

1. Agenda

Documents:

[BOMC-5-24-23-RM-AGENDA.PDF](#)

2. Meeting Called To Order/Adoption Of Agenda

3. Commissioner Comments

4. Approval Of Minutes

5. Municipal Court Clerks Week Proclamation

Documents:

[COURT CLERK PROC.PDF](#)

6. Administrative Fee Ordinance

Documents:

[AVONDALE ADMINISTRATIVE FEES ORDINANCE UPDATED DRAFT
5.19.23.PDF](#)

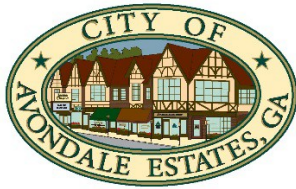
7. Farm Winery Ordinance

Documents:

[AE FARM WINERY TASTING ROOM DRAFT REVISED 5.9.23.PDF](#)

8. Public Comment

9. Adjournment



**BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING
MAY 24TH, 2023
5:30 P.M.**

AGENDA

- Item #1 Meeting Called to Order
- Item #2 Adoption of Agenda
- Item #3 **Commissioner Comments**
- Item #4 **Approval of Minutes**
May 10th regular meeting
May 10th work session
- Item #5 **Municipal Court Clerks Week Proclamation**
The Georgia Municipal Court Clerks Council announces this inaugural celebration as a way to recognize the role of clerks in the judicial system.
- Item #6 **Administrative Fee Ordinance**
This ordinance provides for city to charge reasonable administrative fees for review of permits, licenses and other approvals and permissions.in amounts recommended by the city manager and approved by the Board of Mayor and Commissioners.
- Item #7 **Farm Winery Ordinance**
This ordinance is designed to support local businesses wanting to open farm winery tasting rooms. These are businesses that sell and offer samples of wine partially sourced in state.
- Item #8 Public Comment
- Item #9 Adjournment

PROCLAMATION
IN RECOGNITION OF MUNICIPAL COURT CLERKS WEEK
June 5-9, 2023

WHEREAS, Municipal Court Clerks play a significant role in ensuring that municipal courts preserve public safety and promote quality of life in the City of Avondale Estates and local municipalities across the state; and

WHEREAS, the procedures for the City's Municipal Court operations are set forth by the Uniform Rules of Municipal Court and other laws of the State of Georgia; and

WHEREAS, public impression of the City's judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, Municipal Court Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, Municipal Court Clerks act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, it is most appropriate that we recognize the accomplishments and significant role the Municipal Court Clerks play in our community;

NOW, THEREFORE, I Jonathan Elmore, Mayor of the City of Avondale Estates, do recognize the week of June 5-9, 2023, as Municipal Court Clerks Week and further extend appreciation to our Municipal Court Clerk, Marcella Shaw, and all Municipal Court Clerks for the vital services they perform and their exemplary dedication to the communities they represent and serve.

SO PROCLAIMED this 10th day of May, 2023.

Jonathan Elmore, Mayor

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY OF AVONDALE ESTATES TO AMEND CHAPTER TWO OF THE CITY CODE REGARDING ADMINISTRATION; TO ASSESS ADMINISTRATIVE FEES IN CONNECTION WITH ALL APPLICATIONS FOR PERMITS OR LICENSES ISSUED BY THE CITY; TO AUTHORIZE THE CITY MANAGER TO ESTABLISH THE REASONABLE AMOUNT OF SUCH FEES; AND TO REPEAL CONFLICTING PROVISIONS.

WHEREAS, Georgia law allows the City to charge a reasonable administrative fee in addition to any regulatory fee and any revenue tax when an applicant submits an application for any permit or license issued by the City; and

WHEREAS, administrative fees shall be in an amount that approximates the cost to the City, in terms of staff time, to administer the request by the applicant for a permit or license; and

WHEREAS, the City Manager is best positioned to estimate the cost of administration for the various applications that the City receives and to keep such amounts current over time.

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Commissioners of the City of Avondale Estates as follows:

Section 1. New Section 2-32 of the City Code is hereby adopted and shall provide as follows:

“Sec. 2-32. Administrative Fees.

- (a) Whenever this Code of Ordinances provides that an applicant must apply for a permit, license or other approval or permission that must be reviewed and assessed by City staff, the applicant shall be required to pay an administrative fee in connection with submitting such application. The amount of each such fee assessed shall approximate, as nearly as possible, the cost incurred by the city (including time spent by city staff) to review and assess the application.
- (b) The amount of the administrative fee assessed in connection with each type of application shall be established by a schedule of fees that is recommended by the city manager and approved by resolution of the Board of Mayor and Commissioners on an annual basis. The most recently approved fee schedule shall remain in effect until repealed or replaced by resolution of the Board of Mayor and Commissioners.
- (c) An additional administrative fee shall be assessed for any “resubmittal” of a prior application or request for permit, license, inspection or other approval.
- (d) The city manager shall publish (on the City’s website and in writing at City Hall) the current schedule of administrative fees for each type of application processed by the City. Such schedule of administrative fees shall state the date that it is effective.

- (e) Because administrative fees compensate the City for the administrative burden of reviewing an application, such fees are non-refundable and will be retained by the City even if the subject application is denied.
- (f) To the extent that other sections of this Code of Ordinances provide for an administrative fee in an amount that varies from the amount of the fee established by the current schedule of administrative fees approved pursuant to this section, it is the intent of the Board of Mayor and Commissioners that the amount established by the fee schedule adopted pursuant to this section shall control.”

Section 2. All provisions of City Code setting a specific amount for an administrative fee in connection with a particular application are repealed to the extent that such fee amount is different from the administrative fee amount for such application established pursuant to this ordinance. Any other provision of the City Code directly in conflict with this ordinance is also hereby repealed.

Section 3. This ordinance shall become effective immediately upon its adoption.

SO ORDAINED this ____ day of _____, 2023.

ATTEST:

**BOARD OF MAYOR AND COMMISSIONERS
CITY OF AVONDALE ESTATES, GEORGIA**

By _____
Gina Hill, City Clerk

Jonathan Elmore, Mayor

Approved as to Form:

Stephen G. Quinn,
City Attorney

ORDINANCE NO. _____

**AN ORDINANCE BY THE CITY OF AVONDALE ESTATES TO AMEND
CHAPTER 3 OF THE CODE OF ORDINANCES, REGARDING
ALCOHOL, TO ALLOW FARM WINERY TASTING ROOMS.**

WHEREAS, O.C.G.A. §3-6-21.1 *et seq* allows for “tasting rooms” as defined by State law that are associated with “farm wineries” as defined by State law to engage in retail wine sales as well as sale of wine by the drink for consumption on premises; and

WHEREAS, the Board of Mayor and Commissioners desires to allow, encourage and support farm winery tasting rooms within the city.

NOW THEREFORE, BE IT ORDAINED BY the City of Avondale Estates, as follows:

Section 1. Section 3-56 of Article II of Chapter 3 of the Code of Ordinances is hereby amended to add new subsection (y), which shall read as follows:

“(y) An annual license fee of two hundred and fifty dollars (\$250.00) shall be charged for a qualified farm winery to establish a tasting room pursuant to Article XIII of this chapter.”

Section 2. New Article XIII of Chapter 3 of the Code of Ordinances is hereby adopted and shall provide as follows:

“Sec. 3-201 - Definitions.

As used in this Article, the following terms shall be defined as indicated in this section:

Farm winery shall have the meaning set forth and further defined in O.C.G.A. § 3-6-21.1(a)(1).

Tasting room shall have the meaning set forth and further defined in O.C.G.A. § 3-6-21.1(a)(3).

Samples shall mean a tasting of an individual wine in an amount of not more than two ounces, which may be given complimentary or for a fee.

Sec. 3-202 - Farm winery tasting rooms.

- (a) Upon submission of an application and payment of the required fee pursuant to Article II of this chapter, a “farm winery” as defined in this article, may be licensed to establish a “tasting room” as defined in this Article.
- (b) A “tasting room” licensed pursuant to this section shall be permitted to engage in the following activities:
 - i.) Manufacturing wine that is at least forty percent (40%) sourced from a Georgia farm winery;
 - ii.) providing samples to customers of wine that is manufactured at the associated Georgia farm winery or manufactured at the licensed tasting room;
 - iii.) sale of wine manufactured by the associated Georgia farm winery or manufactured by the licensed tasting room by the drink for consumption on the premises; and
 - iv.) sale of wine manufactured at the associated Georgia farm winery or manufactured at the licensed tasting room at retail in sealed packages for consumption off the premises.”

Section 3. This ordinance shall become effective immediately upon its adoption by the Board of Mayor and Commissioners.

SO ORDAINED this ____ day of _____, 2023.

ATTEST:

**BOARD OF MAYOR AND
COMMISSIONERS
CITY OF AVONDALE ESTATES,
GEORGIA**

By _____
Gina Hill, City Clerk

Jonathan Elmore, Mayor

Approved as to Form:

Stephen G. Quinn,
City Attorney