **Section 810 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 810 is substituted therefore and adopted to read as follows:**

Sec. 810. Signs permitted in C-i (central business) district.

(a) **Permitted signs:**

1. **Monument sign.** One (1) monument sign which shall not be in excess of five (5) feet in height and the signable area which shall not exceed thirty (30) square feet in size, per lot. This sign shall be erected so that no portion of the sign shall be less than ten (10) feet from the street right-of-way.

2. **Projecting, wall, or awning sign.** One (1) projecting sign, or one (1) wall sign or awning sign per wall per business operation. Each such sign cannot exceed ten (10) square feet in size.

3. **Window signs.** Any number of non-illuminated window signs per exterior wall per business operation; provided that:

   A. the total area of window signage on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

   B. the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

4. **Temporary signs.**

   A. **Temporary stanchion sign.** One (1) temporary stanchion sign no higher than six (6) feet and with a signable area no greater than thirty-two (32) square feet may be located for
a period not to exceed six (6) months. No portion of the sign shall be less than ten (10) feet from the Street right-of-way.

(B) *Temporary window signs.* Any number of non-illuminated temporary window signs per exterior wall per business operation; provided that:

1. the total area of window signage, including temporary window signage, on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

2. the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(b) *Prohibited signs.*

1. All signs not expressly authorized in section 810 (a).

(J) *Section 811 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 811 is substituted therefore and adopted to read as follows:*

Sec. 811. Signs permitted in C-2 (general commercial) districts.

(a) *Permitted signs.*

1. *Stanchion or monument sign.* One (1) stanchion or monument sign not to exceed twenty (20) feet in height with a total signable area of two hundred (200) square feet which is to be located adjacent to the arterial or collector street from which the primary access to the development is provided. This sign shall be erected so that no portion of the sign shall be less than ten (10) feet from the street right-of-way.

2. *Additional stanchion or monument sign.* Shopping centers developed in accordance with City of Hinesville Codes and Ordinances may have an additional stanchion or monument sign one-half (1/2) the size and the height of the stanchion or monument sign described in the above paragraph (a) for all other arterial or collector streets from which access to the shopping center is provided. This sign shall be erected so that no portion of the sign shall be less than ten (10) feet from the street right-of-way.

3. *Wall, awning, mansard, or projecting sign.* Three (3) signs per business of any combination: wall, awning, mansard, or projecting *sign,* of which a total area of signage cannot exceed ten (10) percent of the building front of the business.

4. *Window signs.* Any number of non-illuminated window signs per exterior wall per business operation; provided that:

   A. the total area of window signage on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,
(B) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(5) Temporary signs.

(A) Banner. One (1) banner, not to exceed sixty (60) square feet, shall be permitted per business or office use for a period not to exceed thirty (30) days, four (4) times per calendar year. Such banner shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(B) Flags, balloons, and similar displays. Flags, inflatable balloons, or other similar type of displays not herein before specifically identified shall be permitted for a period not to exceed thirty (30) days, four (4) times per calendar year. Such displays shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(C) Temporary stanchion signs. One (1) temporary stanchion sign no higher than six (6) feet and with a signable area no greater than thirty-two (32) square feet shall be permitted for a period not to exceed six (6) months. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

(D) Temporary window signs. Any number of non-illuminated temporary window signs per exterior wall per business operation; provided that:

(1) the total area of window signage, including temporary window signage, on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

(2) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(b) Prohibited signs.

(1) All signs not expressly authorized in section 811(a).

(K) Section 812 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 812 is substituted therefore and adopted to read as follows:

Sec. 812. Signs permitted in C-3 (highway commercial) and L-I (light industrial) districts.

(a) Permitted signs.

(1) Stanchion or monument sign. One (1) stanchion or monument sign not to exceed twenty (20) feet in height with a total signable area of two hundred (200) square feet which is to be located adjacent to the arterial or collector street from which the primary access to the development is provided. This sign shall be erected so that no portion of the sign shall be less than ten (10) feet from the street right-of-way.
(2) **Additional stanchion or monument sign.** Shopping centers developed in accordance with City of Hinesville Codes and Ordinances may have an additional stanchion or monument sign one-half (1/2) the size and the height of the stanchion or monument sign described in the above paragraph (a) for all other arterial or collector streets from which access to the shopping center is granted. This sign shall be erected so that no portion of the sign shall be less than ten (10) feet from the street right-of-way.

(3) **Wall, awning, mansard, or projecting sign.** Three (3) signs per business of any combination: wall, awning, mansard, or projecting sign, of which the total area of signage cannot exceed ten (10) percent of the building front of the business.

(4) **Window signs.** Any number of non-illuminated window signs per exterior wall per business operation; provided that:

   (A) the total area of window signage on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

   (B) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(5) **Temporary signs.**

   (A) **Banner.** One (1) banner, not to exceed sixty (60) square feet, shall be permitted per business or office use for a period not to exceed thirty (30) days, four (4) times per calendar year. Such banner shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

   (B) **Flags, balloons, and similar displays.** Flags, inflatable balloons or other similar type of displays not herein before specifically identified shall be permitted for a period not to exceed thirty (30) days, four (4) times per calendar year. Such displays shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

   (C) **Temporary stanchion signs.** In lieu of a banner, flags, balloons, or similar type of displays, one (1) temporary stanchion sign no higher than six (6) feet and with a signable area no greater than thirty-two (32) square feet shall be permitted for a period not to exceed six (6) months. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

   (D) **Temporary window signs.** Any number of non-illuminated temporary window signs per exterior wall per business operation; provided that:

      (1) the total area of window signage, including temporary window signage, on any exterior wall shall not exceed twenty percent (20) percent of the area of that exterior wall; and,

      (2) the area of one exterior wall shall not be used in the calculation of
window signage permitted on another exterior wall.

(6)  **Billboards.** Billboards subject to the following additional requirements:

(A) A billboard shall be located on an arterial or collector street and shall be erected so that no portion of the billboard is less than ten (10) feet from the street right-of-way.

(B) A billboard shall not be located closer than one thousand (1,000) linear feet from another billboard.

(C) A billboard shall not be located on a lot which is currently developed for any other use.

(D) No billboard shall be more than thirty-two (32) feet in sign height.

(e) No billboard face shall exceed the size limitations in signable area as provided by section 806 (m) (7).

(b)  **Prohibited signs.**

(1) All signs not expressly authorized in section 812 (a).

(L)  **Section 813 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety and a new Section 813 is substituted therefore and adopted to read as follows:**

Sec. 813. Signs permitted in PUD (planned urban development) districts.

(a) Only those signs incorporated in plans for planned urban developments approved by the City of Hinesville Planning Commission and City Council are permitted in planned urban development districts.

(b) Signs within a PUD shall be of a uniform and consistent design and color scheme.

(c) Signs within a PUD shall be of a uniform and consistent manner of construction.

(d) The size, height, and setback limitations for signs in a PUD shall be the same as the size, height, and setback limitations that apply to the most analogous use as identified in Section 807 of this Article (for a PUD that is exclusively a residential use) or Section 809 of this Article (for a PUD that is exclusively a non-residential use). For PUDs that include both residential and non-residential uses, the size, height, and setback limitations that apply to residential uses elsewhere in the City shall apply to the residential uses in such mixed-use PUD, and the size, height, and setback limitations that apply in O-C (office-commercial), districts shall apply to the non-residential uses in such mixed-use PUD.
(e) The regulations of this article shall serve as minimum requirements for signs in planned urban development districts.

(f) Signs on the side of entrance. All permanent subdivision signs shall be no less than 12 feet from any street right-of-way line. No sign shall be placed inside any island between lanes of traffic within the right of way.

(g) Plans. Prints or drawings of the plans and specifications and structural details of construction shall be submitted to the Director of Inspections for approval, prior to final plat approval, for any permanent subdivision sign.

(h) Maintenance. The City shall not be responsible to maintain any permanent subdivision sign.

(M) A new Section 814 of the Zoning Ordinance of the City of Hinesville, Georgia, is adopted with renumbering of existing Section 814 as new Section 815 and renumbering of all subsequent sections as set out in this ordinance. New Section 814 shall read as follows:

Sec. 814. Signs permitted in D-D (Downtown Development) District and permitted mixed-occupancy uses (commercial and residential) within the Downtown Redevelopment Overlay District.

Sign allowance in the D-D (Downtown Development) and for permitted mixed-occupancy uses within the Downtown Redevelopment Overlay District shall be identical to the 0-C (Office Commercial) District.

(a) Permitted signs.

(1) Stanchion or monument sign. One (1) stanchion or monument sign not to exceed twelve (12) feet in height or a total signable area of one hundred eighty (180) square feet. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

(2) Wall or awning sign. One (1) wall or awning sign per office or commercial use. The total area of the wall sign shall not exceed ten (10) square feet in area.

(3) Window signs. Any number of non-illuminated window signs per exterior wall per business operation; provided that:

(A) the total area of window signage on any exterior wall shall not exceed twenty (20) percent of the area of that exterior wall; and

(B) the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(4) Temporary signs.
(A) **Banner.** One (1) banner, not to exceed sixty (60) square feet, shall be permitted per business or office use for a period of not to exceed thirty (30) days four (4) times per calendar year. Such banner shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(B) **Flags, balloons, and similar displays.** Flags, inflatable balloons, or other similar type of displays not herein before specifically identified shall be permitted for a period not to exceed thirty (30) days four (4) times per calendar year. Such displays shall be erected entirely upon the owner’s property and shall meet all setback requirements for freestanding signs.

(C) **Temporary stanchion signs.** In lieu of a banner, flags, balloons, or similar type of displays, one (1) temporary stanchion sign no higher than six (6) feet and with a signable area no greater than thirty-two (32) square feet may be located for a period not to exceed six (6) months. No portion of the sign shall be less than ten (10) feet from the street right-of-way.

(D) **Temporary window signs.** Any number of non-illuminated temporary window signs per exterior wall per business operation; provided that:

1. the total area of window signage, including temporary window signage, on any exterior wall shall not exceed twenty (20) percent of the area of that exterior wall; and
2. the area of one exterior wall shall not be used in the calculation of window signage permitted on another exterior wall.

(b) **Prohibited signs.**

1. All signs not expressly authorized in section 814(a).

(N) **Existing Section 814 of the Zoning Ordinance of the City of Hinesville, Georgia concerning non-conforming signs is deleted in its entirety and a new Section 815 is substituted therefore and adopted to read as follows:**

**Sec. 815. Non-conforming signs.**

(a) **Nonconforming signs.** A nonconforming sign is any sign existing on the effective date of this ordinance which does not conform to the standards of this ordinance but which was legal at the time it was erected.

(b) Nonconforming signs shall be permitted until one (1) of the following conditions occurs:

1. The sign is abandoned.
2. The permittee or property owner fails to maintain the sign in accordance with
(c) No changes in shape, size, or design shall be permitted except to make a nonconforming sign comply with all requirements of this appendix.

(d) Non-durable signs. Nonconforming signs made of paper, cloth, or other nondurable material, all temporary signs other than those permitted herein, and any signs that are not affixed to a building or the ground shall be removed within twelve (12) months of the effective date of this ordinance.

(e) Replacement of nonconforming signs. A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, removable sign faces, or changeable copy on nonconforming signs shall be permitted; provided that, no change of a sign cabinet may be made to a nonconforming sign without bringing the entire sign into conformity with this ordinance at such time. A sign cabinet is the physical structure which surrounds the sign face and houses electrical wiring components, light sources, and/or the structural frame upon which the sign face is erected. Where the structural support of a sign is defective and needs to be replaced, such sign shall be brought into conformity with this ordinance at such time.

(f) Minor repairs and maintenance. Minor repairs and maintenance of nonconforming signs, such as repainting, electrical repairs, and neon tubing, shall be authorized. Structural repairs or changes in the size or shape of any sign shall not be allowed except to cause the sign to be brought into compliance with the requirements of this article; provided that signs damaged by fire, act of God or by other cause demonstrated by the owner of the sign by clear and convincing evidence to be outside the owner’s control may be restored to their original non-conforming condition.

(O) Existing Section 815 of the Zoning Ordinance of the City of Hinesville, Georgia, concerning exemptions is deleted in its entirety and a new Section 816 is substituted therefore and adopted to read as follows:

Sec. 816. Exception to permit provisions.

The permit and permit fee requirements of this article shall not apply to the following signs, provided that the signs or devices erected or placed are located on property of the person who erects such signs or on property whose owner has given written permission for such placement.

(a) Directional signs. Directional signs, as defined in Article 3 and as further limited by this section, not exceeding four (4) square feet in area nor two (2) feet in height, as erected, with lettering not exceeding six (6) inches in height, designed and installed for the sole purpose of directing the public as to the proper movement of vehicles on, off, or within driveways and travel areas. To be eligible for this exemption, a property shall contain not more than two directional signs per street entrance.
(b) Identification plates for doors not exceeding four inches by eighteen inches in size.

(c) Alarm company signs and logos not exceeding six (6) square inches on residential properties or one square foot on commercial properties.

(d) Building numerals designating property numbering of a building or premises, such numerals not to exceed a height of six (6) inches on residential property or a height not exceeding twelve (12) inches on commercial, office, industrial, or mixed-use property.

(P) Article VIII of the Zoning Ordinance of the City of Hinesville, Georgia, is amended by renumbering Section 816 as Section 821, by amending the old Section 816 (new Section 821) as set forth elsewhere in this Ordinance, and by adding a new Section 817, adopted to read as follows:

Sec. 817. Erecting signs on private property.

(a) No person shall place, print, nail, tack or otherwise fasten any card, banner, hand-built sign, poster, advertisement or notice of any kind, or cause the same to be done, on any private property without the written consent of the owner of such property.

(b) No person shall construct, erect, operate, use or maintain any sign without the written permission of the owner or the person in lawful possession or control of the property on which such structure or sign is located.

(Q) Article VIII of the Zoning Ordinance of the City of Hinesville, Georgia, is amended by adding a new Section 818, adopted to read as follows:

Sec. 818. Variances.

(a) Variances from the regulations of this Article shall be limited to the following hardship situations:

(1) Where compliance with the regulations of this Article would constitute a physical impossibility based on existing trees, plants, natural features, signs, buildings or structures on the lot in question and the variance proposed would not create a safety hazard to vehicular traffic or pedestrians; or

(2) Where visibility of a conforming sign from the proposed street and within fifty (50) feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings or structures on a different lot; and

(A) Placement of the sign elsewhere on the lot would not remedy the visual obstruction;
(B) Such visibility obstruction was not created by the owner of the subject property; and

(C) The variance proposed would not create a safety hazard to vehicular traffic or pedestrians.

(b) Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist.

(c) Relief from the application of this Article by use of variances granted by the Mayor and City Council shall be granted only upon a finding of hardship as previously defined. Hearing on such variances shall be noticed using the same time frames and notice requirements as for variances from zoning decisions.

R) Article JTI of the Zoning Ordinance of the City of Hinesville, Georgia, is amended by adding a new Section 819, adopted to read as follows:

Sec. 819. Signs requiring removal.

(a) Traffic hazards. Any sign constituting a traffic hazard or a menace to the motoring public or pedestrians shall be removed as provided in Section 820.

(b) General maintenance. Every sign, including those signs for which permits are required and those for which no permit or permit fees are required, shall be maintained in a safe, presentable and good structural condition at all times. The sign owner shall be responsible for repair or replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign. If the sign is not made to comply with adequate safety and maintenance standards, the Department of Inspections shall require its removal in accordance with Section 820.

(c) Dangerous or defective signs. No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign that is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the premises or owner of the sign. Upon failure of the owner to remove or repair a dangerous or defective sign, the Director of Inspections shall require its removal in accordance with Section 820.

(d) Unlawful signs. The Director of Inspections shall require the removal of any sign which does not comply with the provisions of this Article.

(S) Article VIII of the Zoning Ordinance of the City of Hinesville, Georgia, is amended by
adding a new Section 820, adopted to read as follows:

Section 820. Removal Procedure.

(a) The Director of Inspections shall cause to be removed any sign that endangers the public safety, such as an abandoned, dangerous, or electrically or structurally defective sign, or a sign for which no permit has been issued or has been revoked, or which is otherwise in violation of this article.

(b) Whenever the Director of Inspections intends to remove a sign, the reasons for removal shall be stated in writing in a notice of removal. The notice of removal shall describe the sign and specify the violations which require removal. The notice shall state that if the sign is not removed or the violation is not corrected within ten (10) business days, the sign shall be removed in accordance with the provisions of this Section.

(c) The notice of removal shall be served upon the holder of the sign permit, the owner of the property on which the sign is located, the owner of the sign, and the occupant of the property.

(d) The notice of removal may be personally served by in-hand delivery, or sent by certified or by first class mail to the address on the on the permit application, or to the last known address of the permittee, the owner of the sign, the owner of the property on which the sign is located, or the occupant of the property. If any person to whom notice of removal must be delivered cannot be located within the City and the City’s mailings are returned undeliverable, the City may notify that person by posting and affixing the notice of removal on the sign itself.

(e) Any time periods provided in this Section shall be deemed to commence on the date received if hand-delivered, the postmark date of any mailing, or the date of posting and affixing the notice on the sign itself.

(f) Any person having an interest in the sign or the property may appeal the notice of removal, provided such person files a written notice of appeal with the City Clerk within ten (10) business days from the notice.

(g) Appeals shall be conducted in the same manner as set forth in Section 803 of this Article.

(h) If the City’s final determination is to remove the sign, then the Director of Inspections shall proceed to have the sign removed or corrected to bring such sign into compliance with this Article or to remove any unsafe condition.

(i) When it is determined by the Director of Inspections that the sign would cause imminent danger to the public safety and contact cannot be made with the sign owner or building or property owner, no written notice shall have to be served prior to removal. In such emergency situation, the Director of Inspections shall document the unsafe condition and may correct the danger, with all costs being charged to the sign owner or the property owner.
(j) If it shall be necessary for the City to remove the sign pursuant to the provisions of this Section, and it should be practicable to sell or salvage any material derived in the removal, the City may sell or salvage any material derived in the removal. The City may sell the same at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the cost of removal to be charged to the sign owner or property owner.

(k) Any sign removed by the City shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of removal shall constitute a lien against the property on which the sign was located and shall be recoverable in the same manner as City property taxes. The cost of removal shall include all incidental expenses incurred by the City in connection with the sign removal.

(T) Existing Section 816 of the Zoning Ordinance of the City of Hinesville, Georgia, is deleted in its entirety, shall be re-numbered as Section 821, and the new Section 821 is substituted therefore and adopted to read as follows:

Sec. 821. Remedies.

(a) In addition to any other penalties provided by subsection (b) of this section, the City is authorized to seek injunctive relief against any sign erected in violation of this ordinance.

(b) Penalties. Any person found in violation of any of the provisions of this article shall be subject to a fine as provided in section 1-12 of the City of Hinesville Code of Ordinances. A separate offense shall be deemed committed for each day during or upon which a violation occurs or is permitted to continue.

(U) Article VIII of the Zoning Ordinance of the City of Hinesville, Georgia, is amended by adding a new Section 822, adopted to read as follows:

Citizens Sign Appeals Board

(a) Establishment of the Board. There is hereby established a commission which shall be called the “City of Hinesville Citizens Sign Appeals Board.

(b) Board members: appointment, terms of office, election of officers, and compensation. The Board shall consist of six members appointed by the Mayor and City Council, with each such elected official responsible for the selection of one Board member. The terms of office of Board members shall be for three year staggered terms. The Board shall elect from its membership a chairperson and such other officers as may be desired. Officers shall be elected on a calendar year basis, but may be reelected for succeeding terms. All members of the Board
shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

(c) Vacancies. Any vacancy in membership of the Board shall be filled for the unexpired term by the elected official responsible for the initial selection of the departing Board member. The Mayor and City Council shall have the authority to remove any member for cause, on written charges, after a public hearing.

(d) Powers. The Citizens Sign Appeals Board shall be authorized

(1) To hear and make recommendations to the Mayor and City Council in all hardship and other common sense appeals

(2) To hear any and all challenges to the enforcement of any provision or requirement of the City’s sign ordinance as set forth herein or later amended

(3) To hear any and all challenges to any decision, determination, or order made by the City’s Director of Inspections in enforcing the provisions of this Article and any amendments thereto

(e) In exercising the above powers, the Mayor and City Council may reverse, affirm, or modify the Board’s recommendations, and to that end shall have the powers of the Director of Inspections from whom the appeal is taken and may issue the necessary permit.

(f) Procedures of the Citizens Appeals Board

(1) Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the procedures of this Code. The board shall meet on call of the chairman. The board shall meet within thirty (30) days after notice of appeal has been received.

(2) Decisions. The Citizens Appeals Board shall, in every case, reach a decision and make a recommendation to the Mayor and Council without unreasonable or unnecessary delay. Each board recommendation shall be in writing and shall include the reasons for the decision. A certified copy of the recommendation shall be promptly forwarded to the Mayor and Council.

(2) Article III (Definitions) of the Zoning Ordinance of the City of Hinesville, Georgia is hereby amended to read as follows:

Section 3.02 Definitions

(A) The definition of “abandoned signs” shall be deleted in its entirety and a new definition is substituted therefore and adopted to read as follows:

Abandoned signs. Abandoned signs are prohibited in all districts, and shall, under this Ordinance, mean: the sign is located upon a property which becomes vacant or unoccupied for more than four (4) months and the sign no longer identifies or advertises a bona fide business, service, owner, product, institution, organization, or event; the sign pertains to a time, event, or
purpose which no longer applies, or a sign located upon a property or premise in which normal
day-to-day business has not been conducted for more than four (4) months and the legal sign
owner cannot be located at owner’s last address as reflected on the records of the Department of
Inspections, provided that, a permanent sign applicable to a business temporarily suspended
because of a change of ownership or management of such business shall not be deemed
abandoned unless the business activity remains suspended for more than four (4) months, or; the
sign is no longer fully supported, by the structure designed to support it), or maintained in
accordance with Section 806 of this appendix.

**Canopy sign.** A sign imposed or painted upon any roof-like structure projecting from a building
which provides either permanent or temporary shelter for adjacent walkways or entrances to a
building or property. A display attached to the underside of a marquee or canopy and protruding
over any public or private sidewalk or right-of-way. Canopy signs must be entirely supported
from the building.

**B** The definition of “flashing/animated sign” is deleted in its entirety and the following
definition inserted in lieu thereof:

**Flashing/animated sign.** Any sign that uses fading, swiping, or other animated transition methods,
or uses movement or change of lighting to depict action or create a special effect or scene.
“Flashing/animated sign” includes, but is not limited to, use of spinners, banners, aerial devices,
inflatable objects or other attention-getting devices.

**C** The definition of “obscene display” shall be added to read as follows:

**Obscene display.** Any sign containing any statement, word, or picture of an obscene, indecent,
or immoral nature in violation of O.C.G.A. § 16-12-80, or any other applicable state or federal
law.

**D** The definition of “vehicular sign” is amended to read as follows:

**Vehicular Signs.** A “vehicular sign” includes any name, insignia, logo, or sign attached to,
mounted on, pasted on, painted, drawn on, or otherwise affixed to any vehicle (motorized or
drawn) or conveyance placed, parked, or maintained at one particular location for the primary
purpose of advertising or promoting a product or service, or directing people to a business or
activity. For purposes of these regulations, the length of time a vehicle is present at one particular
location shall raise a presumption that its primary purpose is to serve as a vehicular sign, except
where the business has no reasonable alternative location on the site to park the vehicle. This
definition shall not apply when:

1. To signs on vehicles when in motion or to vehicles, with vehicular signs, that are
   “actively” used to transport persons, goods, or services in the normal course of business
   (i.e. delivery service, construction trailer, etc.), or to portable signs as defined herein.
(2) When such vehicles are parked in an inconspicuous area;

(3) When such vehicles are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said vehicles or conveyance are located within designated storage areas.

SECTION III
PENALTIES

Penalties for violation of this Ordinance are as set forth in Section I herein and are reincorporated hereby by reference.

SECTION IV
REPEALER

All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed. If any part of this Ordinance is explicitly prohibited by federal or state statute, that part shall not be enforced.

SECTION V
SEVERABILITY

In the event any section, subsection, sentence, or word of this ordinance is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this article, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this article. The City Council declares that it would have enacted the remaining parts of this article if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

SECTION VI
MERITORIOUS EXCEPTION

In the development of these criteria, a primary objective has been ensuring against the kind of signage that has led (will lead) to low visual quality. On the other hand, an equally primary objective is guarding against signage over control. It is not the intention of these regulations to discourage innovation. It is entirely conceivable that signage proposals could be made that, while
clearly nonconforming to this chapter, and thus not allowable under these criteria, have obvious merit, not only in being appropriate to the particular site or location, but also in making a positive contribution to the visual environment. Such proposals will be seriously and fairly considered by the Citizens Sign Appeals Board (The Mayor and City Council).

SECTION VI
EFFECTIVE DATE

This Ordinance shall become effective on the _____ day of ____________, 2009.

APPROVED this _____ day of ____________, 2009 by the May and Council of the City of Hinesville.

_______________________________
James Thomas, Jr., Mayor

_______________________________
Charles Frasier, Mayor Pro Tem

_______________________________
James R. Ryon, Jr., Council Member

_______________________________
David Anderson Sr., Council Member

_______________________________
Keith Jenkins, Council Member

_______________________________
Kenneth Shaw, Council Member

ATTEST:
Sarah Lumpkin, City Clerk

(SEAL)
PURPOSE: To present proposed Ordinance #2010-02, to amend the Code of the City of Hinesville, Georgia, Appendix A, Article V (Specific Zoning District Regulations) (Family Day Care Homes) for review/discussion.

BACKGROUND: Proposed Ordinance #2010-02 will be presented to Council for discussion/adoption at the February 4, 2010 Council Meeting.

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

15-2-1 Proposed Ordinance #2010-02

PREVIOUS COUNCIL DISCUSSION:
AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HINESVILLE, GEORGIA, APPENDIX A, ARTICLE V, (SPECIFIC ZONING DISTRICT REGULATIONS), TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW

WITNESSETH

WHEREAS, the duly elected governing authority of the City of Hinesville, Georgia is authorized under Article 9, Section 2, of the Constitution of the State of Georgia to enact reasonable ordinances to protect the health, safety and general welfare of the public; and

WHEREAS, the duly elected governing authority of the City of Hinesville, Georgia is the Mayor and Council thereof;

WHEREAS, The Mayor and City Council desire to amend the Zoning Ordinance of the City of Hinesville, Georgia;

WHEREAS, Appendix A, Article XI (Amendments to the Zoning Ordinance) sets forth the standards for review and procedures for amending any provisions of the said Appendix;

WHEREAS, the objective of the City of Hinesville is remove “Family Home Day Care Homes” as a permitted use in single and two-family dwelling districts;

WHEREAS, the objective of the City of Hinesville is to modify the City of Hinesville’s existing “special use” permit provision to expressly apply to “Family Day Care Homes” and other businesses, hereafter, located in residentially zoned districts;

WHEREAS, the City of Hinesville is authorized to provide for the health, safety, morals, convenience, order, prosperity, and general welfare of the people of the City of Hinesville, Georgia;

WHEREAS, the objective of the City of Hinesville is to communicate these criteria clearly to applicants and the general public;

WHEREAS, the City of Hinesville is committed to establishing a zoning ordinance to help implement the City of Hinesville Comprehensive Plan and facilitate the creation of a convenient, attractive, and harmonious community;
WHEREAS, the Mayor and the City Council and the Liberty County Planning Commission held a duly advertised and noticed public hearing on the proposed zoning amendment;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hinesville, and it is hereby ordained by the authority of same, that Article V of Chapter____ APPENDIX A of the Code of the City of Hinesville be amended as follows:

SECTION I
ORDINANCE TEXT

Sec. 501. R-1, single-family dwelling district. This is the most restrictive residential district. The principal use of land is for single-family dwellings and related recreational, religious, and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the single-family residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

(A) Use regulations. A building and property shall be used for the following purposes:

(1) Single-family site-built dwellings;
(2) Home occupation (see section 607);
(3) Parks, playgrounds, and golf courses;
(4) Accessory buildings and structures customarily incidental to permitted principal uses and on the same parcel; provided, it is located to the rear of said parcel (i.e., behind the primary structure).

(B) Special permit uses. The following uses may be permitted in accordance with provisions contained in article IX, section 905, and if additional conditions which may be required are met:

(1) Cemetery; provided, that such use:
   (a) Consist of a site of at least five acres;
   (b) Has a ten foot wide planted buffer strip around its entire perimeter, which is kept free of any use except access;
   (c) Includes no crematorium or dwelling unit;
   (d) Has a front yard setback of at least 20 feet from abutting street right-of-way line; [and]
   (e) Is located on a lot fronting on an arterial or collector street.
(2) Public (elementary and high), or private schools (no housing or sleeping accommodations permitted); provided, that it is located on a lot fronting on an arterial or collector street.

(3) Church, synagogue, temple or other place of worship; provided, that it is located on a lot fronting on an arterial or collector street. Said use should [shall] provide buffering in accordance with section 602 of this appendix. The design must comply with the City of Hinesville Noise Ordinance.

(4) Family Day Care Home; provided, that it is located on a lot fronting on an arterial or collector street.

(5) Family Personal Care Homes (see section 623) provided, that it is located on a lot fronting on an arterial or collector street.

(6) Day care home, group; provided, that the site and construction plans for such facilities receive the written approval of the State of Georgia Department of Human Resources, City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation, and that it is located on a lot fronting on an arterial or collector street.

(7) Day care center; provided, that the site and construction plans for such facilities receive the written approval of the State of Georgia Department of Human Resources, City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation, and that it is located on a lot fronting on an arterial or collector street.

(8) Public utilities (substation); provided, that:
   (a) The use is enclosed by a chainlink fence or a solid brick, concrete block or stone wall at least six feet in height; [and]
   (b) There is neither office or commercial operation or storage of vehicles or equipment on the premises.

(9) All applications for special permit uses shall be accompanied by a certificate of an attorney duly licensed to practice law in the State of Georgia, confirming that there are no private land restrictions or restrictive covenants existing which prohibit the proposed home occupation.

(C) **Height regulations.** No building shall exceed 35 feet in height.

(D) **Area regulations.**
   (1) **Front yard.** There shall be a front yard having a depth of not less than 50 feet.
(2) **Side yard.** There shall be two side yards, one on each side of the principal structure, each having a width of not less than 15 feet. When a lot is located at an intersection of two streets, the width of the yard along the side street shall not be less than 50 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.

(3) **Rear yard.** There shall be a rear yard having a depth of not less than 40 feet. When a double frontage lot is involved the rear yard shall have a depth of not less than 50 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet. When abutting a delineated wetland or conservation easement of not less than 20 feet in depth measured from the rear of the subject R-1 property the setback shall be 20 feet.

(4) **Lot area.** Every lot shall have an area of not less than 20,000 square feet and a lot width of not less than 125 feet; except, that if a lot has less area or width than herein required and was of record on the effective date of this appendix, that lot may be used for any purpose permitted in this district.

(5) **Minimum floor area.** The building area shall not be less than 2,000 square feet of heated floor space.

(6) **Lot coverage.** Lot coverage shall not be more than 17 percent.

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**Sec. 502. R-2, single-family dwelling district.**

This is the residential district, which allows a greater density of single-family dwelling units than the R-1 district. The principal use of land is for single-family dwellings and related recreational, religious, and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the single-family residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwelling and related facilities and through consideration of the proper functional relationship of each element.

(A) **Use regulations.** A building and property shall be used for the following purposes:

1. Single-family site-built dwellings;
2. Home occupations (see section 607);
3. Parks, playgrounds, and golf courses;
4. Accessory buildings and structures customarily incidental to permitted principal uses and on the same parcel, provided it is located to the rear of said parcel (i.e., behind the primary structure).
(B) Special permit uses. The following uses may be permitted in accordance with provisions contained in article IX, section 905, and if additional conditions which may be required are met.

(1) Cemetery; provided, that such use:
   (a) Consists of a site of at least five acres;
   (b) Has a ten foot wide planted buffer strip around its entire perimeter, which is kept free of any use except access;
   (c) Includes no crematorium or dwelling unit;
   (d) Has a front yard setback of at least 20 feet from abutting street right-of-way line; [and]
   (e) Is located on a lot fronting on an arterial or collector street.

(2) Public (elementary and high), or private school (no housing or sleeping accommodations permitted); provided, that it is located on a lot fronting on an arterial or collector street.

(3) Church, synagogue, temple or other place of worship provided that it is located on a lot fronting on an arterial or collector street. Said use shall provide buffering in accordance with section 602 of this appendix. The design must comply with the City of Hinesville Noise Ordinance.

(4) Family Day Care Home; provided, that it is located on a lot fronting on an arterial or collector street.

(5) Family Personal Care Homes (see section 623); provided, that it is located on a lot fronting on an arterial or collector street [and]

(6) Day care home, group (center), or kindergarten for seven or more children under 18 years of age; provided, that the site and construction plans for such facilities shall receive the written approval of the State of Georgia Department of Human Resources, the City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation; and it is located on a lot fronting on an arterial or collector street.

(7) Day care center; provided, that the site and construction plans for such facilities receive the written approval of the State of Georgia Department of Human Resources, City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation, and that it is located on a lot fronting on an arterial or collector street.
(8) All applications for a home occupation permit and all other special permit uses shall be accompanied by a certificate of an attorney duly licensed to practice law in the State of Georgia, confirming that there are no private land restrictions or restrictive covenants existing which prohibit the proposed home occupation.

(C) **Height regulations.** No building shall exceed 35 feet in height.

(D) **Area regulations.**

1. **Front yard.** There shall be a front yard having a depth of not less than 40 feet.
2. **Side yard.** There shall be two side yards, one on each side of the principal structure, each having a width of not less than 15 feet. When a lot is located at an intersection of two streets, the width of the yard along the side street shall not be less than 30 feet.
3. **Rear yard.** There shall be a rear yard having a depth of no less than 20 feet. When a double frontage lot is involved the rear yard shall have a depth of not less than 40 feet.
4. **Lot area.** Every lot shall have an area of not less than 15,000 square feet and a lot width of not less than 100 feet, except, that if a lot has less area or width than herein required and was of record on the effective date of this appendix, that lot may be used for any purpose permitted in this district.
5. **Minimum floor area.** The building area shall not be less than 1,700 square feet of heated floor space.
6. **Lot coverage.** Lot coverage shall not be more than 20 percent of the lot area.

Sec. 503. R-3, single-family dwelling district.

This is the residential district, which allows a greater density of single-family dwelling units than the R-2 district. The principal use of land is for single-family dwellings and related recreational, religious, and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate with the maximum density single-family residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

(A) **Use regulations.** A building and property shall be used for the following purposes:

1. Single-family site-built dwellings;
2. Home occupation (see section 607);
3. Parks, playgrounds, and golf courses;
4. Type I group homes (see section 623); [and]
(5) Accessory buildings and structures customarily incidental to permitted principal uses and on the same parcel; provided it is located to the rear of said parcel (i.e., behind the primary structure).

(B) **Special permit uses.** The following uses may be permitted in accordance with provisions contained in article IX, section 905, and if additional conditions which may be required are met.

(1) Cemetery; provided, that such use:
   - (a) Consists of a site of at least five acres;
   - (b) Has a ten foot wide planted buffer strip around its entire perimeter, which is kept free of any use except access;
   - (c) Includes no crematorium or dwelling unit;
   - (d) Has a front yard setback of at least 20 feet from abutting street right-of-way line; and
   - (e) Is located on an arterial or collector street.

(2) Public (elementary and high), or private schools (no housing or sleeping accommodations permitted); provided, that it is located on a lot fronting on an arterial or collector street.

(3) Church, synagogue, temple or other place of worship; provided, that it is located on a lot fronting on an arterial or collector street and shall contain a minimum of five acres of land. Said use shall provide buffering in accordance with section 602 of this appendix. The design must comply with the City of Hinesville Noise Ordinance.

(4) Family Day Care Home; provided, that it is located on a lot fronting on an arterial or collector street.

(5) Family Personal Care Homes (see section 623) provided, that it is located on a lot fronting an arterial or collector street.

(6) Child day care center or kindergarten for seven or more children under 18 years of age; provided, that the site and construction plans for such facilities shall receive the written approval of the State of Georgia Department of Human Resources, the City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operations and that it is located on a lot fronting on an arterial or collector street.

(7) Day care center; provided, that the site and construction plans for such facilities receive the written approval of the State of Georgia Department of Human Resources, City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation, and that it is located on a lot fronting on an arterial or collector street.

**Comment [15]:** Per Billy Edwards, moved Family Day Care Home from use by right to special permitted use in Sections 501-504.

**Comment [16]:** Added Personal Care Homes as special permitted use in Sections 501-504.

**Comment [17]:** Added for consistency in treatment of day care homes and day care centers throughout the ordinance.
Public utilities (substation); provided, that:

(a) The use is enclosed by a chainlink fence or a solid brick, concrete block or stone wall at least six feet in height; [and]
(b) There is neither office or [nor] commercial operation or [nor] storage of vehicles or equipment on the premises.

All applications for a home occupation permit and all other special permit uses shall be accompanied by a certificate of an attorney duly licensed to practice law in the State of Georgia, confirming that there are no private land restrictions or restrictive covenants existing which prohibit the proposed home occupation.

(C) Height regulations. No building shall exceed 35 feet in height.

(D) Area regulations.

1. Front yard. There shall be a front yard having a depth of not less than 25 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.

2. Side yard. There shall be two side yards, one on each side of the principal structure, each having a width of not less than ten feet. When a lot is located at an intersection of two streets, the width of the yard along the side street shall not be less than 25 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.

3. Rear yard. There shall be a rear yard having a depth of not less than 15 feet. When a double frontage lot is involved the rear yard shall have a depth of not less than 25 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.

4. Lot area. Every lot shall have an area of not less than 12,000 square feet and a lot width of not less than 85 feet, except that if a lot has less area or width than herein required and was of record on the effective date of this appendix, that lot may be used for any purpose permitted in this district.

5. Minimum floor area. The building area shall not be less than 1,500 square feet of heated floor space.

6. Lot coverage. Lot coverage shall not be more than 20 percent.

Sec. 504. R-4, single- and two-family dwelling district.
This is also a residential district, which provides for the greatest density of single- and two-family dwelling units. The principal use of land is for single-family dwellings and related recreational, religious, and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate with the maximum single- and two-family residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.
(A) **Use regulations.** A building and property shall be used for the following purposes:

1. Single-family site-built dwellings;
2. Two-family (duplex) dwelling;
3. Home occupations (see section 607);
4. Parks, playgrounds, and golf courses;
5. Accessory buildings and structures customarily incidental to permitted principal uses and on the same parcel; provided, it is located to the rear of said parcel (i.e., behind the primary structure).

(B) **Special permit uses.** The following uses may be permitted in accordance with provisions contained in article IX, section 905, and if additional conditions which may be required are met.

1. Cemetery; provided, that such use:
   a. Consists of a site of at least five acres;
   b. Has a ten foot wide planted buffer strip around its entire perimeter, which is kept free of any use except access;
   c. Includes no crematorium or dwelling unit;
   d. Has a front yard setback of at least 20 feet from abutting street right-of-way line; and
   e. It is located on a lot fronting on an arterial or collector street.

2. Public (elementary and high), or private schools (no housing or sleeping accommodations permitted); provided, that it is located on a lot fronting on an arterial or collector street.

3. Church, synagogue, temple or other place of worship; provided, that it is located on a lot fronting on an arterial or collector street and shall contain a minimum of five acres of land. Said use shall provide buffering in accordance with section 602 of this appendix. The design must comply with the City of Hinesville Noise Ordinance.

4. Family Day Care Home; provided, that it is located on a lot fronting on an arterial or collector street

5. Family Personal Care Homes (see section 623) provided, that it is located on a lot fronting on an arterial or collector street; and

6. Day care home, group; provided, that the site and construction plans for such facilities shall receive the written approval of the State of Georgia Department of Human Resources, the City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation and that it is located on a lot fronting on an arterial or collector street.
(7) Day care center; provided, that the site and construction plans for such facilities receive the written approval of the State of Georgia Department of Human Resources, City of Hinesville City Council, and the City of Hinesville Fire Marshal prior to the issuance of any permits for construction and operation and that it is located on a lot fronting on an arterial or collector street.

(8) Public utilities (substation); provided, that:
   (a) The use is enclosed by a chainlink fence or a solid brick, concrete block or stone wall at least six feet in height; [and]
   (b) There is neither office or commercial operation or storage of vehicles or equipment on the premises.
   (c) All applications for special permit uses shall be accompanied by a certificate of an attorney duly licensed to practice law in the State of Georgia, confirming that there are no private land restrictions or restrictive covenants existing which prohibit the proposed home occupation.

(9) All applications for a home occupation permit and all other special permit uses shall be accompanied by a certificate of an attorney duly licensed to practice law in the State of Georgia, confirming that there are no private land restrictions or restrictive covenants existing which prohibit the proposed home occupation.

(C) **Height regulations.** No building shall exceed 35 feet in height.

(D) **Area regulations.**
   (1) **Front yard.** There shall be a front yard having a depth of not less than 25 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.
   
   (2) **Side yard.** Single-family dwellings shall have two side yards, one on each side of the principal structure, each having a width of not less than ten feet. Duplex dwellings shall have two side yards, one on each side of the principal structure opposite of the common wall division, each side yard having a width of not less than ten feet. When a lot is located at an intersection of two streets, the width of the yard along the side street shall not be less than 25 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.
   
   (3) **Rear yard.** There shall be a rear yard having a depth of no less than 15 feet. When a double frontage lot is involved the rear yard shall have a depth of not less than 25 feet. Exception: When abutting an arterial or collector street the setback shall be 35 feet.
Lot area. Every lot shall have an area of not less than 8,000 square feet per dwelling unit and a lot width of not less than 70 feet; except, that if a lot has less area or width than herein required and was of record on the effective date of this appendix, that lot may be used for any purpose permitted in this district.

Minimum floor area. The building area shall not be less than 1,200 square feet of heated floor space.

Lot coverage. Lot coverage shall not be more than 25 percent.

SECTION II
SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared illegal by the valid judgment or decree of any Court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this Ordinance. The governing authority of the City of Hinesville declares that it would have enacted the remaining parts of this chapter if it had known that such portion would be declared or adjudged invalid or unconstitutional.

SECTION III
PENALTIES

Penalties for violation of this Ordinance are set forth in Section I herein and are reincorporated hereby by reference.

SECTION IV
REPEALER

All ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

SECTION V
EFFECTIVE DATE

The effective date of this Ordinance shall be ________________, 2009.
Adopted and approved this _____ day of _________________, 2009.

CITY OF HINESVILLE, GEORGIA:

____________________________________
James Thomas, Jr., Mayor

____________________________________
Charles Frasier, Mayor Pro Tem

____________________________________
James R. Ryon, Jr., Council Member

____________________________________
David Anderson, Sr., Council Member

____________________________________
Keith Jenkins, Council Member

____________________________________
Kenneth Shaw, Council Member

ATTEST:

___________________________________
Sarah R. Lumpkin, City Clerk
PURPOSE: To present to the Mayor and City Council the budget to actual revenue and expenditure reports for the City’s General Fund, Water and Sewer, Sanitation and Stormwater Utility Funds for November 2009.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS: 15-3-1 Budget to Actual reports for November 2009

PREVIOUS COUNCIL DISCUSSION:
<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>Actual YTD Revenue</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
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<tr>
<td>100.000.0000.00.31.1110</td>
<td>PUBLIC UTILITY TAXES</td>
<td>102,007</td>
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<td>-15.18%</td>
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<td>-</td>
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<td>ALCOHOL BEVERAGE EXCISE TAXES</td>
<td>365,000</td>
<td>30,417</td>
<td>28,567</td>
<td>(1,850)</td>
<td>-6.08%</td>
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<td>*BUSINESS/OCCUP TAXES-GENERAL</td>
<td>160,520</td>
<td>13,377</td>
<td>38,885</td>
<td>25,508</td>
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<td>-</td>
<td>(233)</td>
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<td>292</td>
<td>-</td>
<td>(292)</td>
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<td>35</td>
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<td>*BUSINESS/OCCUP TAXES-OUT OF STAT</td>
<td>36,000</td>
<td>3,000</td>
<td>700</td>
<td>(2,300)</td>
<td>-76.67%</td>
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<td>INSURANCE PREMIUM TAXES</td>
<td>1,828,560</td>
<td>152,380</td>
<td>-</td>
<td>(152,380)</td>
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<td>51,132</td>
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<td>REAL PROPERTY TAX PENALTIES</td>
<td>40,000</td>
<td>3,333</td>
<td>904</td>
<td>(2,429)</td>
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<tr>
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<td>BUSINESS LICENSE TAX PENALTIES</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>BEER LICENSES</td>
<td>50,500</td>
<td>4,208</td>
<td>6,535</td>
<td>2,327</td>
<td>55.30%</td>
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<td>WINE LICENSES</td>
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<td>2,505</td>
<td>3,785</td>
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<td>10,232</td>
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<td>1,500</td>
<td>125</td>
<td>-</td>
<td>(125)</td>
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<td>-</td>
<td>-</td>
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<tr>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
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<td>-</td>
<td>(250)</td>
<td>-100.00%</td>
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<tr>
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<td>FED OP CAT INDIRECT-JUSTICE DEPT</td>
<td>213,141</td>
<td>17,762</td>
<td>37,815</td>
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<td>8,241</td>
<td>11,230</td>
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<td>-</td>
<td>(833)</td>
<td>-100.00%</td>
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</tr>
<tr>
<td>Account Number</td>
<td>Account Description</td>
<td>FY 2010 Budget</td>
<td>1/12 of Budget</td>
<td>Actual YTD Revenue</td>
<td>Variance -</td>
<td>Variance - %</td>
<td>Comments</td>
</tr>
<tr>
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<td>--------------------------------------------------------</td>
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<tr>
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<td>833</td>
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<td>4,167</td>
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<td>(200)</td>
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<td>-</td>
<td>(10,125)</td>
<td>-100.00%</td>
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<td>NEXT STEP - TENANT CONTRIBUTION</td>
<td>14,000</td>
<td>1,167</td>
<td>-</td>
<td>(1,167)</td>
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<td>NEXT STEP - OTHER CONTRIBUTION</td>
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<td>583</td>
<td>-</td>
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<td>24,235</td>
<td>2,020</td>
<td>-</td>
<td>(2,020)</td>
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<td>1,067</td>
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<td>93,710</td>
<td>7,809</td>
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<td>1,731</td>
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<td>-</td>
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<td>-</td>
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<td>*ADD'L ASSESS-PEACE OFCRS ANNUITY</td>
<td>66,000</td>
<td>5,500</td>
<td>-</td>
<td>(5,500)</td>
<td>-100.00%</td>
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<td>105,000</td>
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<td>17,000</td>
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<td>125</td>
<td>-</td>
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<td>54,000</td>
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<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>*ADD'L ASSESS-CO DRUG ABUSE</td>
<td>21,000</td>
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<td>18,410</td>
<td>1,534</td>
<td>-</td>
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<td>100.000.000.00.35.1476</td>
<td>*ADD'L ASSESS-BRAIN &amp; SPINAL INJURY</td>
<td>6,000</td>
<td>500</td>
<td>-</td>
<td>(500)</td>
<td>-100.00%</td>
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<tr>
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<td>105,000</td>
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<td>-100.00%</td>
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<td>*ADD'L ASSESS-JOSHUA'S LAW</td>
<td>33,000</td>
<td>2,750</td>
<td>-</td>
<td>(2,750)</td>
<td>-100.00%</td>
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<tr>
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<td>3,833</td>
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<td>292</td>
<td>-</td>
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<tr>
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<td>-100.00%</td>
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<td>11,201</td>
<td>2,867</td>
<td>(8,334)</td>
<td>-74.40%</td>
<td></td>
</tr>
<tr>
<td>100.000.000.00.38.1010</td>
<td>*RENTS/ROYALTIES-STREET CLNG SRVC</td>
<td>40,373</td>
<td>3,364</td>
<td>5,416</td>
<td>2,052</td>
<td>61.00%</td>
<td></td>
</tr>
<tr>
<td>100.000.000.00.38.1020</td>
<td>*RENTS/ROYALTIES-EQUIPMENT LEASE</td>
<td>15,000</td>
<td>1,250</td>
<td>1,061</td>
<td>(189)</td>
<td>-15.12%</td>
<td></td>
</tr>
</tbody>
</table>
# CITY OF HINESVILLE
## BUDGET TO ACTUAL REPORT - GENERAL FUND REVENUE
### AS OF NOVEMBER 30, 2009

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>Actual YTD Revenue</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.000.0000.00.38.1030</td>
<td>*RENTS/ROYALTIES-VEHICLE MAINT WAL</td>
<td>6,500</td>
<td>542</td>
<td>600</td>
<td>58</td>
<td>10.70%</td>
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<tr>
<td>100.000.0000.00.38.1040</td>
<td>*RENTS/ROYALTIES-MOSQUITO CONTROL</td>
<td>9,630</td>
<td>803</td>
<td>-</td>
<td>(803)</td>
<td>-100.00%</td>
<td></td>
</tr>
<tr>
<td>100.000.0000.00.38.1050</td>
<td>*RENTS/ROYALTIES-LC BOC GIS CONTRACT</td>
<td>900</td>
<td>75</td>
<td>-</td>
<td>(75)</td>
<td>-100.00%</td>
<td></td>
</tr>
<tr>
<td>100.000.0000.00.38.9001</td>
<td>*OTHER INCOME</td>
<td>3,300</td>
<td>275</td>
<td>38</td>
<td>(237)</td>
<td>-86.18%</td>
<td></td>
</tr>
<tr>
<td>100.000.0000.00.38.9003</td>
<td>*OTHER INCOME-LC TRAIN CTR FUEL</td>
<td>31,860</td>
<td>2,655</td>
<td>2,149</td>
<td>(506)</td>
<td>-19.06%</td>
<td></td>
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<tr>
<td>100.000.0000.00.38.9005</td>
<td>*OTHER USE OF FUND BALANCE</td>
<td>864,089</td>
<td>72,007</td>
<td>-</td>
<td>(72,007)</td>
<td>-100.00%</td>
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<tr>
<td>100.000.0000.00.38.9500</td>
<td>*OTHER-LCPC ADMIN INCOME</td>
<td>90,952</td>
<td>7,579</td>
<td>-</td>
<td>(7,579)</td>
<td>-100.00%</td>
<td></td>
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<tr>
<td>100.000.0000.00.38.9999</td>
<td>*OTHER-ADMIN REVENUES NOT CLASSIFIED</td>
<td>8,500</td>
<td>708</td>
<td>114</td>
<td>(594)</td>
<td>-83.90%</td>
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</tr>
<tr>
<td>100.000.0000.00.39.1210</td>
<td>OPERATING TRANSFER IN - SRF HOTEL/M</td>
<td>155,917</td>
<td>12,993</td>
<td>-</td>
<td>(12,993)</td>
<td>-100.00%</td>
<td></td>
</tr>
<tr>
<td>100.000.0000.00.39.1215</td>
<td>OPERATING TRANSFER IN - MGF</td>
<td>62,125</td>
<td>5,177</td>
<td>-</td>
<td>(5,177)</td>
<td>-100.00%</td>
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<tr>
<td>100.000.0000.00.39.1216</td>
<td>OPERATING TRANSFER IN - MGF HUD</td>
<td>45,000</td>
<td>3,750</td>
<td>-</td>
<td>(3,750)</td>
<td>-100.00%</td>
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<tr>
<td>100.000.0000.00.39.2110</td>
<td>OPERATING TRANSFER IN - SW FUND</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
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<tr>
<td>100.000.0000.00.39.2111</td>
<td>*SALE OF ASSETS-SURPLUS PROPERTY</td>
<td>7,500</td>
<td>500</td>
<td>-</td>
<td>(500)</td>
<td>-100.00%</td>
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<tr>
<td><strong>TOTAL GENERAL FUND REVENUES</strong></td>
<td></td>
<td><strong>19,030,711</strong></td>
<td><strong>1,195,006</strong></td>
<td><strong>391,089</strong></td>
<td><strong>(803,917)</strong></td>
<td><strong>-67.27%</strong></td>
<td></td>
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</tbody>
</table>
## CITY OF HINESVILLE
### BUDGET TO ACTUAL REPORT - GENERAL FUND EXPENDITURES (By Department)
#### AS OF NOVEMBER 30, 2009

<table>
<thead>
<tr>
<th>Department Number</th>
<th>Department</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>Actual YTD Expenditure</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Outside Agencies</td>
<td>1,378,391</td>
<td>114,866</td>
<td>100,279</td>
<td>14,587</td>
<td>12.70%</td>
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<tr>
<td>011</td>
<td>Administration</td>
<td>2,259,278</td>
<td>188,273</td>
<td>203,785</td>
<td>-15,512</td>
<td>-8.24%</td>
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</tr>
<tr>
<td>012</td>
<td>Finance</td>
<td>14,435</td>
<td>1,203</td>
<td>25</td>
<td>1,178</td>
<td>97.92%</td>
<td></td>
</tr>
<tr>
<td>017</td>
<td>HR</td>
<td>65,800</td>
<td>5,483</td>
<td>3,902</td>
<td>1,581</td>
<td>28.83%</td>
<td></td>
</tr>
<tr>
<td>018</td>
<td>IT</td>
<td>63,061</td>
<td>5,255</td>
<td>2,377</td>
<td>2,878</td>
<td>54.77%</td>
<td></td>
</tr>
<tr>
<td>021</td>
<td>Community Development</td>
<td>237,425</td>
<td>19,785</td>
<td>16,668</td>
<td>3,117</td>
<td>15.75%</td>
<td></td>
</tr>
<tr>
<td>022</td>
<td>Next Step</td>
<td>210,069</td>
<td>17,506</td>
<td>14,114</td>
<td>3,392</td>
<td>19.38%</td>
<td></td>
</tr>
<tr>
<td>024</td>
<td>Team Hinesville</td>
<td>67,020</td>
<td>5,585</td>
<td>5,375</td>
<td>210</td>
<td>3.76%</td>
<td></td>
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<tr>
<td>031</td>
<td>Police Department</td>
<td>6,892,689</td>
<td>574,391</td>
<td>508,466</td>
<td>65,925</td>
<td>11.48%</td>
<td></td>
</tr>
<tr>
<td>033</td>
<td>MACE</td>
<td>394,011</td>
<td>32,834</td>
<td>35,725</td>
<td>-2,891</td>
<td>-8.80%</td>
<td></td>
</tr>
<tr>
<td>134</td>
<td>Municipal Court</td>
<td>456,074</td>
<td>38,006</td>
<td>40,393</td>
<td>-2,387</td>
<td>-6.28%</td>
<td></td>
</tr>
<tr>
<td>041</td>
<td>Fire Department</td>
<td>2,167,267</td>
<td>180,606</td>
<td>165,339</td>
<td>15,267</td>
<td>8.45%</td>
<td></td>
</tr>
<tr>
<td>043</td>
<td>Fire Department - station #2</td>
<td>938,947</td>
<td>78,924</td>
<td>81,364</td>
<td>-2,420</td>
<td>-4.57%</td>
<td></td>
</tr>
<tr>
<td>051</td>
<td>Inspections</td>
<td>660,580</td>
<td>55,048</td>
<td>56,715</td>
<td>-1,667</td>
<td>-3.03%</td>
<td></td>
</tr>
<tr>
<td>053</td>
<td>GIS</td>
<td>174,290</td>
<td>14,524</td>
<td>27,487</td>
<td>-12,963</td>
<td>-89.25%</td>
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</tr>
<tr>
<td>061</td>
<td>Public Works Administration</td>
<td>183,818</td>
<td>15,318</td>
<td>13,435</td>
<td>1,883</td>
<td>12.29%</td>
<td></td>
</tr>
<tr>
<td>063</td>
<td>Street Department</td>
<td>1,073,761</td>
<td>89,480</td>
<td>46,861</td>
<td>42,619</td>
<td>47.63%</td>
<td></td>
</tr>
<tr>
<td>064</td>
<td>Parks and Grounds</td>
<td>467,778</td>
<td>38,982</td>
<td>32,409</td>
<td>6,573</td>
<td>16.86%</td>
<td></td>
</tr>
<tr>
<td>065</td>
<td>Vehicle Maintenance</td>
<td>395,333</td>
<td>32,944</td>
<td>32,314</td>
<td>630</td>
<td>1.91%</td>
<td></td>
</tr>
<tr>
<td>081</td>
<td>Capital Projects</td>
<td>307,400</td>
<td>25,617</td>
<td>4,659</td>
<td>20,958</td>
<td>81.81%</td>
<td></td>
</tr>
<tr>
<td>091</td>
<td>Debt Service</td>
<td>325,628</td>
<td>27,136</td>
<td>-</td>
<td>27,136</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td>098</td>
<td>Contingency</td>
<td>25,000</td>
<td>2,083</td>
<td>-</td>
<td>2,083</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td>099</td>
<td>Other Financing Uses</td>
<td>272,656</td>
<td>22,721</td>
<td>-</td>
<td>22,721</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL GENERAL FUND EXPENDITURES</strong></td>
<td><strong>19,030,711</strong></td>
<td><strong>1,585,892</strong></td>
<td><strong>1,392,292</strong></td>
<td><strong>193,600</strong></td>
<td><strong>12.21%</strong></td>
<td>**</td>
<td></td>
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</tbody>
</table>
# CITY OF HINESVILLE
## BUDGET TO ACTUAL REPORT - WATER SEWER FUND REVENUE
### AS OF NOVEMBER 30, 2009

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>Actual YTD Revenue</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>505.000.0000.00.33.4123</td>
<td>GEFA GRANT</td>
<td>-</td>
<td>-</td>
<td>204,311</td>
<td>204,311</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4210</td>
<td>*WATER CHARGES</td>
<td>3,010,390</td>
<td>250,866</td>
<td>234,575</td>
<td>(16,291)</td>
<td>-6.49%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4220</td>
<td>*WATER CHARGES-NEW ACCT FEES</td>
<td>47,509</td>
<td>3,959</td>
<td>3,225</td>
<td>(734)</td>
<td>-18.54%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4221</td>
<td>*WATER CHARGES-LAB ANALYSIS FEES</td>
<td>13,020</td>
<td>1,085</td>
<td>-</td>
<td>(1,085)</td>
<td>-100.00%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4222</td>
<td>PENALTY</td>
<td>215,991</td>
<td>17,999</td>
<td>24,678</td>
<td>6,679</td>
<td>37.11%</td>
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<tr>
<td>505.000.0000.00.34.4223</td>
<td>*WATER CHARGES-METER INSTALL FEES</td>
<td>230,000</td>
<td>19,167</td>
<td>20,720</td>
<td>1,553</td>
<td>8.10%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4224</td>
<td>*WATER CHARGES-RECONNECT FEES</td>
<td>45,631</td>
<td>3,803</td>
<td>1,872</td>
<td>(1,931)</td>
<td>-50.78%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4225</td>
<td>*NO BILL FEE</td>
<td>8,015</td>
<td>668</td>
<td>592</td>
<td>(76)</td>
<td>-11.38%</td>
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</tr>
<tr>
<td>505.000.0000.00.34.4226</td>
<td>REUSE WATER FEE</td>
<td>20,000</td>
<td>1,667</td>
<td>1,114</td>
<td>(553)</td>
<td>-33.17%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4242</td>
<td>*SEWERAGE CHARGES-FT STEWART</td>
<td>580,797</td>
<td>48,400</td>
<td>48,400</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4243</td>
<td>*SEWERAGE CHARGES-WALTHOURVILLE</td>
<td>49,890</td>
<td>4,158</td>
<td>3,400</td>
<td>(758)</td>
<td>-18.23%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4244</td>
<td>FT STEWART SLUDGE FEES</td>
<td>50,500</td>
<td>4,208</td>
<td>4,026</td>
<td>(182)</td>
<td>-4.33%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.34.4245</td>
<td>*SEWERAGE CHARGES-SEPTIC TANK DUMP</td>
<td>31,500</td>
<td>2,625</td>
<td>-</td>
<td>(2,625)</td>
<td>-100.00%</td>
<td></td>
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<tr>
<td>505.000.0000.00.34.4255</td>
<td>*SEWERAGE CHARGES</td>
<td>2,749,390</td>
<td>229,116</td>
<td>212,757</td>
<td>(16,359)</td>
<td>-7.14%</td>
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<tr>
<td>505.000.0000.00.34.9300</td>
<td>BAD CHECK FEES</td>
<td>9,000</td>
<td>750</td>
<td>200</td>
<td>(550)</td>
<td>-73.33%</td>
<td></td>
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<tr>
<td>505.000.0000.00.36.1005</td>
<td>*INTEREST REV-GENERAL</td>
<td>30,718</td>
<td>2,560</td>
<td>562</td>
<td>(1,998)</td>
<td>-78.05%</td>
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<tr>
<td>505.000.0000.00.38.1020</td>
<td>LEASE/RENTAL INCOME</td>
<td>40,000</td>
<td>3,333</td>
<td>-</td>
<td>(3,333)</td>
<td>-100.00%</td>
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<tr>
<td>505.000.0000.00.38.9004</td>
<td>OTHER INCOME</td>
<td>5,000</td>
<td>417</td>
<td>492</td>
<td>75</td>
<td>17.99%</td>
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<tr>
<td>505.000.0000.00.39.1205</td>
<td>OPERATING TRANSFER IN - CPF</td>
<td>1,932,238</td>
<td>161,020</td>
<td>-</td>
<td>(161,020)</td>
<td>-100.00%</td>
<td></td>
</tr>
<tr>
<td>505.000.0000.00.39.2110</td>
<td>*SALE OF SURPLUS PROPERTY</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL WATER SEWER FUND REVENUES** | 9,069,589 | 755,801 | 760,924 | 5,123 | 0.68% |
## CITY OF HINESVILLE
### BUDGET TO ACTUAL REPORT - WATER SEWER FUND EXPENDITURES (By Department)
### AS OF NOVEMBER 30, 2009

<table>
<thead>
<tr>
<th>Department Number</th>
<th>Department</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>Actual YTD Expense</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>013</td>
<td>Administration</td>
<td>4,296,288</td>
<td>358,024</td>
<td>129,029</td>
<td>228,995</td>
<td>63.96%</td>
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<tr>
<td>071</td>
<td>OMI Administration</td>
<td>171,567</td>
<td>14,297</td>
<td>14,706</td>
<td>-409</td>
<td>-2.86%</td>
<td></td>
</tr>
<tr>
<td>072</td>
<td>Meter Reading and Maintenance</td>
<td>821,530</td>
<td>68,461</td>
<td>36,361</td>
<td>32,100</td>
<td>46.89%</td>
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</tr>
<tr>
<td>073</td>
<td>Construction and Maintenance</td>
<td>548,483</td>
<td>45,707</td>
<td>49,885</td>
<td>-4,178</td>
<td>-9.14%</td>
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<tr>
<td>074</td>
<td>Lab and Pump Maintenance</td>
<td>565,128</td>
<td>47,094</td>
<td>33,704</td>
<td>13,390</td>
<td>28.43%</td>
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<tr>
<td>075</td>
<td>Inflow and Infiltration</td>
<td>112,100</td>
<td>9,342</td>
<td>6,842</td>
<td>2,500</td>
<td>26.76%</td>
<td></td>
</tr>
<tr>
<td>076</td>
<td>Wastewater Treatment Plant</td>
<td>1,378,168</td>
<td>114,847</td>
<td>104,902</td>
<td>9,945</td>
<td>8.66%</td>
<td></td>
</tr>
<tr>
<td>077</td>
<td>Wastewater Treatment Plant #2</td>
<td>737,619</td>
<td>61,468</td>
<td>32,162</td>
<td>29,306</td>
<td>47.68%</td>
<td></td>
</tr>
<tr>
<td>078</td>
<td>Liftstations</td>
<td>438,708</td>
<td>36,559</td>
<td>33,386</td>
<td>3,173</td>
<td>8.68%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL WATER &amp; SEWER FUND EXPENDITURES</strong></td>
<td><strong>9,069,589</strong></td>
<td><strong>755,799</strong></td>
<td><strong>440,977</strong></td>
<td><strong>314,822</strong></td>
<td><strong>41.65%</strong></td>
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</tbody>
</table>
# CITY OF HINESVILLE
## BUDGET TO ACTUAL REPORT - SANITATION FUND
### AS OF NOVEMBER 30, 2009

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>YTD Actual</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>540.000.0000.00.34.4111</td>
<td>*Garbage Collection Charges</td>
<td>1,361,005</td>
<td>113,417</td>
<td>107,321</td>
<td>(6,096)</td>
<td>-5.37%</td>
<td></td>
</tr>
<tr>
<td>540.000.0000.00.34.4112</td>
<td>*Garbage Disposal Charges</td>
<td>599,006</td>
<td>49,917</td>
<td>47,220</td>
<td>(2,697)</td>
<td>-5.40%</td>
<td></td>
</tr>
<tr>
<td>540.000.0000.00.34.4113</td>
<td>*Yard Waste/Dry Trash Collection/Disposal</td>
<td>607,322</td>
<td>50,610</td>
<td>50,495</td>
<td>(115)</td>
<td>-0.23%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL SOLID WASTE FUND REVENUES</strong></td>
<td><strong>2,567,333</strong></td>
<td><strong>213,944</strong></td>
<td><strong>205,036</strong></td>
<td></td>
<td><strong>(8,908)</strong></td>
<td><strong>-4.16%</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>FY 2010 Budget</th>
<th>1/12 of Budget</th>
<th>YTD Actual</th>
<th>Variance - $</th>
<th>Variance - %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>061</td>
<td>Sanitation--Admin</td>
<td>180,666</td>
<td>15,056</td>
<td>13,108</td>
<td>1,948</td>
<td>12.94%</td>
<td></td>
</tr>
<tr>
<td>062</td>
<td>Sanitation-Trash/Solid Waste</td>
<td>2,272,107</td>
<td>189,342</td>
<td>116,232</td>
<td>73,110</td>
<td>38.61%</td>
<td></td>
</tr>
<tr>
<td>099</td>
<td>Other Financing Uses</td>
<td>114,560</td>
<td>9,547</td>
<td>-</td>
<td>9,547</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL SOLID WASTE FUND EXPENSES</strong></td>
<td><strong>2,567,333</strong></td>
<td><strong>213,945</strong></td>
<td><strong>129,340</strong></td>
<td><strong>84,605</strong></td>
<td><strong>39.55%</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Account Number</td>
<td>Account Description</td>
<td>FY 2010 Budget</td>
<td>1/12 of Budget</td>
<td>YTD Actual</td>
<td>Variance - $</td>
<td>Variance - %</td>
<td>Comments</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>------------</td>
<td>--------------</td>
<td>--------------</td>
<td>----------</td>
</tr>
<tr>
<td>575.000.0000.00.34.4260</td>
<td>Stormwater Utility Fees</td>
<td>895,683</td>
<td>74,640</td>
<td>74,010</td>
<td>(630)</td>
<td>-0.84%</td>
<td></td>
</tr>
<tr>
<td>575.000.0000.00.38.1020</td>
<td>Lease/Rental Income</td>
<td>19,205</td>
<td>1,600</td>
<td>-</td>
<td>(1,600)</td>
<td>-100.00%</td>
<td></td>
</tr>
<tr>
<td>575.000.0000.00.39.1200</td>
<td>Operating Transfer in - GF</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL SOLID WASTE FUND REVENUES</strong></td>
<td></td>
<td>914,888</td>
<td>76,240</td>
<td>74,010</td>
<td>(2,230)</td>
<td>-2.92%</td>
<td></td>
</tr>
<tr>
<td>061</td>
<td>SWU -- Admin</td>
<td>180,364</td>
<td>15,030</td>
<td>13,056</td>
<td>1,974</td>
<td>13.13%</td>
<td></td>
</tr>
<tr>
<td>066</td>
<td>Drainage</td>
<td>622,377</td>
<td>51,865</td>
<td>42,802</td>
<td>9,063</td>
<td>17.47%</td>
<td></td>
</tr>
<tr>
<td>091</td>
<td>Debt Service</td>
<td>85,984</td>
<td>7,165</td>
<td>-</td>
<td>7,165</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td>099</td>
<td>Other Financing Uses</td>
<td>26,163</td>
<td>2,180</td>
<td>-</td>
<td>2,180</td>
<td>100.00%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL SOLID WASTE FUND EXPENSES</strong></td>
<td></td>
<td>914,888</td>
<td>76,240</td>
<td>55,858</td>
<td>20,382</td>
<td>26.73%</td>
<td></td>
</tr>
</tbody>
</table>
PURPOSE: To present to the Mayor and City Council the 2009 detail of the Local Option Sales Tax receipts through December 2009.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

PREVIOUS COUNCIL DISCUSSION:
### City of Hinesville

Local Option Sales Tax Collected

<table>
<thead>
<tr>
<th>Month Collected</th>
<th>Amount Received</th>
<th>% Increase (Decrease) from Prior Year (for the period)</th>
<th>% Increase (Decrease) from Prior Year (YTD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>January-09</td>
<td>304,783.18</td>
<td>23.301%</td>
<td></td>
</tr>
<tr>
<td>February-09</td>
<td>292,280.97</td>
<td>-11.434%</td>
<td>3.4411%</td>
</tr>
<tr>
<td>March-09</td>
<td>508,959.56</td>
<td>42.331%</td>
<td>18.3178%</td>
</tr>
<tr>
<td>2009 Pro Rata Dist</td>
<td>-</td>
<td>0.000%</td>
<td>18.3178%</td>
</tr>
<tr>
<td>April-09</td>
<td>319,508.10</td>
<td>-14.463%</td>
<td>8.9586%</td>
</tr>
<tr>
<td>May-09</td>
<td>347,257.62</td>
<td>-0.989%</td>
<td>6.8556%</td>
</tr>
<tr>
<td>June-09</td>
<td>345,952.07</td>
<td>-4.524%</td>
<td>4.8158%</td>
</tr>
<tr>
<td>July-09</td>
<td>397,553.04</td>
<td>12.926%</td>
<td>6.0188%</td>
</tr>
<tr>
<td>August-09</td>
<td>339,415.36</td>
<td>7.650%</td>
<td>6.2101%</td>
</tr>
<tr>
<td>September-09</td>
<td>303,748.08</td>
<td>-19.596%</td>
<td>3.0369%</td>
</tr>
<tr>
<td>October-09</td>
<td>281,470.47</td>
<td>-16.679%</td>
<td>1.0751%</td>
</tr>
<tr>
<td>November-09</td>
<td>-100.000%</td>
<td>-100.000%</td>
<td>-16.1980%</td>
</tr>
<tr>
<td>December-09</td>
<td>-100.000%</td>
<td>-100.000%</td>
<td>-16.1980%</td>
</tr>
<tr>
<td>2009 Pro Rata Dist</td>
<td></td>
<td>0.000%</td>
<td>-16.1980%</td>
</tr>
</tbody>
</table>

**TOTAL** $3,440,928.45

| FY 2009 Collections | $4,142,621.32 | CY 2009 Collections | $3,440,928.45 |
| FY 2008 Collections | $4,026,915.52 | CY 2008 Collections | $4,106,023.02 |

**Increase (Decrease)** **$115,705.80**

**Increase (Decrease)** **-$665,094.57**

2.873% -16.198%
PURPOSE: The City of Hinesville is in the process of establishing a brand identity to promote city services, opportunities and events. The brand will add continuity and consistency to communication efforts.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

15-5-1 Branding Milestones

PREVIOUS COUNCIL DISCUSSION:
BRANDING MILESTONES

1. December 17, 2009 Selected logo and tagline
   a. Create stylebook with brand standards and guidelines (Action Item)
   b. Develop brand implementation plan (Informational Item)

2. April 16, 2010 New City of Hinesville Website Goes Live
   a. January 12, 2010 Content Processing Workshop (Informational)
   b. February 3, 2010 Content Submission Due (Informational)
PURPOSE: The City of Hinesville is planning a health fair sponsored by Wal*mart on January 30, 2010, from 1-4 p.m. at the YMCA on Mary Lou Drive. Free screenings for glucose, diabetes, blood pressure and vision will be available. Also, the blood mobile will collect blood donations and the Southeastern Georgia Oral Administration will administer “Same-Day” AIDS tests.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

PREVIOUS COUNCIL DISCUSSION:
PURPOSE: The Small World Festival Planning Committee will meet on Tuesday, Jan. 12, at 5:30 pm (location TBA). The committee is looking for representation from as many different cultures as possible. If you are interested in becoming a part of the Small World Festival Committee or have contact information for anyone who would like to represent their culture by participating in the festival, please contact HDDA Staff @ (912) 877-4332.

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

15-7-1 HDDA Announcements

PREVIOUS COUNCIL DISCUSSION:
2010 SMALL WORLD FESTIVAL
PLANNING MEETING

Anyone interested is encouraged to attend.

Tuesday, January 12th
City Hall Council Room
5:30pm – 7:00pm

Contact HDDA @ (912)877-4332 for more information
PURPOSE: The Liberty County Martin Luther King, Jr. Observance Association will host the 2010 celebration with events scheduled January 15-18. The theme is "Back to the Basics...Doing the Right Things."

BACKGROUND:

FUNDING:

RECOMMENDATION:

ATTACHMENTS:

15-8-1 MLK Celebration

PREVIOUS COUNCIL DISCUSSION:
"Back to the Basics...Doing the Right Things"
LIBERTY COUNTY
MARTIN LUTHER KING, JR OBSERVANCE ASSOCIATION
January 15-18, 2010

2010 Schedule of Events

Friday - January 15
A Donald Lovette Production - "Operation Old School"
New!
7:00 pm - Full Gospel Tabernacle Church of God in Christ, Hinesville, Georgia

Saturday - January 16
Leadership Breakfast, 8:30 am - Old Dorchester Center, Midway, Georgia

Saturday - January 16
Youth Explosion, Featuring the Dream Choir and announcement of the 2010 Poster Contest winners, 6:30 pm - Full Gospel Tabernacle Church of God in Christ, Hinesville, Georgia

Sunday - January 17
Worship Services - (Local)

Monday - January 18
City Parade and Commemorative Service

**Parade line up, 8am, Bradwell Institute Parking Lot; Parade starts at 10:00 am through downtown. No registration fees or cost for participation--but registration is required. Print the registration below and fax to (912) 876-6474.

Commemorative Service, Bradwell Institute Gymnasium (follows the City Parade) Keynote Address: Rev. Ashley Johnson Morris, St. James AME, Jones, Georgia